Wiltshire Council

# The Town and Country Planning Act 1990

## Refusal of Certificate of Lawful Use or Development - Existing Use or Development

## Application Reference Number: PL/2023/09259

## Decision Date: 26 January 2024

| | |
|---|---|
| **Applicant:** | Mr and Mrs R. Brain<br>7 Hillcrest, Colerne, Wiltshire, SN14 8BP |
| **Particulars of Development:** | Certificate of Lawfulness for the annexe to be used as a dwellinghouse |
| **At:** | The Annexe, 7 Hillcrest, Thickwood Estate, Colerne, Chippenham, Wiltshire, SN14 8BP |

Wiltshire Council hereby certify that this application for a Certificate is hereby **REFUSED** for the following reasons (contained in the informative):

**Refusal Reason(s):** (1)

1 The evidence provided in support of the applicant's claim demonstrates that the use and occupation of 'The Annexe' has not been undertaken on an independent basis.

As no separate dwelling or planning unit has been created, there has been no breach of planning control against which the LPA could take enforcement action.

The LPA is not satisfied that the legal tests are met in relation to the creation of a new residential planning unit at 7 Hillcrest and therefore a Lawful Development Certificate cannot be granted.

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

If the applicant is aggrieved by this decision an appeal may be lodged with the Secretary of State under the terms of Section 195 of the Town and Country Planning Act 1990. Appeals may be made on a form which is obtainable from the Planning Inspectorate via the Inspectorate website of Planning Portal –

www.planninginspectorate.gov.uk

www.planningportal.gov.uk/planning/appeals

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

A copy of the appeal documents should be sent direct to planningappeals@wiltshire.gov.uk.