

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" value="Unit B (former Asda Stores Ltd)"/>
Address line 1	<input type="text" value="Blakett Road"/>
Address line 2	<input type="text"/>
Address line 3	<input type="text"/>
Town/city	<input type="text" value="Darlington"/>
Postcode	<input type="text" value="DL1 2BJ"/>

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

Easting (x)	<input type="text" value="430434"/>
Northing (y)	<input type="text" value="515508"/>

Description

**2. Applicant Details**

Title	<input type="text"/>
First name	<input type="text"/>
Surname	<input type="text" value="Company Shop Ltd"/>
Company name	<input type="text"/>
Address line 1	<input type="text" value="c/o Lichfields"/>
Address line 2	<input type="text"/>
Address line 3	<input type="text"/>
Town/city	<input type="text" value="c/o Lichfields"/>

## 2. Applicant Details

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes  No

Primary number

Secondary number

Fax number

Email address

## 3. Agent Details

Title

First name

Surname

Company name

Address line 1

Address line 2

Address line 3

Town/city

Country

Postcode

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

Erection of two retail stores (Use Class A1), one food, one non-food, together with appropriate access and servicing arrangements, car parking and landscaping.

Reference number

8/94/679/DM

Date of decision (date must be pre-application submission)

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

Condition number(s)

12

#### 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

Condition 12 currently restrict the range of non-food goods which can be sold from Unit B. Whilst the vast majority of Company Shop's stock is made up of food and drink, some of these restricted goods may infrequently be sold from the unit as and when they are provided by Company Shop's suppliers. The subject Section 73 application seeks to vary condition 12 in order to remove those goods restrictions described above insofar as they relate to Unit B, in order to enable Company Shop to lawfully sell food, clothing and toiletries from the unit as and when these items may be provided from their suppliers.

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

We propose the following revised wording for the condition:

The goods sold from the non-food unit (Unit A) shall not include goods within the following categories:

- aFood and drink to be consumed off the premises
- bFashion, clothing and footwear
- cBooks, stationery, other than specialist publications relating to the permitted use of the premises
- dToys, games, handbags and luggage
- eSports equipment and clothing except insofar as they are related to the permitted use of the premises
- fPerfume, jewellery and toiletries

In addition, pursuant to this permission the unrestricted sale of goods from Unit B on the submitted plans and set out in the Planning Statement (Lichfields, February 2021) shall be personal to Company Shop Group only and shall not enure for the benefit of the land. In the event of their vacating the premises the goods restriction for Unit B shall revert to the sale of no goods within categories (b) – (f) above.

REASON - In granting this permission the Local Planning Authority has had regard to the special circumstances of the case and wishes to have the opportunity of maintaining control over subsequent use in the event of Company Shop Group vacating the premises.

#### 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

**If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):**

**Officer name:**

Title	Mr
First name	Andrew
Surname	Harker
Reference	21/00004/PREAPP

Date (Must be pre-application submission)

11/01/2021

Details of the pre-application advice received

Discussions regarding the proposed wording of the revised planning condition 12.

#### 8. Ownership Certificates and Agricultural Land Declaration

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

I certify/The applicant certifies that:

## 8. Ownership Certificates and Agricultural Land Declaration

I have/The applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner\* and/or agricultural tenant\*\* of any part of the land or building to which this application relates; or

The applicant is the sole owner of all the land or buildings to which this application relates and there are no other owners\* and/or agricultural tenants\*\*.

\* 'owner' is a person with a freehold interest or leasehold interest with at least 7 years to run. \*\* 'agricultural tenant' has the meaning given in section 65(8) of the Town and Country Planning Act 1990.

Owner/Agricultural Tenant

Name of Owner/Agricultural Tenant	Threadneedle UK Property Authorised Investment Fund
Number	
Suffix	
House Name	c/o Threadneedle Portfolio Services Limited
Address line 1	PO Box 3550
Address line 2	Station Road
Town/city	Swindon
Postcode	SN3 9AP
Date notice served (DD/MM/YYYY)	05/02/2021

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.

Date (cannot be pre-application)