



Mid Suffolk District Council Planning Services  
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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

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

## Contact Details

Primary number

Secondary number

Fax number

Email address

## Agent Details

Name/Company

Title

First name

Surname

Company Name

## Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

IP12 1BW

## 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

Application under Section 73 of The Town and Country Planning Act - Variation of Condition 11 (Submission of a copy of The EPS Licence for Bats) of Planning Permission DC/20/04027 dated: 18/06/2021 - Change of use, extension and conversion of outbuilding to form 4-bedroom dwelling, including alteration of previously converted barn bay and existing dwelling.

Reference number

DC/23/00977

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

19/04/2023

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

Condition number(s)

3

Has the development already started?

- Yes  
 No

## Condition(s) - Variation/Removal

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

We are looking for Condition 3 to be worded differently, in order to allow the commencement of the development prior to full discharge of parts 4 and 5 of Condition 3.

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

It is usual practice for remedial works to be carried out by the main contractor working on the development, and therefore we are looking for parts 4 and 5 of Condition 3 to be separated from parts 1, 2 and 3, so that they can be dealt with at 'Construction phase', i.e. post commencement, rather than being pre-commencement.

We would suggest inserting 'Prior to occupation' above parts 4 and 5.

## 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

Email conversations included comments from Nathan Pittam, as follows:

...'This is something that frequently arises and we probably do need to look at splitting our standard conditions to have a pre-commencement element and a second element to deal with "construction phase" remedial works such as cover systems, membranes etc however this has been met with resistance as it would result in an additional condition. In light of this, I would have no objection to development commencing at the site to allow for those construction phase remedial works as outlined in the Geosphere Environmental RMS.'

Alex Scott advised: 'Should revised wording be necessary I would advise the correct procedure would be to submit an application to vary the condition(s), under section 73 of the Town and Country Planning Act.'

## 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

Peter

Surname

Wells

Declaration Date

20/02/2024

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

Peter Wells

Date

20/02/2024