

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	The Cottage Piggeries
Address line 1	Church Lane
Address line 2	
Address line 3	
Town/city	Barnham
Postcode	PO22 0DB
Description of site location must be completed if postcode is not known:	
Easting (x)	495858
Northing (y)	104123

Description	
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2. Applicant Details

Title	Mr
First name	A
Surname	Brazil
Company name	
Address line 1	The Cottage Piggeries, Church Lane
Address line 2	
Address line 3	
Town/city	Barnham

2. Applicant Details

Country	
Postcode	PO22 0DB
Are you an agent acting on behalf of the applicant?	
☒ Yes ☐ No	
Primary number	
Secondary number	
Fax number	
Email address	

3. Agent Details

Title	Mr
First name	Angus
Surname	Eitel
Company name	fiftpointeight Architecture + Interiors
Address line 1	Stocklund House
Address line 2	East Street
Address line 3	
Town/city	Chichester
Country	
Postcode	PO19 1JE
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

Partial demolition of existing structures. New dwelling (1.5 storey) with separate single story double garage. Existing mobile home to be replaced with new, smaller mobile home - This application is a Departure from the Development Plan.

Reference number

BN/6/20/PL

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

21/04/2020

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

Condition number(s)

2 - "The mobile home, new dwelling and 1 bedroom annexe above the garage shall be occupied together by a single gypsy or traveller family unit (as defined by Annex 1 to the Government's Planning Policy for Traveller's sites) and there shall be no subdivision of the site or occupation of either the mobile home or dwelling by persons unrelated to each other."

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

The applicant wishes to remove the requirement for the proposed house and mobile home to be occupied by a single gypsy / traveller family for a number of reasons:

- 1 - The new dwelling should not be conditioned to be occupied by a gypsy/ traveller family, since this is a contradiction of the gypsy/ traveller nomadic habit of life.
- 2 - The location of the mobile home would occupy an area of land within flood zone 3; highly vulnerable development is not desirable in this area.
- 3 - Church Lane - the only means of access to the site is unsuitable for the passage of mobile homes - this view is supported by a number of its residents as attachments from Fairlawn & Langley.
- 4 - The Cottage Piggeries - access to deliver / remove a mobile home to / from the application site from Church Lane is impossible without the use of a large crane. This is supported by the attachments from Apex Removals.
- 5 - The Cottage Piggeries Neighbours - Use of a large crane to deliver a mobile home is considered impossible by neighbours at Sandon and Birchwood House

In conclusion it is proposed to remove the existing mobile home from the site without replacing it (on grounds of highway safety) and remove Condition Number 2 from the Planning Permission requiring that the new dwelling and annexe be occupied by a traveller family (as this contradictory to the monadic nature of such families).

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	Mr
First name	Simon
Surname	Davis
Reference	BN/6/20/PL

Date (Must be pre-application submission)

21/04/2020

Details of the pre-application advice received

"...the Council PERMIT this development to be carried out in accordance with the application and plans and subject to...conditions."

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

8. Ownership Certificates and Agricultural Land Declaration

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	Mr
First name	Angus
Surname	Eitel
Declaration date (DD/MM/YYYY)	12/05/2020

☒ 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)	12/05/2020
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