Wiltshire Council

TOWN & COUNTRY PLANNING ACT 1990:
SECTION 191 (as amended by Section 10 of the Planning & Compensation Act 1991)

Certificate of Lawful Use or Development - Existing Use or Development

Application Reference Number: PL/2023/09665
Decision Date: 01 February 2024

Applicant: Mr Jones
The Royal Oak, Wootton Rivers, Marlborough, Wilts, SN8 4NQ

Particulars of Development: - Certificate of Lawfulness for material start to implement permission 14/07813/FUL (Erection of new dwelling in the grounds of White Hart public house and formation of new car park for public house)

At: The White Hart, Oare, Marlborough, Wilts, SN8 4JA

Wiltshire Council hereby certify that on 14 December 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 would have been lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended) for the following reasons:

From the evidence provided (including: a conditions discharge letter; a 'material start details' plan; a contractor's invoice; a letter from the approved inspectors for the Building Control stage; a Building Regulations final certificate; and a Building Regulations completion certificate)and on the balance of probability, a material start to implement planning permission ref. 14/07813/FUL was made within the requisite timeframe to satisfy condition 1 of that permission.

SCHEDULE 1: Certificate of Lawfulness for material start to implement permission 14/07813/FUL (Erection of new dwelling in the grounds of White Hart public house and formation of new car park for public house)

SCHEDULE 2: The White Hart, Oare, Marlborough, Wilts, SN8 4JA

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

Notes -

1. This Certificate is issued solely for the purpose of Section 191 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.