

Local Planning Authority details:



**DARLINGTON**  
Borough Council

**Economic Growth**

Town Hall, Darlington, DL1 5QT

Telephone: 01325 405656

Email: [planning@darlington.gov.uk](mailto:planning@darlington.gov.uk)

Web: [www.darlington.gov.uk/planning](http://www.darlington.gov.uk/planning)

**Publication of applications on planning authority websites**

Information provided on this form and in supporting documents may be published on the authority's planning register and website.

**FOR OFFICE USE ONLY**

Date: ..... / ..... / .....

Fee: .....

Receipt Number: .....

**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

Lee

Surname

Wardman

Company Name

Wardman Brown

## Address

Address line 1

62 Duke Street

Address line 2

Address line 3

Town/City

DARLINGTON

County

Country

Postcode

DL3 7AN

## 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

for Conversion from Shisha Coffee House (Sui Generis) to restaurant (Class E), installation of new shop front including replacement access ramp and moving existing flue from south to east elevation (Retrospective) (Amended plan and additional extractor information received 18 January 2023) at 4 High Northgate DARLINGTON DL1 1UN

Reference number

22/01332/FUL

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

30/01/2023

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

Condition number(s)

1, 2 and 3.

Has the development already started?

Yes

No

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

08/09/2023

Has the development been completed?

Yes

No

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

01/02/2024

## Condition(s) - Variation/Removal

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

Building Constraints has meant that the Extraction flue position has had to change when exiting through the flat roof at the rear.

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

1 The development hereby permitted shall be carried out in accordance with the approved plans and documents, as detailed below:

a) Drawing Number L022101 004 Rev A Proposed Ground Floor Plan

b) Drawing Number L022101 005 Rev B Proposed Elevations

REASON - To ensure the development is carried out in accordance with the planning permission.

2 The flue shall be re-sited on the building in complete accordance with Drawing Number L022101 005 Rev B not later than six months from the date of the planning permission.

REASON - In order to remedy the existing unauthorised alteration on the premises.

3 Notwithstanding the details shown on the approved plans, the flue shall be coloured silver unless otherwise agreed in writing by the Local Planning Authority.

## 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

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

First Name

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

Surname

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

Reference

Enforcement

Date (must be pre-application submission)

23/02/2024

Details of the pre-application advice received

Submit a variation of condition application to enable environmental health to comment and approve.

## 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

Arash

Surname

Nadiri

Declaration Date

28/02/2024

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

Lee Wardman

Date

28/02/2024