

# Application for permission to develop land without compliance with conditions of a previous approval

Official Use	
Application No.	_____
Fee Received	£ _____
Receipt No.	_____

Section 54 of the Planning Act (Northern Ireland) 2011

This form is specifically designed to be downloaded and completed offline. If completing a printed version, please use black ink and block capitals as the document will be scanned once received by the Planning Authority.

If you would rather make this application online, you can do so on the Planning Portal (<https://submissions.planningsystemni.gov.uk/app/>).

Please note that when you submit a planning application the information you provide including all plans, maps, drawings, forms and associated assessments will appear on the Planning Register which is publicly available and, along with any other associated documentation (with the exception of personal telephone numbers, personal e-mail addresses or sensitive personal data), will also be published online on the Planning Portal (<https://planningregister.planningsystemni.gov.uk/>). The Planning Authority will process your information in line with the General Data Protection Regulations (GDPR) requirements. A copy of the full Privacy Statement is available on the Planning Portal. To request a hard copy, please contact the Data Protection Officer for the relevant Planning Authority.

To find contact details for the Planning Authorities, including the postal or e-mail address to send offline applications to, please check their website or visit [www.nidirect.gov.uk/contacts/planning-offices-ni](http://www.nidirect.gov.uk/contacts/planning-offices-ni).

This form is only to be used for applications for permission to develop land without compliance with conditions of a previous Approval.

## Section A

**Applicant's name and address**

**Agent's name and address (if applicable)**

Name:		Name:	
Address:		Address:	
Town/City:		Town/City:	
Postcode:		Postcode:	
Tel:		Tel:	
Mobile:		Mobile:	
E-mail:		E-mail:	
Your Ref.:		Your Ref.:	

## Section B

### Pre Application Advice

Have you received any prior formal advice from the Planning Authority about this application? Yes  No

If Yes, please provide the reference number from the advice you were given (this will help the Authority to deal with your application more efficiently)

Reference No.

## Site Address

Give the full postal address of the site. If you cannot provide a postcode, then please give the most accurate description you can in order to help locate the site.

## Section C - Section 54 Application

The details which you are providing as part of this application may be used as a means of providing information required by Article 3(5)(b) of [The Planning \(General Development Procedure\) Order \(Northern Ireland\) 2015](#) as amended, and other legislative requirements e.g. section 42 Certificate. This is not a statutory requirement. For further guidance please refer to [Development Management Practice Note 24: Section 54 Applications](#).

I / We apply to the relevant Council or, as the case may be, the Department for planning permission to develop land without complying with conditions (subject to which a previous planning permission was granted):

*Please tick one box*

- attached to an unimplemented Planning Permission
- attached to an implemented Planning Permission

## Previous Development Application

What was the reference number of the **previous** application?

What date was permission granted for the **previous** application?

Please briefly describe what development work was requested in the **previous** application for planning permission being referred to

Was the **previous** application in respect of an Environmental Impact Assessment (EIA) development?

Yes  No

### *If attached to an implemented Planning Permission*

Has the **previous** permission described above been implemented?

Yes  No

If yes, please state when the work for the previous permission was implemented

If yes, please describe how the previous permission has been implemented

Please provide details about this application for a modification, variation or removal of planning condition(s). Please include the Condition Number from the previous approval as well as the original text for the condition(s) and the proposed amended text.

## Section D - Certificate of Ownership

Please fill in **ONE** of the following certificates as required under Section 42 of the Planning Act (Northern Ireland) 2011. This form constitutes a statement of ownership, not proof of ownership.

### CERTIFICATE A

I hereby certify that the accompanying application is made by or on behalf of

\_\_\_\_\_

(Please use BLOCK LETTERS)

who is in actual possession of every part of the land to which the said application relates and is entitled to  
*(tick as appropriate)*

- |                          |                                                                   |
|--------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> | a fee simple absolute                                             |
| <input type="checkbox"/> | a fee tail                                                        |
| <input type="checkbox"/> | a life estate                                                     |
| <input type="checkbox"/> | a tenancy of which at least 40 years remain unexpired in the land |

Signature of Applicant / Agent \_\_\_\_\_ Date: \_\_\_\_\_

or

### CERTIFICATE B

I hereby certify that the accompanying application is made by or on behalf of

\_\_\_\_\_

(Please use BLOCK LETTERS)

Who is the trustee of a trust or settlement which affects every part of the land to which the accompanying application relates and that at the date of the application:

- (a) a beneficiary under the trust or settlement is in the actual possession of every part of the land; and
- (b) no person other than a beneficiary under the trust or settlement is entitled to enter into the actual possession of any part of the said land within a period of 40 years.

