

Application for removal or variation of a condition following grant of  
planning permission. Town and Country Planning Act 1990.  
Planning (Listed Buildings and Conservation Areas) Act 1990

**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.

## 1. Site Address

|                                                                          |                  |
|--------------------------------------------------------------------------|------------------|
| Number                                                                   | 35               |
| Suffix                                                                   |                  |
| Property name                                                            |                  |
| Address line 1                                                           | Blackthorn Drive |
| Address line 2                                                           |                  |
| Address line 3                                                           |                  |
| Town/city                                                                | Hayling Island   |
| Postcode                                                                 | PO11 9PA         |
| Description of site location must be completed if postcode is not known: |                  |
| Easting (x)                                                              | 473272           |
| Northing (y)                                                             | 99037            |
| Description                                                              |                  |

## 2. Applicant Details

|                |                      |
|----------------|----------------------|
| Title          | Mr                   |
| First name     |                      |
| Surname        | Edney                |
| Company name   |                      |
| Address line 1 | 35, Blackthorn Drive |
| Address line 2 |                      |
| Address line 3 |                      |
| Town/city      | Hayling Island       |

2. Applicant Details

|                  |          |
|------------------|----------|
| Country          |          |
| Postcode         | PO11 9PA |
| Primary number   |          |
| Secondary number |          |
| Fax number       |          |
| Email address    |          |

Are you an agent acting on behalf of the applicant? ☒ Yes ☐ No

3. Agent Details

|                  |                  |
|------------------|------------------|
| Title            | Mr               |
| First name       | Stephen          |
| Surname          | Andrews          |
| Company name     | SDA Planning Ltd |
| Address line 1   | 19               |
| Address line 2   | Well Copse Close |
| Address line 3   | Horndean         |
| Town/city        | WATERLOOVILLE    |
| Country          |                  |
| Postcode         | PO8 0HB          |
| Primary number   |                  |
| Secondary number |                  |
| Fax number       |                  |
| Email            |                  |

4. Description of the Proposal

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

Erection of 1No.1bed detached bungalow with associated parking and access. New parking layout for 35 Blackthorn Drive. (Renewal of planning permission APP/15/01365).

Reference number

APP/18/01276

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

24/01/2019

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

Condition number(s)

7 and 10

#### 4. Description of the Proposal

Has the development already started?

☐ Yes ☒ No

#### 5. Condition(s) - Removal/Variation

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

Condition 7 - vary to allow the development to be constructed in accordance with the materials provided.

Condition 10 - remove as it does not meet the 6 tests for conditions.

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

Condition 7 - vary the wording to state that the development must accord with the schedule of materials submitted.

Condition 10 - to be removed. This is because it does not meet the 6 tests for conditions having regard to the NPPG and was not removed for the previous planning approval APP/15/01365.

Planning Practice Guidance Note States:

Is it appropriate to use conditions to restrict the future use of permitted development rights or changes of use?

Conditions restricting the future use of permitted development rights or changes of use may not pass the test of reasonableness or necessity. The scope of such conditions needs to be precisely defined, by reference to the relevant provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015, so that it is clear exactly which rights have been limited or withdrawn. Area-wide or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity. The local planning authority also has powers under article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 to enable them to withdraw permitted development rights across a defined area, where justified.

Paragraph: 017 Reference ID: 21a-017-20190723

#### 6. 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

#### 7. Pre-application Advice

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

☐ Yes ☒ No

#### 8. Ownership Certificates and Agricultural Land Declaration

**CERTIFICATE OF OWNERSHIP - CERTIFICATE A - Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14**

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 (DD/MM/YYYY)

☒ Declaration made

**9. Declaration**

I/we hereby apply for planning permission/consent as described in this form 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. ☒

Date (cannot be pre-application)

13/12/2019