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/2023/10682

Decision Date: 5th March 2024

Applicant:	Linda Dolman Elm Villa, Corston, Malmesbury, SN16 0HB
Particulars of Development:	Certificate of lawfulness for land used as storage
At:	Land to the North of Stonelea, Mill Lane, Corston, Malmesbury, Wilts, SN16 0HH

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

Refusal Reason(s): (3)

1 The application does not include a precise description of the use being applied for and only seeks to establish a “storage” use. A certificate cannot be granted for an undefined mixed or sui generis use.

2 The evidence provided by way of Statutory Declarations and aerial photography is not sufficiently precise or unambiguous to show that, on the balance of probability, a material change of use has taken place over the whole site applied for.

3 The Council is not satisfied that the legal tests are met in relation to The Lands to the North of Stonelea, or the planning unit to which it relates, 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.