

**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

First name

-

Surname

Savills (Newcastle Office)

Company Name

Savills

## Address

Address line 1

The Lumen

Address line 2

St James' Boulevard

Address line 3

Newcastle Helix

Town/City

Newcastle Upon Tyne

County

Country

United Kingdom

Postcode

NE1 5BZ

## Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Secondary number

Fax number

Email address

\*\*\*\*\* REDACTED \*\*\*\*\*

## Description of the Proposal

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

Reconfiguration of car park comprising the reduction of bays; installation of EV charging points, cycle storage shelter, bollard and column lighting, CCTV columns; replacement of hard surfacing, fencing, gates, smoking shelter; landscaping and other associated infrastructure works

Reference number

DM/23/01405/FPA

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

12/09/2023

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

Condition number(s)

condition 2 - Part 3 approved plans and documents & condition 3 (tree protection)- Variations

Has the development already started?

Yes

No

## Condition(s) - Variation/Removal

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

To ensure consistency between both consents. Arb work is on neighbouring consent but reflected in cross boundary approved documents and plans.

NMA changes to EV charging and gates also shown on car park landscaping update

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

Condition 2 and Part 3 - new plans and documents.

The development hereby approved shall be carried out in strict accordance with the approved plans listed in Part 3 - Approved Plans.

Part 3 – relevant additions and updates.

Post construction habitat plan 04 - Biodiversity Net Gain OS Ecology V2 – December 2023 (update)  
Pre Development Habitat Plan 03 - Biodiversity Net Gain OS Ecology V2 – December 2023 (update)  
BS 5837 Tree Survey AIA AMS TPP – December 2023 (update)  
AIA Access Facilitation Tree works 30th November 23 – December 2023 (new document)  
Landscape Design Document Stage 3 Application B Car Park Issue 4 December 23 (update)  
Detailed Landscape Layout - Sheet 1 Rev 2002 – PO4 December 2023 (update)  
Detailed Landscape Layout - Sheet 2 Rev 2003– PO4 December 2023 (update)  
Landscape Masterplan 1001 – PO4 December 2023 (update)  
Site Plan Trees Requiring Removal 7.7 – December 2023 (update)  
Amended Tree Protection Plan 7.5 – December 2023 (update)

Condition 3 amends to wording

No construction work shall take place, nor any site cabins, materials or machinery be brought on site until all trees and hedges, indicated on the approved tree protection plan as to be retained, are protected by the erection of fencing, placed as indicated on the plan and comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar approved in accordance with BS.5837:2010.

No operations whatsoever, no alterations of ground levels, and no storage of any materials are to take place inside the fences, and no work is to be done such as to affect any tree other than works identified in the approved documents.

No removal of trees, limbs of trees or other tree work shall be carried out unless in accordance with the approved BS 5837 Tree Survey AIA AMS TPP – December 2023 and AIA Access Facilitation Tree works 30th November 23 – December 2023

No underground services trenches or service runs shall be laid out in root protection areas, as defined on the Tree Constraints Plan.

## 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

## 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

First Name

Surname

Declaration Date

Declaration made

## Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, 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.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published 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

Date