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: 22

Suffix:

Property Name: Andaz

Address Line 1: Town Street

Address Line 2: Duffield

Address Line 3: Derbyshire

Town/city: Belper

Postcode: DE56 4EH

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

Easting (x): 434462

Northing (y): 343412

Description

Applicant Details

Name/Company

Title

First name

Clayton

Surname

Penny

Company Name

Chevin Homes

Address

Address line 1

22 Town Street

Address line 2

Duffield

Address line 3

Town/City

Derby

County

Select...

Country

United Kingdom

Postcode

DE1 1DA

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

Change of use from shop to restaurant and alterations to shop front at 22 Town Street Duffield Belper

Reference number

AVA/2004/1329

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

11/01/2005

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

Condition number(s)

4 and 5

Has the development already started?

- [x] Yes
- [ ] No

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

01/03/2005

Has the development been completed?

- [x] Yes
- [ ] No

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

01/06/2005

Condition(s) - Variation/Removal

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

4. Change of end user requires different opening hours
5. To reflect the proposed new use as a cafe

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

4. The use hereby permitted shall not be open to customers, at any times other than between:

0700 hours and 2200 hours on Mondays to Saturdays; and
0700 hours and 1800 hours Sundays and Bank/Public holidays

5. The premises shall be used for no other purposes than those within Class E of The Town and Country Planning (Use Classes) Order 1987 (as amended).

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?

- [ ] The agent
- [x] 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

- [x] The Applicant
- [ ] The Agent

Title

First Name

Clayton

Surname

Penny

Declaration Date

12/08/2026

- [x] 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.

- [x] I / We agree to the outlined declaration

Signed

Clayton Penny

Date

12/08/2026