Wiltshire Council

TOWN & COUNTRY PLANNING ACT 1990:
SECTION 192 (as amended by Section 10 of the Planning & Compensation Act 1991)

Certificate of Lawful Use or Development - Proposed Use or Development

Application Reference Number: PL/2023/08391
Decision Date: 12 January 2024

Applicant

Mr and Mrs Nigel Hull
New House Farm, Pink Lane, Charlton,
Wiltshire, SN16 9DS

Particulars of Development: - Change of Use and Conversion of Two Barns to Create 2 Dwellings

At: New House Farm, Pink lane, Charlton, Malmesbury, SN16 9DS

Wiltshire Council hereby certify that on 29 September 2023 the operations described in the First Schedule to this Certificate in respect of the land specified in the Second Schedule to this Certificate and edged red on the plan attached to this certificate are lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s):

The proposal accords with Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

An application for Prior Approval Under Class Q for the conversion of two barns to create 2 no. dwellings (ref. PL/2023/06131) was submitted on 21/07/2023. This application was deemed approved by default as the maximum 56 days required by the legislation had elapsed prior to the Local Planning Authority issuing the decision. The Local Authority subsequently issued the decision Prior Approval Not Required on 12/01/2024 ref. PL/2023/06131.

SCHEDULE 1: Change of Use and Conversion of Two Barns to Create 2 Dwellings

SCHEDULE 2: New House Farm, Pink lane, Charlton, Malmesbury, SN16 9DS

Signed
Parvis Khansari - **Corporate Director, Place**

Notes -

1. This Certificate is issued solely for the purpose of Section 192 of the Town & Country Planning Act 1990 (as amended).

2. It certifies that the use or development specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and thus would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.

3. This Certificate applies only to the extent of the proposed use or development described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use or development which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

4. The effect of the Certificate is also qualified by the proviso in Section 192 (4) of the 1990 Act, as amended. This states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change before the use is instituted or the operations begun in any manner relevant to determining such lawfulness.

5. Your attention is drawn to the rights of appeal you have against the Council's decision, contained in Section 195 of the Town and Country Planning Act 1990 (as amended). Any appeal must be lodged within 3 months of the date of this decision.