

Date: 17th September 2015

CORNISH HALL FARM, HOLT – COMMENCEMENT OF DEVELOPMENT

Applications Ref: P/2012/0568 & P/2012/0569

This document is submitted in order to demonstrate that the above approved development has commenced following discharge of pre commencement conditions and material operations having been undertaken

APPROVED APPLICATIONS

Planning permission ref: P/2012/0568 – Change of use and conversion of vacant agricultural buildings for residential development (5 no. units) at Cornish Hall was approved by Decision Notice dated 01/10/2012.

Listed building consent ref: P/2012/0569 – Change of use and conversion of vacant agricultural buildings for residential development (5 no. units) at Cornish Hall was approved by Decision Notice dated 17/10/2012.

Together the above consents make up the approved development at Cornish Hall.

DISCHARGE OF PRE COMMENCEMENT CONDITIONS

Planning permissions (and other types of consent) may be subject to conditions that require further details to be submitted for the approval of the local planning authority before the development is commenced.

In this instance Cassidy + Ashton were instructed by the applicant to submit separate applications in respect of both approvals in order to submit relevant details to the local authority in respect of those conditions requiring approval prior to commencement of development. For reference these details related to conditions 2, 8 and 18 of planning permission ref: P/2012/0568 and conditions 2, 8 and 11 of Listed building consent ref: P/2012/0569.

Details of the above applications for approval of details reserved by condition are available to view on the local authority's website and have been saved under the online file for planning permission ref: P/2012/0568. As is common practice the local authority have not issued a formal decision notice(s) in respect of these applications but have instead confirmed via email correspondence that the details submitted are acceptable and that as such pre commencement conditions have been discharged. Details of email correspondence can be provided as necessary.

Through discussion with officers it was agreed that condition no. 2 of both planning permission and listed building consent, requiring samples of all external roofing and facing materials to be approved, can be discharged on a 'as you go' basis (i.e. prior to their use on the development).

In addition both Cassidy + Ashton, as agents, and the applicant himself have met with the planning officer on site within the last 6 weeks to confirm the correct procedure to follow.

COMMENCEMENT OF DEVELOPMENT

Development is considered to have commenced when all pre commencement conditions have been discharged and a 'material operation' has been carried out in accordance with the 'Town and Country Planning Act 1990 S.56 (4)' which considers a material operation to be one of the following:

- Any work of construction in the course of the erection of a building
- Any work of demolition of a building
- The digging of a trench which is to contain the foundations, or part of the foundations, of a building
- The laying of any underground main or pipe to the foundations, or part of the foundations, of a building or to any such trench
- Any operation in the course of laying out or constructing a road or part of a road
- Any change in the use of any land which constitutes material development.

In accordance with the 'Town and Country Planning Act 1990 S.56 (4)' the developer has commenced development in respect of:

- Any work of demolition of a building
- Any operation in the course of laying out or constructing a road or part of a road

In respect of demolition work the developer, following discharge of pre commencement conditions (as confirmed by the local authority via email), has demolished the following buildings:

- Dutch Barn
- Storage Shed
- Blockwork extension and covered storage area between buildings 3 and 4

It is noted that all of the above buildings are shown on the approved Site Plan (Drawing Ref: C3127 P05) and marked as 'to be demolished' on the approved Proposed Site Plan (Drawing Ref: C3127 P06 B). Confirmation of this demolition work being completed is provided by way of 'before and after' photos of the above buildings (Appendix 1). Dates are also provided for reference.

NOTE: Further to the above it is confirmed that all buildings demolished were first inspected (prior to demolition) for any presence or evidence of nesting birds. No such evidence was found. (See Appendix 2). No works have been undertaken regarding the main buildings on site. In any instance such work was undertaken outside of breeding season, as defined by Natural England. It is further submitted that the approved ecology report concluded that *'works can continue on buildings 2 and 3 and the Dutch barn and other steel corrugated sheds without constraint'*.

Further to the above demolition work, which by definition and in accordance with the 'Town and Country Planning Act 1990 S.56 (4)', constitutes a 'material operation', work has also been undertaken in respect of the laying out or construction of a road. Approved drawing C3127 P14 shows two separate proposed designated passing spaces either side of the access track serving the development. Further details (Drawing ref: C3621 L03 P1) in respect of the passing bays were recently submitted to and approved by the local authority.

It is confirmed that the developer has now commenced groundworks in respect of the passing bays. Dated photographic evidence is provided of this work. (Appendix 3) Such work constitutes a 'material operation' in accordance with the 'Town and Country Planning Act 1990 S.56 (4).

CONCLUSIONS

It is concluded that all pre commencement conditions have been approved by the local authority and that (as evidenced) material operations have been carried out on site.

It is submitted that as such the development has commenced before the expiry of 3 years of planning permission. The local authority is invited to confirm this position by way of written correspondence. If no such correspondence is received the consent will be considered live and the matter closed.