



PLANNING

Dover District Council
White Cliffs Business Park,
Dover, Kent CT16 3PJ.

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Application for removal or variation of a condition following grant of planning permission. Town and Country Planning Act 1990. Planning (Listed Buildings and Conservation Areas) Act 1990

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.

1. Site Address

Number	<input type="text"/>
Suffix	<input type="text"/>
Property name	<input type="text"/>
Address line 1	<input type="text"/>
Address line 2	<input type="text"/>
Address line 3	<input type="text"/>
Town/city	<input type="text"/>
Postcode	<input type="text"/>

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

Easting (x)	<input type="text" value="624935"/>
Northing (y)	<input type="text" value="139246"/>

Description

Land Between Nos 107 And 127, Capel Street, Capel Le Ferne

2. Applicant Details

Title	<input type="text"/>
First name	<input type="text"/>
Surname	<input type="text" value="Cullum"/>
Company name	<input type="text" value="Capel Street Property Developments Ltd"/>
Address line 1	<input type="text" value="c/o Agent - Hobbs Parker"/>
Address line 2	<input type="text" value="c/o Agent"/>
Address line 3	<input type="text" value="c/o Agent"/>
Town/city	<input type="text" value="Ashford"/>

2. Applicant Details

Country	United Kingdom
Postcode	TN24 0HB
Are you an agent acting on behalf of the applicant?	
<input checked="" type="radio"/> Yes <input type="radio"/> No	
Primary number	
Secondary number	
Fax number	
Email address	

3. Agent Details

Title	Mrs
First name	
Surname	Welch
Company name	Hobbs Parker
Address line 1	Romney House
Address line 2	Monument Way
Address line 3	Orbital Park
Town/city	ASHFORD
Country	UK
Postcode	TN24 0HB
Primary number	
Secondary number	
Fax number	
Email	

4. Description of the Proposal

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

Outline application for the erection of 34 dwellings (8 x 2 beds, 16 x 3 beds and 10 x 4 beds) and means of access with associated landscaping (appearance, landscaping, layout and scale reserved)

Reference number

19/00669

Date of decision (date must be pre-application submission) 28/02/2020

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

Condition number(s)

2

4. Description of the Proposal

Has the development already started?

☐ Yes ☒ No

5. Condition(s) - Removal/Variation

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

The condition requires a commencement on site within 2 years of the date on which the outline consent was granted. This is at odds with 92 (2) of the Town and Country Planning Act 1990 which states at (a) that "that, in the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission". The condition therefore fails the test of being reasonable and contrary to paragraph 57 of the NPPF. Furthermore, the reason attached to the permission appears to relate to a single dwelling justified through specific need and is at odds with the site the subject of the permission, which is a 34 unit allocated site.

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

Application for approval of the Reserved Matters shall be made to the local planning authority not later than the expiration of 3 years from the date of the permission. The development hereby permitted shall be begun not later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

6. 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

7. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☐ Yes ☒ No

8. Ownership Certificates and Agricultural Land Declaration

CERTIFICATE OF OWNERSHIP - CERTIFICATE A - Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

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

First name

Surname

Declaration date (DD/MM/YYYY)

☒ Declaration made

9. Declaration

I/we hereby apply for planning permission/consent as described in this form 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. ☒

9. Declaration

Date (cannot be pre-application)

07/09/2021