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/2023/06925
Decision Date: 23 April 2024

Applicant: KLD Property Investments Ltd
Beacon House, 4 Beacon Road, Rotherwas Industrial Estate,
Hereford, England, HR2 6JF

Particulars of Development: - Certificate of lawfulness for the continued existing use of bungalow.

At: Kington Langley Garage, Malmesbury Road, Kington Langley, Chippenham, SN15 5PY

Wiltshire Council hereby certify that on 11 October 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:

It is evidenced that the bungalow has been in residential use in excess of 4 years as demonstrated by council tax records. There was initially some concern about the extent of the residential curtilage initially proposed, due to the historic informal nature between the residential and commercial use at the site. Following the red line area on the Location Plan being reduced, it is considered that on the balance of probability, this area of land has been used as residential curtilage in association with the bungalow for in excess of 10 years. No members of the public have disputed the claims, one has corroborated the claims. On the balance of probability, it is considered the building works for the bungalow took place in excess of a 4 year period within the periods claimed as specified in Section 171 B (2), and the change of use took place in excess of a 10 year period within the period claimed as specified in Section 171 B (3).

SCHEDULE 1: Certificate of lawfulness for the continued existing use of bungalow.

Approved plans:
Block and Site Location Plan, received by the LPA 27/03/24
Existing Elevations, received by the LPA 15/08/23

SCHEDULE 2: Kington Langley Garage, Malmesbury Road, Kington Langley, Chippenham, SN15 5PY

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.

PARTY WALL
WHERE WORK INVOLVES ALTERATIONS TO A PARTY WALL OR WORKS CLOSE TO A BOUNDARY, IT IS THE OWNERS RESPONSIBILITY TO COMPLY WITH THE NECESSARY NOTICES ETC. REQUIRED BY THE PARTY WALL ACT. 1996. NOTICES TO BE SERVED ATLEAST TWO MONTHS BEFORE WORK COMMENCES.

GENERAL NOTES
THE CONTRACTOR MUST COMPLY IN ALL RESPECTS WITH CURRENT BUILDING REGULATIONS & RELEVANT BUILDING STANDARDS & PRACTICE WHETHER SPECIFICALLY STATED ON THIS DRAWING OR NOT.

BEFORE THE START OF WORK ALL SITE MEASUREMENTS, ANGLES & LEVELS MUST BE CHECKED BY THE CONTRACTOR IN THE EVENT OF ANY INACCURACIES ON THIS DRAWING NO LIABILITY OR RESPONSIBILITY WILL BE ACCEPTED ONCE WORK HAS STARTED.

