

SUPPORTING PLANNING STATEMENT

Town and Country Planning Act 1990

Application for a Certificate of Lawful Existing Use or Development

Address: 17 Turnfields, Ickford, Buckinghamshire, HP18 9HP

In the Matter of: Commencement of development in accordance with Planning Permission 20/02595/APP

Date: 8th January 2024

INTRODUCTION

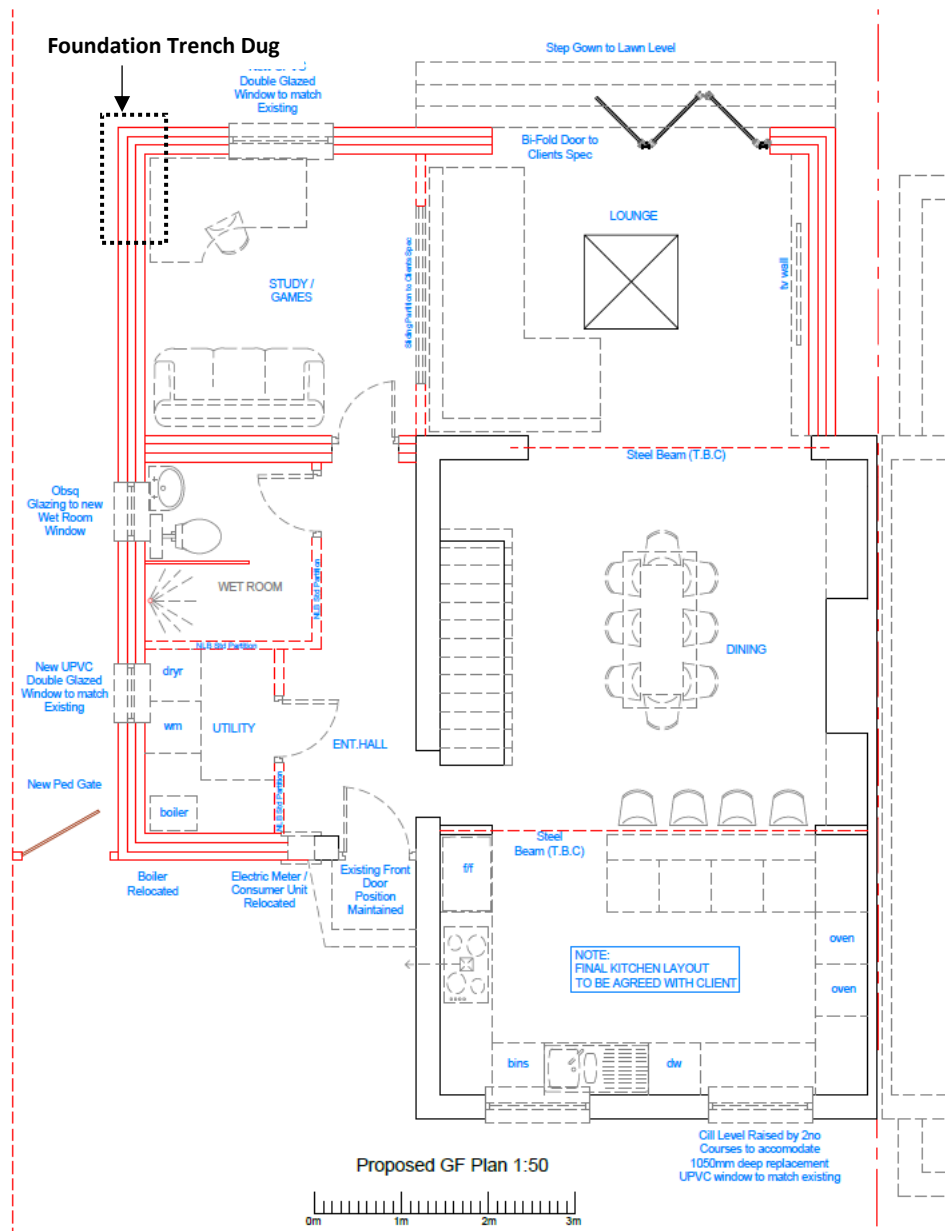
1. This Planning Statement supports the submission of an application for a Lawful Development Certificate ('LDC') to confirm that development works have been undertaken to lawfully implement planning permission 20/02595/APP in accordance with the approved drawings and relevant conditions.

THE PLANNING PERMISSION

2. On 19th January 2021 planning permission 20/02595/APP was granted by Buckinghamshire Council ('the Council') for the following development:
"Proposed two storey side/rear and single storey rear extension and internal improvements."
3. Condition 1 of that permission stated:
"1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission."
4. Whilst the decision notice itself was not dated, the decision notice was issued via e-mail to the applicant's agent on 19th January 2021. This is also the date that the decision notice was uploaded on to the Council's online Planning Portal.

THE LAWFUL IMPLEMENTATION OF PLANNING PERMISSION 20/02595/APP

5. What actually constitutes a start of development is set out in s56 of the Town and Country Planning 1990 Act and for the purposes of implementing a planning permission the relevant date is the date on which a "material operation" is carried out. According to s56(4) in sub-section 2, a "material operation" includes:
"(b) the digging of a trench which is to contain the foundations, or part of the foundations, of a building;".
6. This application submits that material operations have been carried out to lawfully implement planning permission 20/02595/APP within the prescribed time limits set by condition 1 by virtue of the commencement of the digging of a trench to contain foundations for the extension, with these works being undertaken on 5th January 2024. The trench has been dug to allow the construction of the foundations for the approved southern boundary wall of the new extension, as shown on the approved drawing below:



Extract of Approved Drawing 9400.002 Rev. C

7. To support this claim for lawful commencement of development the following evidence is submitted to assist the Council in its consideration of this application:
 - i. Photographic evidence (photos (1) – (5)) showing the digging of the trench extending to the south of the existing property (as highlighted on the plan extract above).
 - ii. Signed witness statement from a Chartered Town Planner, David Roach BA (Hons) DipTP MRTPI.
8. The applicant respectfully requests that the Council issues a Lawful Development Certificate confirming that planning permission 20/02595/APP has been lawfully implemented within the prescribed time limits.

Mr Thomas O'Malley

8th January 2024