

**TOWN & COUNTRY PLANNING ACT 1990:
SECTION 192 (as amended by Section 10 of the Planning & Compensation Act 1991)**

Certificate of Lawful Use or Development - Proposed Use or Development

**Application Reference Number: PL/2026/01565
Decision Date: 05/05/2026**

Applicant: Wild Capital 1 Ltd
c/o Agent, Chapman Lily Planning, Unit 5 Designer House, Sandford Lane,
Wareham, Dorset, UK, BH20 4DY

At: Hospital Of St John, Newtown, Heytesbury, BA12 0HW

I write with reference to your application for a Certificate of Lawfulness relating to a proposed use or development submitted in respect of the above site.

The application for a Certificate is hereby **REFUSED**.

Refusal Reason

- 1 The Local Planning Authority is not satisfied that the proposed replacement of the sewage treatment plant would be lawful if carried out. Planning permission ref. W/04/02439/FUL authorised a specific instance of development, namely the replacement of the sewage treatment plant as it existed at that time. The current proposal involves the installation of a new and different treatment system requiring fresh engineering operations, including excavation and installation works, which constitute development as defined under section 55 of the Town and Country Planning Act 1990. The W/04/02439/FUL permission does not grant an ongoing entitlement to undertake further replacements beyond that originally approved, and the absence of a plans condition does not extend the scope of that permission. Accordingly, the proposed works would require a new grant of planning permission and cannot be considered lawful. A Certificate of Lawfulness of Proposed Development is therefore refused.

The Local Planning Authority is not satisfied, on the balance of probabilities, that the proposed operations would be lawful if begun at the date of the application, having regard to section 192 of the Town and Country Planning Act 1990 (as amended).

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, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or via the Inspectorate website of Planning Portal –

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.

Nic Thomas - Director of Planning, Economy and Regeneration