

Durham County Council

Regeneration and Economic Development
 Planning Development
 County Hall
 Durham
 DH1 5UL



Application for Removal or Variation of a Condition following Grant of Planning Permission or
 Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation
 Areas Act) 1990 (as amended)

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.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

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

Easting (x)

Northing (y)

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Agent Details

Name/Company

Title

Mr

First name

Craig

Surname

Ross

Company Name

George F White

Address

Address line 1

4-6 Market Street

Address line 2

Address line 3

Town/City

Alnwick

County

Country

Postcode

NE66 1TL

Contact Details

Primary number

***** REDACTED *****

Secondary number

***** REDACTED *****

Fax number

Email address

***** REDACTED *****

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Change of use from offices to three holiday let units

Reference number

DM/15/02495/FPA

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

06/01/2016

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

Condition number(s)

3 & 4

Has the development already started?

Yes

No

If Yes, please state when the development was started (date must be pre-application submission)

06/06/2016

Has the development been completed?

Yes

No

If Yes, please state when the development was completed (date must be pre-application submission)

06/06/2017

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

S73 application to remove conditions 3 and 4 of planning permission DM/15/02495/FPA to remove the holiday accommodation restrictions thereby allowing the properties to be used as C3 residential accommodation.

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

N/A

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

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

First Name

Surname

Reference

Date (must be pre-application submission)

Details of the pre-application advice received

Whilst we cannot amend the original description of the application DM/15/02495/FPA, a S73 application would provide your clients with a whole new planning permission which would have a different description.

I have sought legal advice and we cannot determine the current application as there would not be a change of use occurring as holiday lets and residential dwellings both fall under use class C3. The reason for the conditions is to ensure that the holiday lets are not used as dwellinghouses.

Therefore, we will need to return this application to you and if you choose to submit a S73 application I would assume that you would provide a description similar to

S73 application to remove conditions 3 and 4 of planning permission DM/15/02495/FPA to remove the holiday accommodation restrictions thereby allowing the properties to be used as C3 residential accommodation.

This would provide your clients with the assurance that the properties can be used as dwellinghouses and not restricted to holiday accommodation only.

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

Yes

No

Is any of the land to which the application relates part of an Agricultural Holding?

Yes

No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

The Applicant

The Agent

Title

Mr

First Name

Craig

Surname

Ross

Declaration Date

28/02/2023

Declaration made

Declaration

I / We hereby apply for Removal/Variation of a condition as described in this form and 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 options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

Craig Ross

Date

28/02/2023