



The Market Hall
Market Place
Whitehaven
Cumbria CA28 7JG
Telephone 0300 373 3730
cumberland.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

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

Description of the Proposal

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

1. Variation to overall height.
2. Installation of side access door - material change.
3. Installation of one off window on each gable.

Reference number

4/20/2300/OFI

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

06/08/2020

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

Condition number(s)

~~1 and 2~~

Condition 2 only.

Has the development already started?

☒ Yes

☐ No

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

14/08/2022

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. Variation to height - the initial plans submitted, did not make best use of the space and did not provide what would be a proportionate building that would be in keeping with the architecture of the surrounding properties.

The new height of 5,300mm provides a much more proportionate building that incorporates Georgian features to ensure that it blends seamlessly into the existing surroundings.

2. Installation of side access door - this was an omission/oversight in the initial plan, given the size of the main garage door and that this will be an electric roller shutter door, it feels impractical to have to open this large door every time access to the garage is needed, the side access door will be disguised and hidden with the yet to be installed log shed.

3. Installation of one off window on each gable - as the height of the garage increased as per point 1, it became very apparent during the build that the storage area in the loft space offered fantastic views and would also offer natural light and ventilation.

My neighbours all suggested that I install windows and have all supported this, I can only apologise that I have done this and I appreciate that there is most likely a policy for such installations, I would politely request that consideration be given to the allowance of these windows, this building will never be used for any other purpose than being a garage with additional storage.

The windows when installed will have reveals to match the main property and would be of a Georgian style, they would look in keeping and I and my neighbours believe enhance the aesthetic of the building.

The window openings do not overlook existing properties and as stated my neighbours are all fully supportive of this variation, I can provide a letter of justification if required.

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

1. Variation to height - Request to confirm that the actual built height of 5,300mm is allowable.

2. Installation of Side Access Door - Request to confirm that this material change is allowable.

3. Installation of Windows - Request for assessment and consideration that this element of the variation is allowable.

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

Mrs

First Name

Demi

Surname

Crawford

Reference

Date (must be pre-application submission)

18/06/2024

Details of the pre-application advice received

Demi carried out a site visit and compared the new garage to the existing structures and out buildings.

Demi advised that the build was proportionate and that the potential impact to the surround properties was minimal.

As the garage is on the North side of the house, it does not cause any overshadowing at all throughout the day

It does not detract from anyone's or views or cause any significant impact or detriment to any of the neighbours.

I advised Demi that I had consulted with my neighbours and there was no objection to the increase in elevation - since the site visit my neighbours have all complimented the quality of the build and how sympathetic and in-keeping it is with the Georgian properties.

Demi advised to submit an application for removal or variation of condition to remain compliant.

Please note, the side door was not installed and the windows were not installed at the time of Demi's site visit.

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

Rae

Surname

McMullen

Declaration Date

21/08/2024

☒ 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

Rae McMullen

Date

21/08/2024