



Mid Suffolk District Council Planning Services
 Endeavour House, 8 Russell Road,
 Ipswich, IP1 2BX
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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

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

Secondary number

Fax number

Email address

Description of the Proposal

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

Reference number

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

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

Condition number(s)

Has the development already started?

Yes

No

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

Has the development been completed?

Yes

No

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

Condition(s) - Variation/Removal

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

Condition 5

This Condition restricts unnecessarily the enjoyment of the equestrian facility in that if a friend or neighbour wishes to use the facility as a guest, they are precluded from so doing.

Condition 8

This is my main residence and I anticipate remaining here for many years it is possible that over time, I will be wanting to erect a potting shed, a greenhouse or polytunnel, a chicken coop or similar.

I will also likely be seeking to erect a garden fence a gate or indeed any other structure or enclosure that will add to the enjoyment of my home all of which would be of no impact to the amenity or distinctiveness of the locality.

All of these may well fall within the normal PD rights that others enjoy. I do not consider it reasonable or necessary to have these rights curtailed.

The NPPF is clear on this matter in that it states

53. The use of Article 4 directions to remove national permitted development rights should:

- where they relate to change from non-residential use to residential use, be limited to situations where an Article 4 direction is necessary to avoid wholly unacceptable adverse impacts (this could include the loss of the essential core of a primary shopping area which would seriously undermine its vitality and viability, but would be very unlikely to extend to the whole of a town centre)
- in other cases, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities)
- in all cases, be based on robust evidence, and apply to the smallest geographical area possible.

54. Similarly, planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.

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

5. ON GOING REQUIREMENT OF DEVELOPMENT: RESTRICTION ON USE OF STABLES AND EQUESTRIAN TRAINING RING The stables/loose boxes and equestrian training ring hereby permitted shall not be used for any commercial riding, breeding or training purposes including livery or riding school activities except pursuant to the grant of planning permission on an application made in that regard. Reason - In the interests of the amenities of the locality

8. SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of Article 3, Schedule 2 Part 1 Classes A to E and H and Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification):- no enlargement, improvement, insertion of new openings or other alteration of the dwelling house shall be carried out, - Reason - To enable the Local Planning Authority to retain control over the development in the interests of the amenity of the locality and to safeguard local distinctiveness.

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

Date (must be pre-application submission)

01/04/2022

Details of the pre-application advice received

Informal site visit and advice

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

Can you give appropriate notice to all the other owners/agricultural tenants? (Select 'Yes' if there are no other owners/agricultural tenants)

- Yes
 No

Certificate Of Ownership - Certificate B

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; or
- The applicant is the sole owner of all the land or buildings to which this application relates and there are no other owners* and/or agricultural tenants**.

* "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:

***** REDACTED *****

House name:

Church Hill Barn

Number:

Suffix:

Address line 1:

Church Hill Barn

Address Line 2:

Thurleston Lane

Town/City:

Akenham

Postcode:

IP1 6TQ

Date notice served (DD/MM/YYYY):

26/04/2022

Person Family Name:

Person Role

- The Applicant
- The Agent

Title

Mr

First Name

Steve

Surname

Gallant

Declaration Date

26/04/2022

Declaration made

Declaration

I / We hereby apply for Removal/Variation of a condition as described in this form and 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 options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available 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

Steve Gallant

Date

11/07/2022