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/2023/05054
Decision Date: 07 February 2024

Applicant: SSE Utility Solutions Limited
No 1 Forbury Place , 43 Forbury Road , Reading , Berkshire, RG1 3JH

Particulars of Development: - Application for a Lawful Development Certificate for an Electricity Substation

At: CHIPPENHAM ELECTRICITY SUBSTATION, UPPER COCKLEBURY LANE, CHIPPENHAM

Wiltshire Council hereby certify that on 06 December 2023 the building 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:

The proposed development fell within the parameters set out in The Town & Country Planning (General Permitted Development) Order 1995, as amended [specifically Part 17, Class G - Statutory Undertakers] at that time. Details of design and external appearance, which were required by the G.2 criterion to be approved 'before development is begun', were approved on 07/02/2001 under application reference number N/00/02958/REM. Evidence shows the building was commenced shortly thereafter and, on the balance of probabilities, was erected in accordance with the approved plans.

SCHEDULE 1: Application for a Lawful Development Certificate for an Electricity Substation

SCHEDULE 2: CHIPPENHAM ELECTRICITY SUBSTATION, UPPER COCKLEBURY LANE, CHIPPENHAM

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.