
STATUTORY INSTRUMENTS

2018 No. 273

The Local Land Charges Rules 2018

Variation and cancellation of registrations in respect of light obstruction notices

7.—(1) The original applicant for registration of a light obstruction notice in the register, or any successor in title to the original applicant as owner of the servient land or part of it, may within a year beginning with the date of registration apply for—

- (a) variation of the registered particulars of the position or dimensions of the structure to which registration is intended to be equivalent, so as to reduce its height or length or to increase its distance from the dominant building, or
- (b) cancellation of the registration.

(2) An application under paragraph (1) may be made using an electronic means of communication.

(3) An application under paragraph (1) made using an electronic means of communication must contain such of the particulars required by Form B as are appropriate and be in accordance with any determination by the registrar under rule 13.

(4) If an application under paragraph (1) is not made using an electronic means of communication, it must be made in Form B and be delivered to the address specified by the registrar under rule 14.

(5) Where an application under paragraph (1) is made, the registrar must vary or cancel the registration accordingly.

(6) Where—

- (a) an application for registration of a light obstruction notice in the register was accompanied by a copy of a temporary certificate, and
- (b) a copy of a definitive certificate is lodged with the registrar before the expiry of the period for which the temporary certificate operates,

the registrar must vary the registration accordingly.

(7) The registrar must cancel the registration of a light obstruction notice in the register—

- (a) where in relation to the notice a copy of a temporary certificate has been lodged and no copy of a definitive certificate has been lodged, on the expiration of the period of operation specified in the temporary certificate,
- (b) in any other case, on the expiration of 21 years beginning with the date of registration.

(8) On the lodging of an official copy of an order of the court under section 3(5) of the Rights of Light Act 1959 directing the registration of a notice to be varied or cancelled, the registrar must vary or cancel the registration accordingly.

(9) A document is lodged for the purposes of this rule if—

- (a) it is sent to the registrar using an electronic means of communication and in accordance with any determination by the registrar under rule 13, or
- (b) it is received at the address specified by the registrar under rule 14.

(10) In this rule, “owner” has the meaning given by section 7(1) of the Rights of Light Act 1959.