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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	<input type="text"/>
Suffix	<input type="text"/>
Property Name	<input type="text" value="Urban Fitness & Performance"/>
Address Line 1	<input type="text" value="Ennerdale Mill"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text" value="Cumbria"/>
Town/city	<input type="text" value="Egremont"/>
Postcode	<input type="text" value="CA22 2PN"/>

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
<input type="text" value="301296"/>	<input type="text" value="509867"/>

Description

Applicant Details

Name/Company

Title

Mr

First name

Craig

Surname

Levens

Company Name

Address

Address line 1

Urban Fitness & Performance

Address line 2

Ennerdale Mill

Address line 3

Town/City

Egremont

Country

Postcode

CA22 2PN

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

Country

Postcode

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

The applicant wishes to have the two conditions removed (or condition 5 amended in accordance with daytime working hours). During the current summer season, the gym has become too hot due to the lack of air flow in the building.

The applicant received a visit from the Planning Enforcement Officer to assess the situation as the doors have been open on hot days. They then suggested that this planning application should be submitted.

The applicant has confirmed that environmental health officers have visited the site a number of times and when the doors have been open but have not determined that any action is needed by the gym operation in terms of noise.

The doors would likely only be opened in warmer weather conditions, to improve air flow and ventilation.

The property was previously in use as a bus garage and maintenance workshop, operating with unrestricted working hours. The current use is more appropriate in terms of noise and disturbance to the surrounding area.

The applicant also wishes to run function PT sessions outside of the building, within the property curtilage, and therefore requests the removal of condition 6. There is sufficient space within the site to undertake this, and it is considered that during normal daytime working hours, this would not cause any further impact in terms the amenity of the area, given the surrounding uses, and the previous on site use. No music would be used for outside training. The area to be used for this would be to the north area of the building on the site.

The application site is located within a wider site designated as an employment allocation in the proposed local plan (ES7) , and it is considered that the changes proposed are appropriate, especially given the adjacent unrestricted uses including engineering workshops, car repair garages and bus depots.

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

If condition 5 is to be varied, it would be acceptable to the owner if this was in accordance with daytime working hours.

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)

13/07/2022

Details of the pre-application advice received

Advice regarding type of planning application required to address issues.

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

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

C/o Walton Goodland

Number:

10

Suffix:**Address line 1:**

Lowther Street

Address Line 2:**Town/City:**

Carlisle

Postcode:

CA3 8DA

Date notice served (DD/MM/YYYY):

04/08/2022

Person Family Name:

Person Role

☒ The Applicant☐ The Agent

Title

Mr

First Name

Craig

Surname

Levens

Declaration Date

12/08/2022

☒ 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

Simon Blacker

Date

26/08/2022