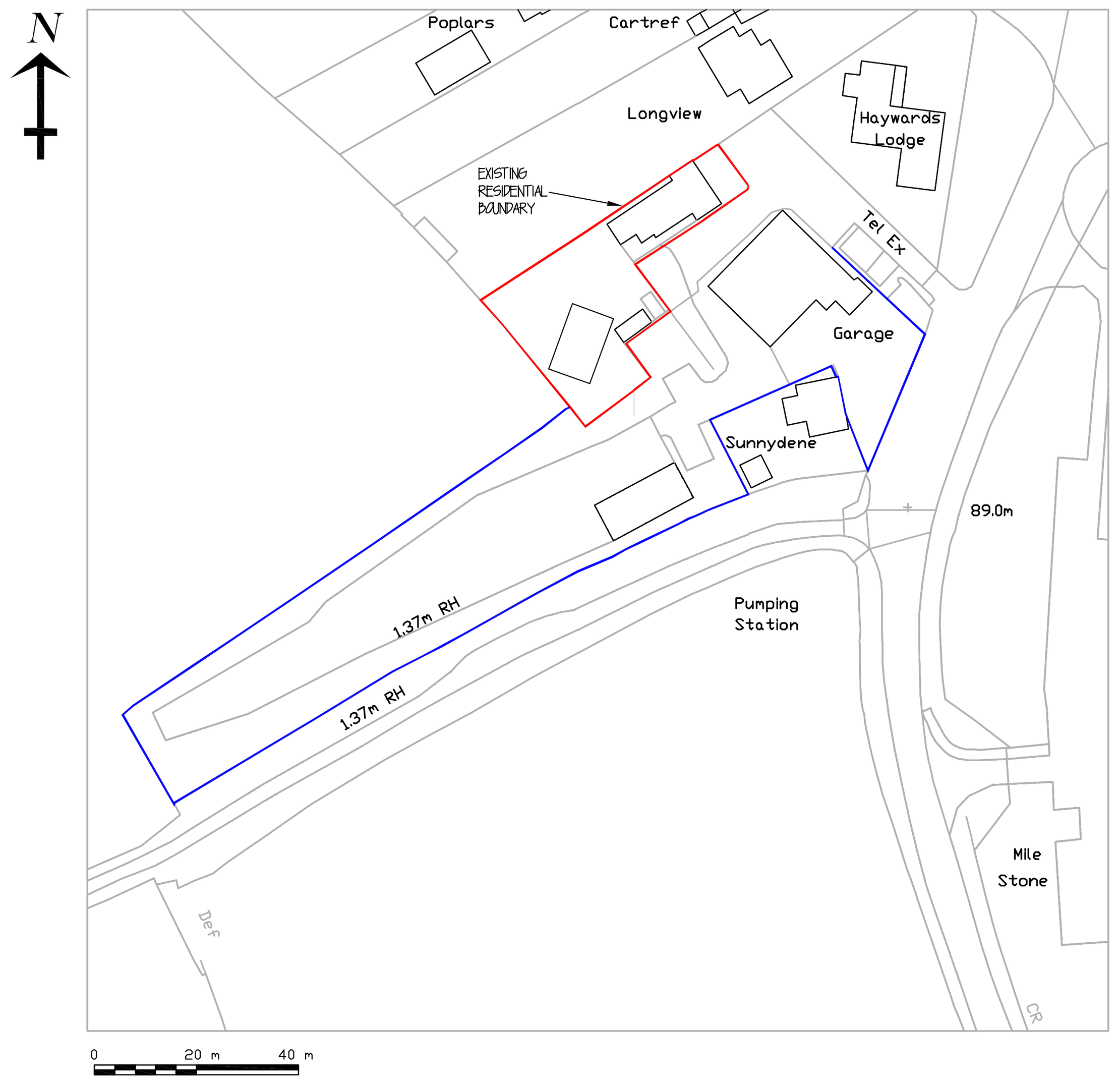
ONLY THE MATERIALS ON THIS DRAWING ARE TO BE USED. ANY SUBSTITUTIONS MUST BE OF A SIMILAR QUALITY & STANDARD AS THAT STATED. ALL MATERIALS ARE TO BE USED IN ACCORDANCE WITH MANUFACTURES INSTRUCTIONS UNLESS OTHERWISE DIRECTED.

THIS DRAWING IS THE PROPERTY OF ACORN ARCHITECTURAL AND COPYRIGHT IS RESERVED BY THEM. THIS DRAWING IS NOT TO BE COPIED OR DISCLOSED BY OR TO ANY UNAUTHORISED PERSONS WITHOUT THE PRIOR WRITTEN CONSENT OF ACORN ARCHITECTURAL.

