

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

1. Applicant Name and Address

Please enter the Applicant Details, including full name and title. Please also enter the house/flat number and/or name (if applicable) and street name in the Street address field. The town, county, country and full postcode should also be entered.

If the application is being submitted by an agent (i.e. someone who is acting on the applicant's behalf) all correspondence, including the decision letter, will be sent to him/her.

2. Agent Name and Address

Please enter the Agent Details, including full name and title. Please also enter the house/flat number and/or name (if applicable) and street name in the Street address field. The town, county, country and full postcode should also be entered.

If the application is being submitted by an agent (i.e. someone who is acting on the applicant's behalf) all correspondence, including the decision letter, will be sent to him/her.

3. Site Address Details

Please enter the same address of the site as stated on the decision notice, together with the full postcode or grid reference.

4. Pre-application Advice

The local authority may be able to offer (possibly for a fee) pre-application discussions before a formal application is submitted in order to guide applicants through the process. This can minimise delays later in processing the application.

Pre-application discussions can also help you and the planning authority identify areas of concern about your proposed development so that you can give consideration to amending your proposal before the application is submitted. The advice and guidance given to you at the pre-application stage is given in good faith. However, it does not guarantee or supply a definitive undertaking as to whether your proposal is likely to be acceptable.

If you have received pre-application advice from the planning service please indicate the reference/date of any correspondence or discussion and the name of the officer. If you do not know these details then please state 'Unknown'.

This will assist the Council in dealing with your application as quickly as possible.

5. Description of Your Proposal

Please describe the development or works as shown on the original decision letter and clearly indicate the permission reference number and condition that you wish to discharge, remove or vary. It is essential that the number and description of the condition(s) to which this application relates are specified, so that no confusion arises.

6. Conditions(s) - Removal

If you wish the condition to be varied, please state how you wish the condition to be rephrased, eg you may wish to vary the hours of opening for your premises: *'variation to condition 3 to allow opening of the premises between 08.00 to 23.30 Monday to Fridays, 08.00 to 00.30 on Saturdays and 14.00 to 22.00 on Sundays'*.

7. Ownership Certificates

An ownership certificate must be completed stating the current ownership of the land to which the application relates under Article 7 of the *Town and Country Planning (General Development Procedure) Order 1995*.

It is an offence, knowingly or recklessly, to complete a false or misleading certificate.

• Certificate A - Sole Ownership

Certificate A should only be completed if the applicant is the sole owner of the land to which the application relates (i.e. the applicant is the freeholder and there are no leaseholders with seven years or more remaining on their leases).

If the application involves a leasehold flat then certificate A does not apply as the applicant is not the sole owner. Therefore, in this circumstance, the applicant should complete certificate B,C or D (see details below).

• Certificate B - Shared Ownership (All other owners known)

Certificate B should be completed if the applicant is not the sole owner but knows the names and addresses of all the other owners (e.g. this certificate will need to be served if the proposals encroach onto adjoining land).

The Notice to Owners ([Notice 1](#)) must also be completed and sent to all known owners.

A copy of the notice must also be sent with the application to the local authority.

• Certificate C - Shared Ownership (Some other owners known)

Certificate C should be completed if the applicant does not own all of the land to which the application relates and does not know the name and address of all of the owners.

The Notice to Owners ([Notice 1](#)) must be completed and sent to all known owners.

Where the owner is unknown the Notice to Unknown Owners ([Notice 2](#)) needs to be published in a local newspaper.

A copy of the notice must also be sent with the application to the local authority.

• Certificate D - Shared Ownership (All other owners unknown)

Certificate D should be completed if the applicant does not own all of the land to which the application relates and does not know the names and addresses of any of the owners.

The Notice to Unknown Owners ([Notice 2](#)) needs to be published in a local newspaper.

A copy of the notice must also be sent with the application to the local authority.

8. Agricultural Holdings Certificate

All applications to remove or vary conditions must include the appropriate agricultural holdings certificate to be considered by the local authority.

It is an offence, knowingly or recklessly, to complete a false or misleading certificate.

If the land to which the application relates forms an agricultural holding or part of an agricultural holding as defined by the *Agricultural Holdings Act 1986* and comprises land subject to an Agricultural Tenancy all agricultural tenants must be notified prior to the submission of an application.

You must either

- confirm that none of the land to which the application relates is, or is part of, an agricultural holding, or
- give notice to all tenants on the agricultural holding using the Notice to Agricultural Tenants ([Notice 1](#)). A copy of the notice must also be sent with the application to the local authority.

9. Planning Application Requirements & Local Level Requirements

There are two levels of requirements, national and local:

- **National** - Use the checklist to ensure that the forms have been correctly completed and that all relevant information is submitted.
- **Local** - The local planning authority will have produced a document (usually available from their website) which details any specific information that is required to accompany the application in addition to the national requirements.

Failure to complete the form correctly or to supply sufficiently detailed drawings or other relevant supporting information may result in your application being returned as invalid.

10. Declaration

Please sign and date your application.

11. Applicant Contact Details

Please provide contact information for the applicant.

12. Agent Contact Details

Please provide contact information for the agent.

13. Site Visit

Access to the site (i.e. where the works are proposed to take place) may be required by the case officer. Please provide contact details in the event that an appointment needs to be made. This will assist the Council in dealing with your application as quickly as possible.