

Planning Registration Team, Wiltshire Council
Our ref: 26008.cb
Your ref: PL/2022/07999 & PL/2022/08331
Date: 29th May 2026

Dear Sir or Madam

**S.192 of the Town and Country Planning Act 1990
Certificate of Lawful Proposed Use or Development (CLEUD) Application: Implementation of
planning permission PL/2022/07999
Wormcliffe House, Wormcliff Lane, Kingsdown Corsham SN13 8AR**

1.0 Introduction

PlanningSphere act for the freehold owners of Wormcliffe House, Pieter Hooft and Susan Smyth.

Following a lawful material start, comprising a first phase of development pursuant to planning permission PL/2022/07999 and listed building consent PL/2022/08331, we are instructed to seek formal confirmation from the Council in the form of the enclosed CLEUD application, which comprises the following information:

- Application fee: £274.00 plus £91.00 Planning Portal Administration Fee
- Site Location Plan: Hetreed Ross Architects
- Annotated and Dated Site Photographs: Hetreed Ross Architects
- Commencement of Development Ground Floor Plan: Hetreed Ross Architects
- Commencement of Development North Elevation: Hetreed Ross Architects
- Retaining Wall Proposals: E&M West Consulting Engineers
- Building Notice Inspection Record: Wiltshire Council
- Building Control Fee Payment: Wiltshire Council
- Planning Cover Letter: PlanningSphere

2.0 Planning Context

Wormcliffe House is a grade II listed detached house set in generous grounds that located on the west side of Wormcliff Lane.

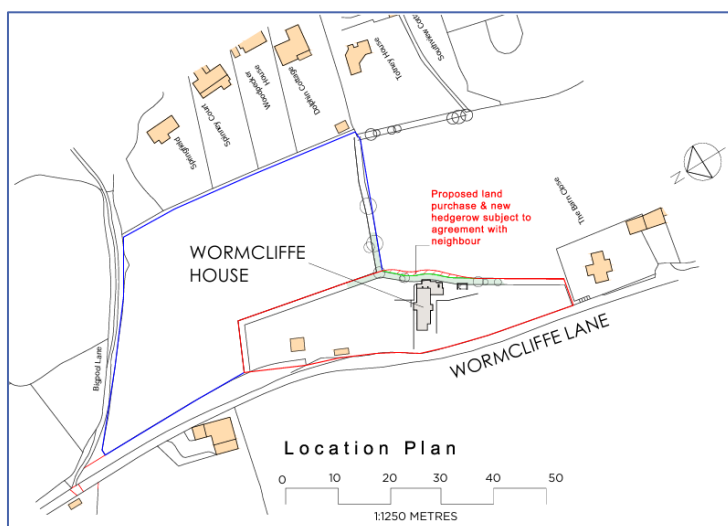


Figure 1. Extract from Site Location Plan

Relevant planning history is set out below:

Reference	Description	Decision
PL/2022/07999	The proposed works are to removal of the existing single storey modern extensions and construction of a new contextual two storey replacement extension. Extension of domestic curtilage into adjoining eastern field.	Permitted 06.03.2023
PL/2022/08331	Removal of the existing single storey modern extensions and construction of a new contextual two storey replacement extension. Extension of domestic curtilage into adjoining eastern field.	Consent 06.03.2023
19/06759/FUL	Proposed removal of existing single storey modern extensions and construction of a new contextual two storey replacement extension with single storey kitchen addition with a lightweight glazed timber frame structure extending the domestic curtilage into the adjoining eastern field.	Permitted 18.10.2019

3.0 First Phase Implementation Chronology and Associated Evidence

As noted in the planning history table above, planning permission PL/2022/07999 and listed building consent PL/202208331 were approved by the Council under delegated officer's powers in March 2023. The decisions were not subject to any pre-commencement planning conditions.

A first phase of works commenced on site in February 2026 pursuant to both planning permission PL/2022/07999 and listed building consent PL/202208331. The Phase 1 works comprised the following stages of operational development, as set out below in chronological sequence:

1. Site access preparation: 26.02.2026
2. Commencement of excavation adjacent to East Elevation: 26.02.2026
3. Completion of excavation adjacent to East Elevation: 04.03.2026
4. Demolition of internal wall to Dining Room on Ground Floor: 03.03.2026
5. Reinforcement installation to excavation adjacent to East Elevation: 04.03.2026
6. Concrete slab casting to excavation adjacent to East Elevation: 05.03.2026
7. Retaining wall construction to concrete slab: 05.03.2026
8. Retaining wall reinforcement and concrete infill: 10.03.2026

Stages 1-7 were completed prior to 3-year expiry of planning permission PL/2022/07999 and listed building consent PL/202208331.

The completed Phase 1 works (Stages 1-8) are illustrated on enclosed Commencement of Development Ground Floor and North Elevation Plans, and Retaining Wall Proposal.

Dated evidence of the completion of the Phase 1 works is included in the enclosed annotated photosheet. This is further corroborated by the Building Control fee payment and subsequent Inspection Record relating to the Building Inspector's site visit which took place on 4th March 2026.

4.0 Determination and Conclusion

The purpose of this CLEUD application is to seek the Council's formal opinion that planning permission PL/2022/07999 has been lawfully commenced.

Guidance on lawful development certificates is set out in national Planning Practice Guidance (ID:17c-001-20140306). This states that if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable,

there is no good reason to refuse an application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.

It is acknowledged that what precisely constitutes a material start is a matter of fact and degree that will vary between cases, as there is no precise legal definition of a material start. Section 55 of the 1990 Town and Country Planning Act defines development as including building operations (e.g. structural alterations, construction, rebuilding, most demolition) and other operations normally undertaken by a person carrying on a business such as a builder.

We submit that the enclosed evidence of the completed scope of works comprising Phase 1, and the timing of implementation, demonstrably meets the required 'balance of probability' test for the assessment of lawful development certificate applications. On this basis, the Council is respectfully requested to grant a CLUED certificate confirming that the Phase 1 works have been carried out pursuant to planning permission PL/2022/07999.

Yours faithfully



Chris Beaver
Director

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