

Address: Development Management
Cheshire West and Chester Council,
4 Civic Way, Ellesmere Port, CH65 0BE

Tel: 0300 123 7027

Email: planning@cheshirewestandchester.gov.uk

Web: www.cheshirewestandchester.gov.uk



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

The former 'horns inn' site

Applicant Details

Name/Company

Title

Mr

First name

Paul

Surname

Alvarez

Company Name

Paul Alvarez Ltd

Address

Address line 1

Caravan @ The Horns

Address line 2

Willow green Lane

Address line 3

Town/City

Little Leigh

County

Country

United Kingdom

Postcode

CW8 4QW

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of the Proposal

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

Change of use of former public house/restaurant into two-dwellings, two storey side extension, external alterations and access.

Reference number

Application No: 21/05112/FUL

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

30/11/2022

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

Condition number(s)

Condition 21 - Class E & F

Has the development already started?

Yes

No

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

30/11/2022

Has the development been completed?

Yes

No

Condition(s) - Variation/Removal

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

1 In light of the removal of 'permitted development rights classes E & F', we have consulted a planning consultant, Susan Jones to see whether or not this is justifiable as set out in NPPF Paragraphs 55-58. Paragraph 56 states "Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise, and reasonable in all other respects." We believe that in this instance, this is not the case. Please read the attached report in full.

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

2

Notwithstanding the provisions of Class A, AA, B, and D of part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no extensions, additional storeys, roof extensions, porches, outbuildings or hardstanding's shall be constructed at the site without the grant of planning permission by the Local Planning Authority.

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

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

Is any of the land to which the application relates part of an Agricultural Holding?

- Yes
 No

Certificate Of Ownership - Certificate A

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

First Name

Paul

Surname

Alvarez

Declaration Date

10/04/2023

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

Paul Alvarez

Date

10/04/2023