

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	
Suffix	
Property name	Southern Water Compound
Address line 1	Fishery Lane
Address line 2	
Address line 3	
Town/city	Hayling
Postcode	PO11 9NF
Description of site location must be completed if postcode is not known:	
Easting (x)	473478
Northing (y)	98805
Description	

Removal of Conditions 1 and 2 imposed on retrospective planning permission APP/18/01165 requiring the planting of a 9m high Cypress Leyandii Tree within identified location on site plan (Drawing No. 130542-02 issue C)

2. Applicant Details

Title	Mr
First name	Peter
Surname	Hughes
Company name	The Wireless Infrastructure Group
Address line 1	C/O Agent
Address line 2	Harlequin Group, Rutland House
Address line 3	5 Allen Road
Town/city	Livingston

2. Applicant Details

Country	
Postcode	EH54 6TQ
Primary number	
Secondary number	
Fax number	
Email address	

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

3. Agent Details

Title	Mrs
First name	Carolyn
Surname	Wilson
Company name	Harlequin Group
Address line 1	Rutland House
Address line 2	5 Allen Road
Address line 3	
Town/city	Livingston
Country	Scotland
Postcode	EH54 6TQ
Primary number	01506721023
Secondary number	07771933094
Fax number	
Email	c.wilson@harlequin-group.com

4. Description of the Proposal

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

Retrospective planning application relating to existing 15m high Hutchison T Range Monopole and associated works; proposed Leylandii planting scheme.

Reference number

APP/18/01165

Date of decision (date must be pre-application submission)	16/01/2019
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Please state the condition number(s) to which this application relates

Condition number(s)

1 and 2

4. Description of the Proposal

Has the development already started?

☒ Yes ☐ No

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

01/02/2018

Has the development been completed?

☒ Yes ☐ No

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

01/11/2018

5. Condition(s) - Removal/Variation

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

Condition 1 and 2 do not meet the required 6 tests set out in Circular 11/1995, in terms of reasonability, enforceability and necessity. A 9m high Cypress Leylandii tree cannot physically be planted within the space available as required and identified by these conditions in accordance with the BS standard also cited within condition 2. These matters are more fully explained in the submitted covering letter and appendices.

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

N/A

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

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
First name
Surname
Reference

Date (Must be pre-application submission)

01/05/2019

Details of the pre-application advice received

Various email correspondence regarding impossibility to comply with requirement to plant 9m tree and condition, request to submit section 73 application, but Council's advice was that they would not reconsider this requirement and to submit and appeal.

8. Ownership Certificates and Agricultural Land Declaration

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

8. Ownership Certificates and Agricultural Land Declaration

I certify/The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates.

* 'owner' is a person with a freehold interest or leasehold interest with at least 7 years left to run. ** 'agricultural tenant' has the meaning given in section 65(8) of the Town and Country Planning Act 1990

Owner/Agricultural Tenant

Name of Owner/Agricultural Tenant	Southern Water
Number	
Suffix	
House Name	
Address line 1	Southern House
Address line 2	Yeoman Road
Town/city	Worthing
Postcode	BN13 3NX
Date notice served (DD/MM/YYYY)	06/08/2019

Person role

- ☐ The applicant
☒ The agent

Title	Mrs
First name	Carolyn
Surname	Wilson
Declaration date (DD/MM/YYYY)	07/08/2019

☒ 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)	07/08/2019
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