

**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/2026/02069
Decision Date: 20/05/2026**

Applicant: Mr Jack Nethercott
The Millworks,, Heath Mill Road, Wombourne, South Staffordshire, United Kingdom , WV5 8AP

At: 4 Manor Farm Lane, Patney, Devizes, SN10 3RB

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

- The application seeks a Certificate of Lawfulness of Proposed Use or Development under section 192 of the Town and Country Planning Act 1990 in respect of the siting of a caravan on the land shown on the submitted plans.

Section 192 requires the Local Planning Authority to be satisfied that the proposed operations would be lawful if carried out at the time of the application. In this case, the proposed siting of the caravan is dependent upon the prior demolition of the existing garage currently occupying the site. The demolition of that building constitutes operational development within the meaning of section 55 of the Act and, in this instance, requires prior approval under Part 11, Class B of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015.

At the time of determination, no such prior approval has been granted. As a result, the works necessary to facilitate the proposal are not currently lawful. A certificate of lawfulness cannot be issued on the basis of assumed or prospective future consents, and the Local Planning Authority must consider the lawfulness of the proposal as a whole, rather than in isolation.

Accordingly, the Local Planning Authority is not satisfied that the proposed development would be lawful if carried out at the time of the application, and the statutory test under section 192 of the Town and Country Planning Act 1990 has not been met.

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 –

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.

Nic Thomas - Director of Planning, Economy and Regeneration