DEVELOPMENT SERVICES
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Derbyshire DE5 3BT
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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

Michael House School

Address Line 1

The Field

Address Line 2

Shipley

Address Line 3

Derbyshire

Town/city

Heanor

Postcode

DE75 7JH

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

Easting (x)

444429

Northing (y)

344742

Description

Applicant Details

Name/Company

Title

MR

First name

James

Surname

Cross

Company Name

Red Eagle One (Shipley) Ltd

Address

Address line 1

22a Main Road

Address line 2

Gedling

Address line 3

Town/City

Nottingham

County

Country

Postcode

NG4 3HP

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Applicant Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Agent Details

Name/Company

Title

Mr

First name

Justin

Surname

Gaunt

Company Name

Onyx Consult Ltd

Address

Address line 1

22a Main Road

Address line 2

Gedling

Address line 3

Town/City

Nottingham

County

Country

Postcode

NG4 3HP

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

Demolition of existing classroom together with conversion and part extension of existing buildings to form up to 34 residential units (comprising a mix of up to 21 apartments and 13 dwellings) along with formation of associated parking, gardens and communal landscaped amenity space at Michael House School The Field Shipley.

Reference number

AVA/2022/0215

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

15/05/2025

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

Condition number(s)

2

Has the development already started?

◯ Yes
⊘ No

Condition(s) - Variation/Removal

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

After review of the proposed layouts in accordance with Part B of the building Regulations, it was deemed that the internal layouts of several proposed dwellings did not meet the regulations and therefore would not be compliant if built, for occupation.

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

We have carried out a review and technical compliance check on the approved proposed plans and have amended the layouts to be compliant. We would like the plan and elevation drawings listed to be amended to the now provided plans.

Previously Approved Proposed: SSA.2020.069-010a, SSA.2020.069-011a, SSA.2020.069-012a, SSA.2020.069-013a, SSA.2020.069-014a, SSA.2020.069-015a

New Proposed: MHS-ARC-GA-A00-D-A-3501 - Ground Floor Plan Rev PO2, MHS-ARC-GA-A01-D-A-3502 - First Floor Plan Rev PO2, MHS-ARC-GA-A02-D-A-3503 - Second Floor Plan Rev PO2, MHS-ARC-GA-AZZ-D-A-3601 - Proposed Elevations Sheet 1 Rev PO2, MHS-ARC-GA-AZZ-D-A-3602 - Proposed Elevations Sheet 2 Rev PO2, MHS-ARC-Stage 4 Compliance Report_P2 dated 03/08/2026

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- [x] Yes
- [ ] No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- [x] The agent
- [ ] The applicant
- [ ] Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- [ ] Yes
- [x] 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? E.g. All the land is owned by a single individual

- [x] Yes
- [ ] No

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

- [ ] Yes
- [x] 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

Justin

Surname

Gaunt

Declaration Date

04/08/2026

☑ 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

Justin Gaunt

Date

04/08/2026