

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

TW10 6JH

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Proposed single storey extensions, single storey roof canopy & roof space conversion to existing workshop to rear (part-retrospective); 3 No residential unit infill over access road to front; adjustment to access point with dropped kerb; plus cycle parking, waste and recycling storage and hard & soft landscaping

Reference number

23/1154/FUL

Date of decision (date must be pre-application submission)

30/01/2024

Please state the condition number(s) to which this application relates

Condition number(s)

U0174072 Landscape Maintenance - Small Schemes
U0174060 Approved Drawings
U0174062 Construction of vehicle turntable
U0174063 Workshop extensions
U0174064 Green / Brown Roof
U0174065 Balconies / Terraces
U0174067 PV Panels
U0174068 New Residential - Noise Control
DV18A Refuse Arrangements
BD12 Details - Materials to be approved
PK06A Cycle parking
DV49A Construction Management Plan
DV50A Energy Reduction
DV51B Water Consumption
LT09A Hard and Soft Landscaping Required
U0174071 Parking Permits Restriction - GRAMPIAN
Plus suggested New Condition in respect of Phasing of Development

Has the development already started?

- Yes
 No

If Yes, please state when the development was started (date must be pre-application submission)

01/03/2021

Has the development been completed?

- Yes
 No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

1. To make the proposed phasing of the development more explicit (Phase 1 - the Workshop element inc. the retrospective item referred to in the development description, and Phase 2 - the Residential element).
2. To allow CIL payments to be phased accordingly - see letter dated 5.6.24 from Fiona Cross (LBRUT Information & Planning Obligations Team Manager) accompanying application.
3. The existing extensions to the Workshop element are currently the subject of LBRUT Enforcement action and need to be resolved in short order, hence their identification in a discrete Phase 1.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

Please see AGA's schedule of proposed variations to conditions and a suggested new Phasing condition accompanying the application.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes
 No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
 The applicant
 Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- Yes
 No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

**** REDACTED ****

Surname

**** REDACTED ****

Reference

23/1154/FUL & e-mails dated 22.2.24 & 23.4.24

Date (must be pre-application submission)

22/02/2024

Details of the pre-application advice received

Subject to reviewing the applications when submitted, the suggested amendments to the conditions seem fine as long as the phasing plan works, which may be tricky given it is a relatively tight site with shared access, especially in relation to the Construction Management Plan. The only other issue could be CIL which is dealt with by a different team – so it is recommended you discuss this with LBRUT's CIL team prior to submitting the applications [see clarifying letter from Fiona Cross, Information and Planning Obligations Team Manager, accompanying application].

In addition, confirmation received from LBRUT's case officer to the effect that as the Proposed Plan Layout forms part of the Approved Drawings condition and states specifically that it involves the removal of the temporary structures, LBRUT considers their removal would constitute a material start to the planning consent, thus triggering the payment of CIL.

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- Yes
 No

Is any of the land to which the application relates part of an Agricultural Holding?

- Yes
 No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- The Applicant
 The Agent

Title

First Name

Surname

Declaration Date

Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

Date