

CHECKLIST FOR APPLICATION FOR REMOVAL OR VARIATION OF A CONDITION FOLLOWING GRANT OF PLANNING PERMISSION (SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990)

NATIONAL REQUIREMENTS

- Completed form (original plus 3 copies to be supplied unless the application is submitted electronically).
- The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and Access Statement, if required
- The appropriate fee
- In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 must be given and/or published in accordance with this Regulation

DEFINITION OF TERMS

National requirements

The Standard Application Form

From 6 April 2008, all planning applications will need to be presented on a standard application form, which will be available electronically. The Government wishes to encourage applicants to submit applications electronically wherever possible, as this provides opportunities for streamlining procedures and thereby reducing costs. However applicants will retain the option of submitting paper versions of the form. In that event, the legislation requires three additional copies plus the original of the completed standard application form to be submitted. An applicant may be requested by

the local planning authority to submit more than three copies, but three copies is the statutory requirement for a valid application.

Ownership certificates

As required by Regulation 6 of the Planning (Listed Building and Conservation Areas) Regulations 1990 the local planning authority must not entertain an application for Conservation Area Consent unless the relevant certificates concerning the ownership of the application site have been completed. All applications for Conservation Area Consent must include the appropriate certificate of ownership. An ownership certificate A, B, C or D must be completed stating the ownership of the property. For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years.

Notice(s)

A notice to owners of the application site must be completed and served in accordance with Article 6 of GPDO.

Agricultural Holdings Certificate

This certificate is required whether or not the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application.

The correct fee (where one is necessary)

Refer to the separate scale of fees.

Design and Access Statements

A Design and Access Statement is a short report accompanying and supporting a planning application that should seek to explain and justify the proposal in a structured way. The level of detail required in a Design and Access Statement will depend on the scale and complexity of the application, and the length of the statement will vary accordingly. The Design and Access Statement should cover both the design principles and concepts that have been applied to the proposed development and how issues relating to access to the development

have been dealt with. What is required in a Design and Access Statement is set out in Article 4C of the GDPO and DCLG Circular 01/06 – Guidance on Changes to the Development Control System. A detailed guidance note and a checklist are available to help complete your statement.