

## **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 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

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

'Owner' means a person having a freehold interest or a leasehold with at least seven years unexpired.

'Agricultural tenant' means a tenant of an agricultural holding, any part of which is comprised in the land to which the application relates.

### • **Certificate A - Sole Ownership and no agricultural tenants**

Certificate A should only be completed if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants.

If the application involves a leasehold flat then certificate A does not apply as the applicant is not the sole owner. Similarly, Certificate A does not apply if there are agricultural tenants of the land to which the application relates. Therefore, in these circumstances, the applicant should complete certificate B, C or D (see details below).

### • **Certificate B - Shared Ownership (All other owners/ agricultural tenants known)**

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

[Notice 1](#) must also be completed and sent to all known owners/agricultural tenants.

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

### • **Certificate C - Shared Ownership (Some other owners/ agricultural tenants 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 and/or agricultural tenants.

[Notice 1](#) must be completed and sent to all known owners and/or agricultural tenants.

Where the owners or agricultural tenants are unknown, [Notice 2](#) must be published in a local newspaper.

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

### • **Certificate D - Shared Ownership (None of the other owners/ agricultural tenants known)**

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 and/or agricultural tenants.

[Notice 2](#) must be published in a local newspaper.

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

## **8. 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.

## **9. Declaration**

Please sign and date your application.

## **10. Applicant Contact Details**

Please provide contact information for the applicant.

## **11. Agent Contact Details**

Please provide contact information for the agent.

## **12. 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.