

**Correspondence address:**

PO Box 10613, Nottingham, NG6 6DW

Telephone: 01462 474000

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	15
Suffix	
Property Name	
Address Line 1	Garden Lane
Address Line 2	
Address Line 3	Hertfordshire
Town/city	Royston
Postcode	SG8 9EH

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

Easting (x)	Northing (y)
535788	240224

Description

Applicant Details

Name/Company

Title

Mr

First name

Morgan

Surname

Bevan

Company Name

MBCM Ltd.

Address

Address line 1

15 Garden Lane

Address line 2

Address line 3

Town/City

Royston

County

Hertfordshire

Country

United Kingdom

Postcode

SG8 9EH

Are you an agent acting on behalf of the applicant?

- ☒ Yes
- ☐ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Agent Details

Name/Company

Title

Mr

First name

Morgan

Surname

Bevan

Company Name

MBCM.

Address

Address line 1

15

Address line 2

Garden Lane

Address line 3

Town/City

Royston

County

Country

Postcode

SG8 9EH

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

Extension and renovation of existing dwelling involving excavations under existing footprint to provide two additional storeys - a ground and upper ground floor; two storey side extension; raised garden to south elevation with covered car parking area and bike store below; new retaining wall to south boundary; addition of solar panels to front and rear roof slopes; replacement roof incorporating rear and front roof lights; external render to all elevations; alterations to fenestration, levelling of rear garden and ancillary works following demolition of existing rear extensions.

Reference number

20/02656/FPH

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

29/03/2021

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

Condition number(s)

3. With the exception of the kitchen and study windows on the south elevation and the snug window on the north elevation, all other windows on the two side flanks walls must be installed as obscure glazed and thereafter retained as such.
Reason: To protect privacy to the neighbours.

Has the development already started?

☒ Yes

☐ No

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

01/04/2021

Has the development been completed?

- ☐ Yes
☒ No

Condition(s) - Variation/Removal

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

The condition was included in the approved plans by the planning officer after the neighbours at No.17 Garden lane complained during the planning application consultation period that the new bedroom windows on the southern elevation of 15 Garden Lane would allow a clear view of their garden, and infringe on their privacy. It should be noted that the original bedroom windows on that elevation had a clear view into their garden and were not opaque. We didn't agree, but in light of the neighbours concerns, didn't object to the condition being included in the approval at the time.

Since the original application was approved, and works to extend and renovate the property have got underway, changes to the size, shape and location of various windows and doors have been made to suit the requirements of the homeowners. These minor changes are being dealt with in Non-Material Amendment application with the reference number PP-13310307. One of the changes made was to lift the two bedroom windows on the southern elevation as high as possible, increasing the internal sill heights in excess of 1.8m above internal finished floor levels. Thus allowing a clear view of the sky and surrounding landscape, whilst blocking any direct view into the garden of the neighbours at No 17 Garden Lane. It is our opinion that opaque glass would greatly reduce the amenity and quality of light for the occupants of No 15 Garden Lane, and is now unnecessary to protect the privacy of the occupants of No 17 Garden Lane, as described above. Therefore, we believe the condition (3) is now redundant and should be removed.

We are not quite sure why the Northern Elevation was included in condition 3, an oversight we now hope to correct, as this elevation looks directly onto the garage and 2m fence line running along the side elevation of the neighbouring property, No. 24, The Warren. All the windows and doors on the elevation of No. 24, The Warren, already have opaque glass and the garage, fence, and shrubs/trees greatly obscure any view from No 15 GL towards the property, so we cannot see how there is any infringement of the neighbours privacy by the new windows on this elevation being clear glazed.

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

We would like condition 3 removed in its entirety. The new fenestration installed as part of the extension and renovation works to No 15 Garden Lane in no way impacts the privacy of the neighbours to the south (No 17 Garden Lane) or to the North (24, The Warren)

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

23/00193/1ENF

Date (must be pre-application submission)

24/08/2024

Details of the pre-application advice received

The officer advised that a 'Section 73' would need to be submitted alongside our NMA application to remove the opaque glass condition on the fenestration.

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

Morgan

Surname

Bevan

Declaration Date

24/09/2024

☒ 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

Morgan Bevan

Date

24/09/2024