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Statement to Accompany

Planning application to remove Planning Conditions from consent 71488/APP/2015/4721

Background.

Planning consent was applied for on the 23rd December 2015 and the application validated on the 15th January 2016

Planning Consent was issued on the 6th September 2017.

Due to the extensive period of time taken by the Local Planning Authority to make a decision on this application the land owner and landlord to our client's commenced works and completed construction of the development.

By the time the consent was issued our clients had occupied the site and had been trading from it for a period of 12 months.

Planning conditions.

The planning consent contained nine planning conditions.

The conditions specifically affected by this application are the following.

Condition 4 – site investigation

Condition 5 – Water management

Condition 6 – Landscaping

Condition 7 – Ecology Survey

Condition 8 – Travel Plan

Condition 9 – Hours of operation.

Condition 4.

Condition 4 is worded that, "before any part of the development is commenced". As development was commenced and completed a full 12 month prior to the receipt of the decision notice our client are unable to comply with this condition and as such it should be removed. It should also be noted that a full ground investigation report was submitted with the planning application and therefore should not have been imposed in the first place.

Condition 5.

Condition 5 is worded, "prior to commencement". As development was commenced and completed a full 12 month prior to the receipt of the decision notice our client are unable to comply with this condition and as such it should be removed.

Condition 6.

Condition 6 is worded "No development shall take place". As development was commenced and completed a full 12 month prior to the receipt of the decision notice our client are unable to comply with this condition and as such it should be removed.

Condition 7.

Condition 7 is worded, "prior to the commencement of the development". As development was commenced and completed a full 12 month prior to the receipt of the decision notice our client are unable to comply with this condition and as such it should be removed.

Condition 8

Condition 8 is worded, "prior to the commencement of the development". As development was commenced and completed a full 12 month prior to the receipt of the decision notice our client are unable to comply with this condition and as such it should be removed.

Condition 9

Condition 9 is a condition that did not form part of the agreed conditions entered into the Section 106 agreement a copy of which is submitted with this application. Had such a condition been shown on the decision notice appended to the Section 106 agreement our clients may not have entered into the agreement in that form.

As an unapproved and late inserted condition this should be removed.