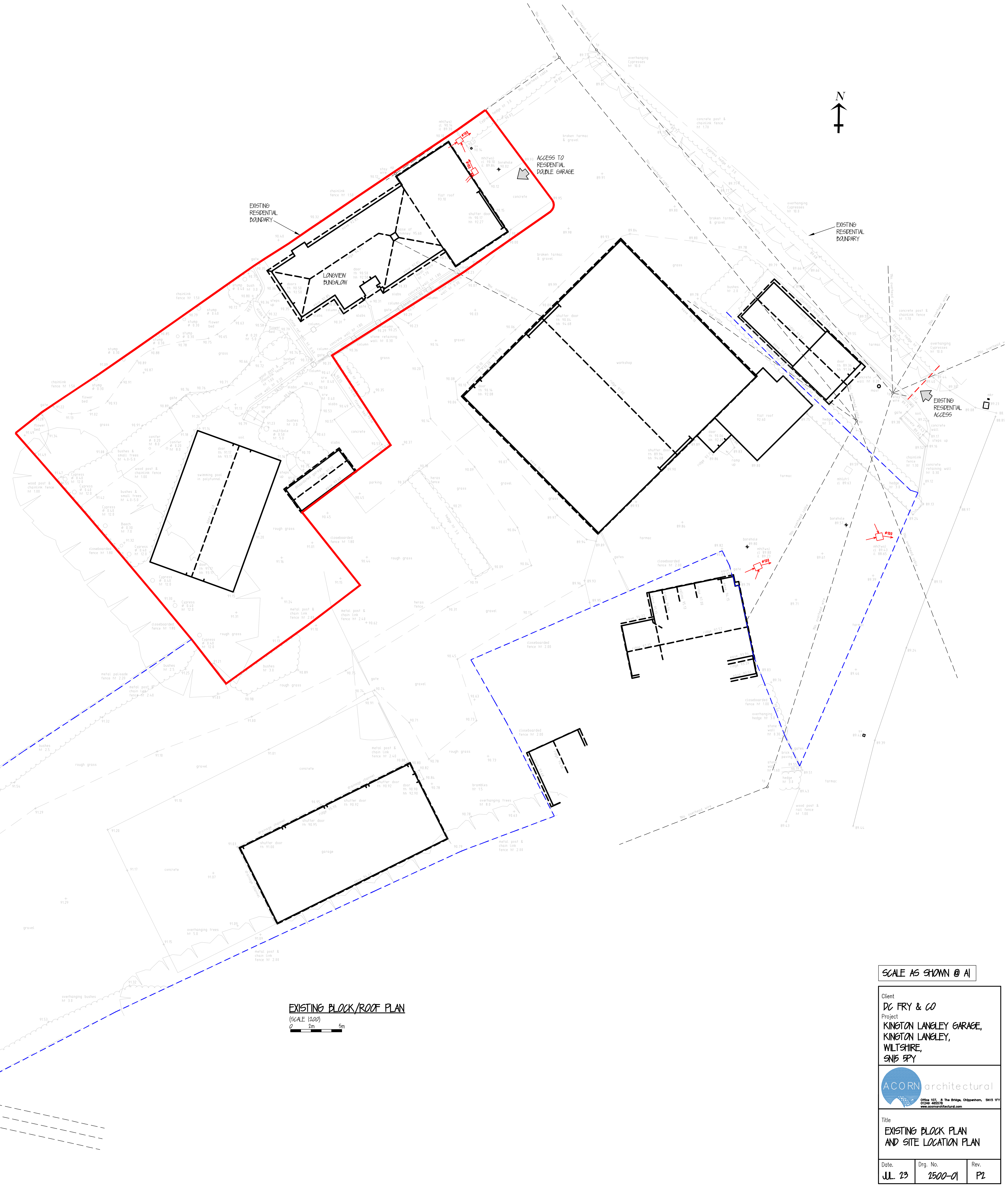
TENDER
THE CONTRACTOR IS TO ALLOW FOR ALL WORKS NECESSARY TO COMPLETE THE PROJECT READY FOR OCCUPATION BY THE CLIENT. IF THE CONTRACTOR CONSIDERS ANY OTHER WORKS ARE NECESSARY AND IT IS NOT CLEAR OR NOTED ON THE DRAWING IT MUST BE BROUGHT TO THE CLIENTS ATTENTION BEFORE SUBMISSION OF THE CONTRACTS TENDER. IT IS TO BE ASSUMED THAT THE CONTRACTOR HAS ALLOWED FOR ALL ITEMS OF WORK UNLESS THEY ARE SPECIFICALLY NOTED AS EXCLUDED IN THE CONTRACTORS TENDER SUBMISSION.



NORTH EAST ELEVATION
SHOWING RESIDENTIAL GARAGE
FOR LONGVIEW BUNGALOW



SITE LOCATION PLAN
(SCALE 1:1250)



EXISTING BLOCK/ROOF PLAN
(SCALE 1:200)
0 2m 5m

SCALE AS SHOWN @ A1

Client
DC FRY & CO
Project
KINGTON LANGLEY GARAGE,
KINGTON LANGLEY,
WILTSHIRE,
SN15 5PY

ACORN architectural
Office 107, 8 The Bridge, Chippenham, SN15 1FY
01249 468578
www.acornarchitectural.com

Title
EXISTING BLOCK PLAN
AND SITE LOCATION PLAN

Date.	Drg. No.	Rev.
JUL 23	2500-01	P2