



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

County

Country

Postcode

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

Construction of a two-bedroom chalet bungalow and change of use of the hay store to an artist studio at Drummers, Little Bentley Road, Tendring, Essex, Easting 612880 and Northing 226303, in accordance with the terms of the application, Ref: 17/00060/FUL, dated 13 January 2017 and subject to the conditions set out under planning reference 18/01125/DISCON, as well as in 20/00041/FUL, 16/03/20.

Reference number

Original application: 17/00060/FUL
Appeal Ref: APP/P1560/W/17/3175566
Discharge of conditions: 18/01125/DISCON
Variation of conditions: 20/00041/FUL (Changes to the structure of the house from load bearing straw to timber framed, and roof design from hipped to gable end)

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

15/09/2017

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

Condition number(s)

4 and 5

Has the development already started?

- Yes
 No

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

01/10/2018

Has the development been completed?

- Yes
 No

Condition(s) - Variation/Removal

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

There are two aspects which are prompting me to ask for this change.

The first is that I am having difficulty installing one of the measures to mitigate water use, owing to a small change in the design of the house between the building regs and construction phase. The architect did not fully consult me on the change which is why we are in this position, but I have to say that it is a very positive change which makes the house more energy efficient so I can understand why it was made. I was expecting waste pipes to go through the walls of the house at a high enough point for me to install redirection valves, so that waste water could easily be used to water the garden. The architect insisted that this would create a thermal bridge that compromised the ability of the house to retain heat, and in order to reach a high level of insulation they wanted to put the pipes through the ground instead, meaning the redirection valves cannot be situated as planned. The house that we have far exceeds the thermal efficiency of our original designs, thanks to many small measures like this, to the point that we may not need to have a wood burning stove fitted at all because the house is so well insulated. We think that there are other ways we can contribute to the low impact nature of the property which will compensate for not being able to install the valves. This comes under condition 5: off grid and eco features of the dwelling.

The second change is that I originally planned to surface the driveway and path to the house with hoggin - because it was the best natural, self-binding surface I could think of. However, the property is in an area of clay soil where water does not drain quickly. With the increase in flash flooding incidents in recent years the ground conditions in this area are noticeably worse, as soaking up of excess water is always slow and there tends to be a lot of surface water after heavy rain. Now the time has come to surface our driveway in line with building regulations, I have been advised that compacted type 1 granite is better at handling the wet than hoggin is. It is still a natural material that lets the water run through it, but it doesn't get churned up in the same way that hoggin can. Owing to the position of our house quite far back from the road, our driveway needs to be able to accommodate large emergency vehicles for a turn, we intend to create a turning head rather than a circle to minimise the impact that the work will have on the current landscape. We still intend to use hoggin for other areas around the site which are not required to take such large and heavy traffic. This comes under condition 4: Scheme of hard and soft landscaping.

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

I have summarised the proposal here, but please see the attached planning statement and map for full details.

Condition 5: Replace the need for water redirection valves to reuse grey water in the garden with a set of alternative features which compensate by saving water, reducing the energy needs of the house and promoting wildlife. I propose:

- mechanical ventilation with heat recovery, which will may entirely remove the need for heating (see attached user guide and technical passport for details).
- incorporate a composting outside toilet for use with the studio and stables which will reduce water consumption.
- establish a natural scheme of rain water management with a pond, to store rainwater for irrigation and to provide a new wildlife habitat.

Condition 4: Allow for the driveway to be surfaced with an alternative natural material which has similar properties – replacing hoggin with type 1 granite where appropriate - due to superior performance in wet conditions.

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

First Name

Surname

Reference

Date (must be pre-application submission)

Details of the pre-application advice received

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:

Number:

7

Suffix:

Address line 1:

The Row

Address Line 2:

The Street

Town/City:

Tendring

Postcode:

CO160BN

Date notice served (DD/MM/YYYY):

17/01/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

The Fourth Plot

Number:

Suffix:

Address line 1:

St Mary's Road

Address Line 2:

Aingers Green

Town/City:

Colchester

Postcode:

CO7 8NN

Date notice served (DD/MM/YYYY):

17/01/2024

Person Family Name:

Person Role

The Applicant

The Agent

Title

MS

First Name

STEPHANIE

Surname

STRUTH

Declaration Date

17/01/2024

Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, 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.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published 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

STEPHANIE STRUTH

Date

18/01/2024