

Our Ref: ST/231008

21 September 2026

Development Services Central Area
Wiltshire Council
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN



BY PLANNING PORTAL

Dear Sir/Madam,

Section 191. Town & Country Planning Act 1990

Proposal: Certificate of Lawful Development: Existing Use

At: Doves Cottage, Kingston Road, Shalbourne, Wiltshire SN8 3QH

Planning Portal Reference: PP-15199166

Fowler Architecture & Planning Ltd have been instructed by Mr C Fisher to submit a Section 191 Application to Wiltshire Council for the above development at Doves Cottage, Shalbourne. The application has been submitted via the Planning Portal and comprises:

- Completed application form, certificates and notice;
- Planning application fee of £548.00;
- Drawing No. 231008-20: Site Location Plan;
- Drawing No. 231008-30B: Site Plan (Approved 29 September);
- Drawing No. 231008-35: Extent of Foundation Plan;
- Decision Notice: PL/2025/01793 (HSE) – Dated 29 September 2025;
- Decision Notice: PL/2025/02029 (LBC) – Dated 29 September 2025;
- Statutory Declaration by Mr Christopher Fisher;
- Invoice from 4R Building Ltd;
- Image 1 – Dated 10 August 2026 (Foundation trench);
- Image 2 – Dated 13 August 2026 (Poured concrete);
- Image 3 – Dated 13 August 2026 (Poured concrete); and
- Image 4 – Dated 13 August 2026 (Poured concrete).

1. Introduction

Doves Cottage is located within the village of Shalbourne, Wiltshire. The site extends to 0.14ha and comprises the existing dwelling of Doves Cottage and established residential curtilage.

The application site is located approximately 8.5 miles south-east of Marlborough and 8.3 miles north-west of Ludgershall.

Doves Cottage is located almost centrally within the village. The site is bound to the north, east and south by neighbouring residential development. To the immediate north lies the residential dwelling of No. 25 Kingston Road - a Grade II listed building.

Doves Cottage itself is Grade II listed, designated on the 29 July 1986. The Historic England list entries is as follows:

SHALBOURNE SHALBOURNE VILLAGE SU 36 SW (west side) 12/194 No 26 (Doves) GV II House, C17 and C18. Diaper brick with thatched roof. Single- storey and attic, raised to 2-storeys. Three bays. Boarded door lateral to centre bay with mid-wall vitrified brick band. Leaded casements in timber frames. Gable stacks. Three dormers to rear. Hipped extension to left and rear lean-to. Long rear thatched outbuilding attached to right bay.

The site is located within the Shalbourne Conservation Area, the North Wessex Downs National Landscape and Fluvial Flood zone 1 - with low chance of flooding. The site is otherwise unconstrained and unaffected by any other designation.

Planning and listed building consent was granted on the 29 September 2025 for the following development: *'Internal changes. Demolition of existing lean-to to west elevation and erection of replacement 1.5-storey extension. Erection of 1.5 storey extension to north elevation'*.

2. Certificate of Lawfulness

This application has been submitted following the undertaking of a material operation under Section 101 of the Town and Country Planning Act 1990 (as amended) to begin the carrying out of development approved by Householder Planning Permission PL/2025/01793 and Listed Building Consent PL/2025/02029.

Section 56(1) of the Act confirms that development of land shall be taken to be initiated if the development consists of the carrying out of operations, at the time when those operations are begun. Development shall be taken to be begun on the earliest date on which any material operation comprised in the development begins to be carried out. Material operations are defined at Section 56(4) of the Act.

In this case, planning and listed building consent PL/2025/01793 & PL/2025/02029 were granted by Wiltshire Council on the 29 September 2025. Condition 1 of both consents requires the development to be begun before the expiry of three years of the date of the permission – 29 September 2028.

There were no details to be approved prior to the commencement of development, as confirmed on the decision notice and listed building consent.

A material operation was subsequently undertaken, comprising the digging of a section of foundation trench.

The extent of the trench is identified in red on drawing no. 231008-35 which identifies the trench in hatched line.

The works were undertaken between the 10 August and 13 August 2026 by 4R Building Ltd.

The works have been inspected by Spire Building Control. Final Certificate of completion of the trench commencement has been issued by Spire Building Control (dated 01.09.2026) and is enclosed, along with photographs showing the dug trench along with poured concrete (these were taken on the 10 & 13 August 2026).

The trench foundations operation was undertaken by 4R Building Ltd and completion of these works was completed on the 13 August 2026.

The material operations were completed 13 August 2026, as required by the planning permission. Wiltshire Council should therefore grant a certificate under Section 191 of the Act to certify the undertaking of a material operation

3. Conclusion

Overall, the Applicant contends that the approved works were undertaken in accordance with Section 191 of the Act.

I trust that the enclosed information is sufficient for this application to be registered at the earliest opportunity. Please do not hesitate to contact me should you require any additional information.

Yours faithfully,



MSc MRTPI

Associate

FOWLER ARCHITECTURE AND PLANNING

Encs

cc: Clients