

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	9
Suffix	
Property name	
Address line 1	Nursery Close
Address line 2	
Address line 3	
Town/city	East Preston
Postcode	BN16 1QD
Description of site location must be completed if postcode is not known:	
Easting (x)	507322
Northing (y)	102007

Description	
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2. Applicant Details

Title	Mr & Mrs
First name	K A & C P
Surname	Booth
Company name	
Address line 1	9
Address line 2	Nursery Close
Address line 3	
Town/city	East Preston

2. Applicant Details

Country	
Postcode	BN16 1QD
Primary number	
Secondary number	
Fax number	
Email address	

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

3. Agent Details

No Agent details were submitted for this application

4. Description of the Proposal

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

Extend garage & form pitched roof over. Single storey infill extension between enlarged garage & house. Formation of enlargement to existing dormer on SE elevation & addition of pitched roof to existing dormer on NW elevation. Removal of tile hanging from gables & dormers & fitting fibre cement weather board

Reference number

EP/145/17/HH

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

11/01/2018

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

Condition number(s)

Condition number 5.
The dormer window on the north west elevation of the building shall at alltimes be glazed with obscured glass and only have a high level opening 1.7mabove floor level

Has the development already started?

☒ Yes ☐ No

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

19/02/2018

Has the development been completed?

☒ Yes ☐ No

5. Condition(s) - Removal/Variation

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

The planning officer's report recommends a "suitable planning condition" for the window to the North West dormer on his understanding that the proposal included "inserting a new dormer window extension". However, the dormer on the North West side existed since the house was built (see plans 17-085-2 and 17-085-3 and has always housed a WC. It can be seen from the plan 17-085-8 that the existing WC on the first floor was to be enlarged internally but the dormer would retain its original external footprint and was never to be enlarged.

The changes proposed to the North West dormer were to replace the flat roof with a pitched roof and to replace the hanging tiles with cement-based cladding both in keeping with the rest of the refurbishment and modernisation of the property. The size and position of the window aperture has not changed. The original, 40 plus year old, window was separated by a central mullion, one half being side hung and fully opening and allowing an unimpeded view to the neighbouring properties; the other side fitted with a "fan light".

The proposed change would provide a window that is also separated by a central mullion, one half does not open at all and the other is top hung and is therefore more restricted in its opening than the original; in fact, it is also fitted with a restrictor which reduces the range of movement further. This arrangement does not actually represent any loss of privacy or outlook for the adjoining property when compared to the pre-existing window but, in fact, provides for a greater level of privacy for the adjoining property than existed for the previous 10 years or more since the extension to No 10 was completed.

The change to the condition is requested in order to maintain the visual integration of this window with the rest of the designed building with no actual loss of privacy to either property. None of the windows now fitted to the property have "fan light" openings and are top hung full length.

5. Condition(s) - Removal/Variation

Additional information and attachments are provided.

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

Change requested: An obscure glazed, top hung window with restricted opening.

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 Tracey
Surname Headley-Smith
Reference

Date (Must be pre-application submission)

20/08/2019

Details of the pre-application advice received

Discussed with the compliance officer the use of a variation to this condition to regularise the situation.

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 Mr & Mrs
First name K A & C P
Surname Booth
Declaration date (DD/MM/YYYY) 27/08/2019

☒ 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)

27/08/2019