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/2024/00117
Decision Date: 28 March 2024

Applicant: Ms Lorraine Collis
Building 2, Archipelago, Lyon Way , Frimley, Surrey, England, GU16 7ER

Particulars of Development: - Use of ancillary Warden's Accommodation as Sheltered Residential Accommodation

At: 6 ORCHARD COURT, ARCHES LANE, MALMESBURY, SN16 0ED

Wiltshire Council hereby certify that on 04 January 2024 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:

That the Certificate of Lawfulness (Proposed Development) be granted as the proposal does not represent a material change of use constituting development for the purpose of Section 55 of the Town and Country Planning Act 1990 (as amended)

SCHEDULE 1: Use of ancillary Warden's Accommodation as Sheltered Residential Accommodation

SCHEDULE 2: 6 ORCHARD COURT, ARCHES LANE, MALMESBURY, SN16 0ED

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.