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Dear Mark,

SAND MARTINS GOLF CLUB, FINCHAMPSTEAD ROAD, WOKINGHAM, RG40 3RG – LAWFUL DEVELOPMENT CERTIFICATE

On behalf of our client, Sand Martins Golf Club Ltd ('the Applicant'), we write regarding the lawful implementation of planning permission 210179 ('the Planning Permission'), which was granted on 3rd September 2021 for the following development:

"Full Planning application for the proposed part single, part two storey side/rear extension to existing clubhouse, erection of a detached Hotel Building comprising 39no. bedrooms, function rooms, kitchen and staff room, with car parking, servicing, associated landscape enhancements and an electrical sub-station".

On 13 September 2023, an application for a non-material amendment (ref: 231864) to planning permission 210179 was approved to enable the development to be delivered in three phases pursuant to Proposed Phasing Plan (Ref: 2574-PL-102-00), and to secure the redesign of the electrical sub-station.

The first phase of the development (shown as 'Phase A' on the approved Proposed Phasing Plan – Attached at **Appendix 1**) was implemented on 3rd June 2024 and has now been completed. As a result of the current economic conditions, the development of the remaining two phases of the planning permission (Phases B and C) have been put on hold for the time being. As such, we are applying for a Lawful Development Certificate to provide confirmation from the Council that a material operation has been carried out and that Planning Permission 210179, has been lawfully implemented.

The Lawful Development Certificate relates to an operation or activity carried out pursuant to the Town and Country Planning Act 1990: Section 191, as amended by Section 10 of the Planning and Compensation Act 1991 and the Town and County Planning (Development Management Procedure) (England) Order 2015.

Planning permission 210179, was approved on 3rd September 2021. Condition 1 of the permission states that the development shall be begun before the expiration of three years from the date of the permission i.e., by the 3rd September 2024.

Section 56 (2) of the Town and Country Planning Act 1990 (the Act) provides that development shall be taken to be begun on the earliest date on which any 'material operation' in the development begins to be carried out.

Section 56 (4) of the Act provides the following definition of “material operation”:

- 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 as is mentioned above;
- 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.

Works commenced on Site on 3rd June 2024 for the construction of the new access road and car park area within Phase A of the development. It should be noted that works to construct the new greenkeepers building to the north east of the site (subject to a separate planning permission ref: 210233) were commenced at the same time. Therefore, the progress reports submitted in support of this application include details of works in relation to the greenkeepers building planning permission (ref: 210233), as well as works to planning permission 210179 (the subject of this application).

The initial works that commenced on the 3rd June 2024 comprised the following:

- Spoil removal from the car park area;
- Tree and bush removal;
- New access road construction;
- Drainage and electrical power services installed
- Car Park kerb installation;
- Car Park drainage tank installation; and
- Car Park construction works.

Other works that have now been completed on the Site have included the demolition of the old greenkeeper compound, building and Irrigation system, and all associated landscaping within Phase A of the planning permission.

We have attached the following documents that provide details of the initial work carried out:

- Construction Programme (**Appendix 2**).
- Site Progress Report 1 - Prepared by Kingerlee for work completed in June 2024 (**Appendix 3**).
Page 5 of this document shows photographs of the ground works for the car park and access road undertaken in June 2024.
- Site Progress Report 2 - Prepared by Kingerlee for work completed in July 2024 (**Appendix 4**).
Pages 5 and 6 of this document shows photographs of the continuing construction work to the access road and car park area undertaken in July 2024.
- Site Progress Report 3 - Prepared by Kingerlee for work completed in August 2024 (**Appendix 5**).
Page 6 of this report shows the car park drainage tank installation undertaken in August 2024.

Appendix 6 provides photographs of the access road, car park area and landscaping work nearing completion in Spring and Summer 2025.

The above demonstrates that the ‘material operation’ of the digging of drainage trenches and construction of the new access road and car park area commenced on 3rd June 2024.

The following provides a summary of the relevant pre-commencement conditions that were discharged for planning permission 210179:

- Condition 4 – Tree Protection (Ref: 240775) - Discharged 08.05.24
- Condition 5 – Landscape Management Plan (Ref: 240098) – Discharged 13.05.24

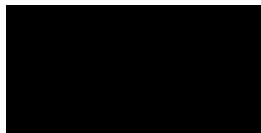
- Condition 6 – Archaeology (Ref: 223049) – Discharged 25.11.22
- Condition 7 – Drainage (Ref: 230112) – Discharged 17.03.23
- Condition 8 – Construction Environmental Management Plan (Ref: 240792) - Discharged 08.05.24
- Condition 19 – Great Crested Newts (Ref: 231780) – Discharged 16.08.23
- Condition 21 – Public Right of Way (Ref: 230426) – Discharged 17.04.23

This confirms that all the relevant pre-commencement conditions were discharged for planning permission 210179, prior to the works commencing on Site on 3rd June 2024.

We trust that the above information provides sufficient evidence that work on site was commenced by the material operation of the installation of drainage and construction of the new access road and car park area. Therefore, planning permission 210179 has been implemented and a Lawful Development Certificate should be issued in respect of this development.

We confirm that the application fee of £383 has been paid to the Council through the Planning Portal. Please do not hesitate in contacting me should you require any further information on the above.

Yours sincerely



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