Supplementary statement

THE WHITE HART, OARE, MARLBOROUGH, SN8 4JA : PL/2023/09665

The site of the White hart at Oare is divided through the middle by an access road to the properties behind. A planning application was made in respect of the southern part of the site, the other side of the access road from the pub buildings, initially in 2011 and later in 2014 for a single dwelling separate from the pub. On both occasions the permission was granted with conditions.

In the spring of 2017 it was realised that the approved permission would once again expire unless works were begun to meet with condition 1 of the application. A number of pre-commencement conditions would also be required to be satisfied prior to the start of work on site. The details requested in conditions 2,3 and 5 of the application were submitted and duly approved.

It was always intended that, at that time, only sufficient works would be carried out as were necessary to demonstrate a material start to the project ensuring the approval remained extant.

The schedule of works required, plans etc were prepared tendered and implemented by Fowlers Architects which included the tree protection requirement, the material start itself and the sign off by the appointed building control officer.

The works consisted of a section of the footing and oversite block and brickwork, comprising the northernmost corner of the approved dwelling. This work was inspected by Richard Moore of Spire building services, then covered over pending recommencement of the development.

Section 56(4)b of the town and country planning act states that **'the digging of a trench which is to contain the foundations, or part of the foundations, of a building;' constitute a material start.** This requirement was exceeded, an invoice for the work predating the 3 year limit is attached as is a sign off certificate from the appointed building control officer providing unassailable evidence that the work was completed.

The purpose of this application for a Certificate of Lawfulness is to demonstrate beyond any doubt the extant nature of the permission such that potential developers can proceed with certainty.

Included with this application are:

Details of the material start,

Details of the tree protection scheme,

AG builders invoice for work carried out on site

Spire building control services final certificate

George Lewis

7th December 2023

RESERECT