

**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/2026/04661
Decision Date: 28/09/2026**

Applicant: Mr Steve Elsey
Ascend Learning Trust, Lime Kiln, Royal Wootton Bassett, Swindon, Wiltshire,
SN4 7HG

At: Sports Centre, The Wellington Academy, Ludgershall, Andover, SP11 9RR

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 proposed development would convert accommodation identified within the approved Community Use Agreement pursuant to Condition 13 of planning permission 17/12494/DP3 from community sports use to teaching accommodation. Condition 13 requires all sports facilities within the site to be operated at all times in strict accordance with the approved Community Use Agreement, which secures community access to specified indoor sports and ancillary facilities. The proposed development would prevent those facilities from continuing to be provided in accordance with the approved Community Use Agreement and would therefore result in a breach of Condition 13. Accordingly, the proposal would constitute a breach of planning control and would not be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990. A Certificate of Lawful Proposed Use or Development cannot therefore be issued.

Schedule of Drawings:

7432-FTPT-EA-01-DR-A-08-0001-P01-Site Location Plan

7432-FTPT-EA-01-DR-A-08-0002-P01-Existing Site Plan

7432-FTPT-EA-01-DR-A-08-0010-P01-Existing Ground Floor Plan

7432-FTPT-EA-01-DR-A-08-0011-P01-Existing First Floor Plan

7432-FTPT-EA-01-DR-A-08-0012-P01-Existing Roof Plan

7432-FTPT-EA-01-DR-A-08-0020-P01-Proposed Ground Floor Plan

7432-FTPT-EA-01-DR-A-08-0021-P01-Proposed First Floor Plan

7432-FTPT-EA-01-DR-A-08-0022-P01-Proposed Roof Plan

7432-FTPT-EA-ZZ-DR-A-08-0030-P01-Existing Sections

7432-FTPT-EA-ZZ-DR-A-08-0040-P01-Proposed Sections

7432-FTPT-EA-ZZ-DR-A-08-0050-P01-Existing North and East Elevations

7432-FTPT-EA-ZZ-DR-A-08-0051-P01-Existing South and West Elevations

7432-FTPT-EA-ZZ-DR-A-08-0060-P01-Proposed South and West Elevations

7432-FTPT-EA-ZZ-DR-A-08-0061-P01-Proposed North and East Elevations

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