

8th January 2024

Planning Department
Warwick District Council
Riverside House
Milverton Hill
Leamington Spa
CV32 5HZ

Dear Sir/ Madam,

Re: Lawful Development Certificate seeking to confirm lawful commencement of development within the meaning of Section 56(4) of the Town and Country Planning Act 1990 at The White House, Five Ways Road, Shrewley, CV35 7HT

Please find enclosed an application for a lawful development certificate for works undertaken at the above property on behalf of our client.

On 30th March 2021 planning permission was granted by appeal (ref APP/T3725/W/20/3257986) for a replacement dwelling at the above property. An extract of the approved proposed site plan is illustrated in Figure 1, which shows the outline of the existing dwelling (to be demolished) in orange.

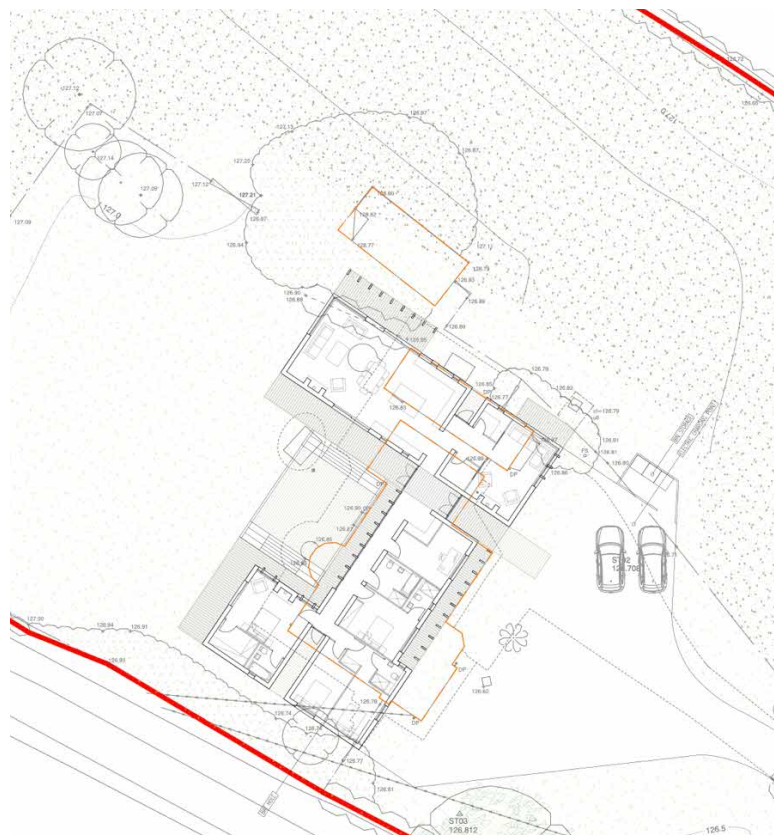


Fig.1 – Extract of approved planning drawing SC3105 PA 200b - Proposed Site Plan

The Schedule of Conditions (illustrated in Fig.2) confirm that demolition works can commence without need to submit details to the local planning authority:

Appeal Decision APP/T3725/W/20/3257986

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: SC3105 PA 100 - Location Plan; SC3105 PA 100b - Proposed Plans and Elevations (dated/05/20) and SC3105 PA 200b - Proposed Site Plan (dated 05/20).
- 3) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the dwelling hereby approved have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved materials.
- 4) No development other than demolition works shall take place until details of surface and foul water drainage works have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.
- 5) No development other than demolition works shall take place until a scheme for the provision of suitable bird nesting and bat boxes to be erected on the proposed dwelling and/or suitable trees within the site has been submitted to and approved in writing by the local planning authority. The scheme shall include details of box type, location, and timing of works. Thereafter, the boxes shall be installed in accordance with the approved details and maintained for the life of the development.
- 6) The development hereby permitted shall not be occupied until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved, has been submitted to and approved in writing by the local planning authority. The dwelling shall not be first occupied until the approved scheme has been implemented. Thereafter the approved water efficiency measures shall be retained in accordance with manufacturer's specifications.

Fig.2 – Schedule of Conditions – Appeal ref APP/T3725/W/20/3257986

In accordance with Section 56 of the Town and Country Planning Act (*'Time when development begun'*) under 56(4) a 'material operation' means -

- (a) any work of construction in the course of the erection of a building;
- (aa) any work of demolition of a building;
- (b) the digging of a trench which is to contain the foundations, or part of the foundations, of a building;
- (c) the laying of any underground main or pipe to the foundations, or part of the foundations, of a building or to any such trench as is mentioned in paragraph (b);
- (d) any operation in the course of laying out or constructing a road or part of a road;
- (e) any change in the use of any land which constitutes material development.

As evidenced by the below photographs demolition to the rear elevation of the existing property has taken place and this has occurred within the 3 year time period stipulated under Condition 1.



Fig.3 – Previous photograph of rear elevation showing bay window



Fig.4 – Recent photograph of rear elevation showing bay window demolished

Therefore, a lawful development certificate is respectfully requested from the local planning authority confirming there has been a lawful commencement development of the extant planning permission (ref APP/T3725/W/20/3257986) within the prescribed timescale of Condition 1.

If, however, there is any part of the submission about which you are not clear, I would be grateful if you could first contact me prior to reaching a decision.

Yours faithfully,



Piers Brooks

Architect

For and on behalf of Studio Spicer Architects