DEVELOPMENT SERVICES
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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

Land South of B600, Lower Somercotes

Address Line 2

Somercotes

Address Line 3

Town/city

Alfreton

Postcode

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

Easting (x)

443190

Northing (y)

353157

Description

Land to the south of B600, Lower Somercotes, Somercotes

Applicant Details

Name/Company

Title

Mrs

First name

Charlotte

Surname

Nwali

Company Name

Harron Homes North Midlands

Address

Address line 1

Harron Homes North Midlands

Address line 2

Floors 1& 2

Address line 3

No 2 Midland Way

Town/City

Barlborough, nr Chesterfield

County

Chesterfield

Country

United Kingdom

Postcode

S43 4XA

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Applicant 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

Residential Development of 90 Dwellings with Associated Accesses, Parking, Landscaping and Recreational Open Space

Reference number

Outline Application AVA/2018/0668 associated with this condition

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

26/10/2020

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

Condition number(s)

Condition 12

Has the development already started?

◯ Yes
⊘ No

Condition(s) - Variation/Removal

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

The current requirement within Condition 12 to deliver the pedestrian link prior to first occupation is not practical in the context of the construction programme and raises health and safety concerns.

At early stages of development, the location of the pedestrian route will remain within an active construction zone, with ongoing heavy plant movement and construction traffic. Opening the route for public use at this stage would present an unacceptable risk to future occupants and the general public.

The proposed amendment is therefore necessary to ensure the safe and appropriate delivery of the development, whilst still securing the pedestrian link in full accordance with the approved details.

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

It is proposed to vary Condition 12 to amend the timing trigger for delivery of the pedestrian link.

The condition is proposed to read as follows:

“Prior to occupation of the final dwelling, and unless otherwise approved in writing by the Local Planning Authority, a new pedestrian route linking the site in the north-western corner to the B600, Lower Somercotes, and safe pedestrian crossing facilities shall be provided in accordance with details that shall first be submitted to and approved 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

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

Mrs

First Name

Charlotte

Surname

Nwali

Declaration Date

10/04/2026

☑ 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

Charlotte Nwali

Date

10/04/2026