Signature of Applicant / Agent \_\_\_\_\_ Date: \_\_\_\_\_

**or**

**CERTIFICATE C**

I hereby certify that the § requisite notice of the accompanying application has been given by or on behalf of

\_\_\_\_\_ (Please use BLOCK LETTERS)

to any person, who at the beginning of the period of 21 days ending with the date of the said application was, in relation to all or any part of the land affected by the application:

- (a) a person then in actual possession;
- (b) the trustee of a trust or settlement where a beneficiary under the trust or settlement was in actual possession and no person other than such a beneficiary was entitled to enter into actual possession within a period of 40 years; and
- (c) a person [not being a person falling within (a) or (b)] entitled to enter into actual possession within a period of 40 years.

The persons upon whom notice was served are:

Name and Address	Interest	Date of service of notice
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Signature of Applicant / Agent \_\_\_\_\_ Date: \_\_\_\_\_

§ Copies of the requisite notice (Form P2A) may be obtained from your local planning office

**or**

**CERTIFICATE D**

1. I hereby certify that the person making the accompanying application:

- (a) is unable to issue a certificate in accordance with either Section 42(1)(a) or (b) of the Planning Act (Northern Ireland) 2011;
- (b) has made due enquiries and is of the opinion that they are unable to issue a certificate which would satisfy the requirements of Section 42(1)(c) of the said Act for the following reasons;

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(c) has given the requisite notice of the application to the undermentioned persons who, at the beginning of the period of 21 days ending with the date of the said application, were in the actual possession of all or part of the land to which the application relates, namely:

**Name and Address:**

**Date of service of notice:**

_____	_____
_____	_____
_____	_____
_____	_____

2. Notice of the said application has been published in the \_\_\_\_\_  
(*newspaper*) on \_\_\_\_\_ (date) and a copy of the newspaper in which the notice  
appeared is enclosed.

Signature of Applicant / Agent \_\_\_\_\_ Date: \_\_\_\_\_

§ Copies of the requisite notice (Form P2A) may be obtained from your local planning office.

**WARNING:** Any person who knowingly or recklessly issues this certificate containing a statement which is false or misleading is guilty of an offence and liable on summary conviction to a fine.

## Section E - Authority Employee / Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the council or an elected member of the council?

Yes  No

Are you / the applicant / the applicant's spouse or partner, a relative of a member of staff in the council or an elected member of the council or their spouse or partner?

Yes  No

If you have answered yes to either of the above questions, you / the applicant / the applicant's spouse or partner may have a duty to declare an interest in this application under the Authority's code of conduct or scheme of delegation. If necessary, a council officer may be in touch with you to confirm details.

## Declaration

The information \*I / we have given in this form is correct and complete to the best of my knowledge and belief.

\*I / We apply for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted as described in this application.

Signature of \*Applicant / Agent \_\_\_\_\_ Date \_\_\_\_\_

On behalf of \_\_\_\_\_

\* Delete as appropriate

## Notes

This model application form, which is not a statutory requirement, may be used as a means of providing the information required by Article 3(5)(b) of The Planning (General Development Procedure) Order (Northern Ireland) 2015 as amended and other legislative requirements e.g. section 42 Certificate.

Please note that when you submit a planning application the information you provide including all plans, maps, drawings, forms and associated assessments will appear on the Planning Register which is publicly available and, along with any other associated documentation (with the exception of personal telephone numbers, personal e-mail addresses or sensitive personal data), will also be published online on the Planning Portal (<https://planningregister.planningsystemni.gov.uk/>). The Planning Authority will process your information in line with the General Data Protection Regulations (GDPR) requirements. A copy of the full Privacy Statement is available on the Planning Portal. To request a hard copy, please contact the Data Protection Officer for the relevant Planning Authority.

In addition, as well as statutory neighbour notification, a section 54 application is also subject to statutory publicity by advertisement which is undertaken by the Planning Authority.

For guidance, please refer to “Development Management Practice Note 24: Section 54 Applications”, “Planning Fees – Explanatory Notes for Applicants” and “Development Management Practice Note 11: Planning Fees” all of which are available on the Department’s website ([www.infrastructure-ni.gov.uk/topics/planning](http://www.infrastructure-ni.gov.uk/topics/planning)) and/or discuss your proposal with the relevant planning office.