



Friday 19<sup>th</sup> January 2024

Dear whom it may concern,

RE: Lawful commencement of development at Stanley House, Preston New Road, Mellow, BB2 7NP

#### **Commencement of development**

Application for a Lawful Development Certificate to seek confirmation that a material start has been made in accordance with permission 3/2020/1059 for new development (to replace approved but unbuilt development from 2008 planning consent) including: New Spa and Leisure Complex, Banquet Hall, Extensions to Existing Hotel Entrance and Restaurant, New Bedroom Block, Extended Car Park, Amendment of Internal Access Road, Rerouting of Park Public Right of Way and Enhancement of Existing Section of Right of Way, New Hard and Soft Landscaping and Tree Planting. A material start has been made on-site as per photographic evidence attached and therefore the development is lawful under Section 191(1)(a) of the Town and Country Planning Act 1990 ('the Act').

#### **Town and Country Planning Act 1990**

Section 56 of The Town and Country Planning Act 1990 defines what 'material operations' means in terms of commencement.

"(4) In subsection (2) "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."

Figures 1-5 within the Appendix show a material start on construction has been made with trenches being dug out and groundworks, Figure 6 clearly highlights where construction has commenced.

#### **Conclusion**

In all the circumstances from the evidence submitted with this application there are no reasons for not granting a Certificate of Lawfulness. In the meantime, we trust that the application is complete and look forward to receiving your confirmation of receipt.

Yours sincerely

Rebecca Yates  
Graduate Town Planner  
[Redacted]

## Appendix



Figure 1



Figure 2



Figure 3



Figure 4



Figure 5

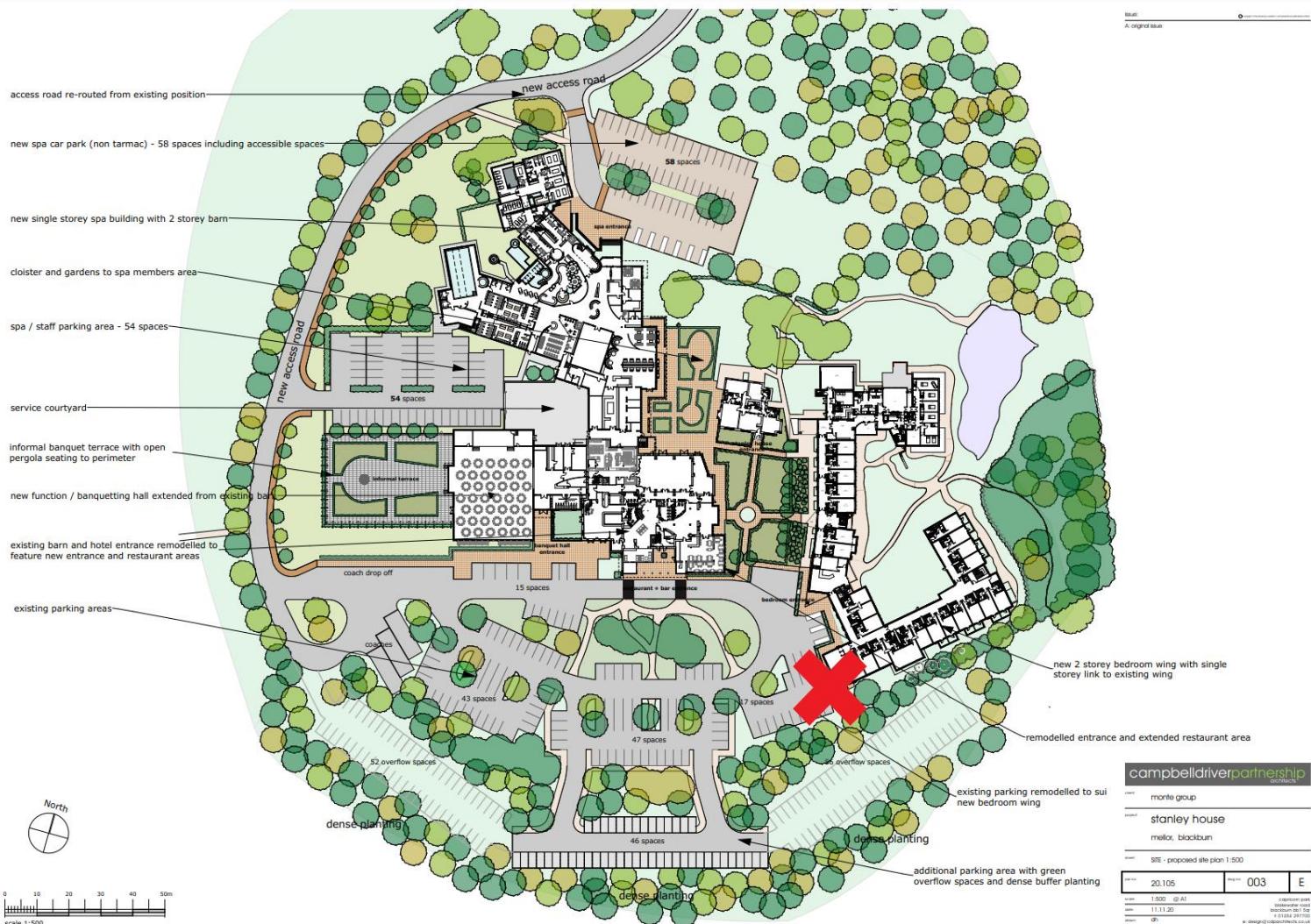


Figure 6