

Form RVC1

**Application for permission to develop land without compliance with conditions previously attached**

Official Use	
Application No.:	_____
Receipt No.:	_____

Planning Act (Northern Ireland) 2011 – Section 54

1. 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

Reference number of previous application which relates \_\_\_\_\_

Date of decision \_\_\_\_\_

Please state if previous application was Environmental Impact Assessment (EIA) development?

Yes  No

2 a. Applicant's name and address

2 b. Agent's name and address (if any)

Name:		Name:	
Address:		Address:	
Town:		Town:	
Postcode:		Postcode:	
Tel:		Tel:	
		Ref. No.:	

3. Council Employee / Elected Member Interest

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

Yes  No

Or 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 please provide details (name, relationship and role):

**4. About the Application Site**

Give the full postal address of the application site.

**5. Description of development of previous planning permission recorded in section 1 of this form to which this application relates**

*If there is not enough space please give description on a separate sheet.*

**6. Description of the Section 54 Application**

Please give details of the application, including:- a reference stating this is a section 54 application; the application reference and nature / type of development previously approved e.g. erection of dwelling in countryside; change of use from dwelling to hot food bar and alteration works; the condition(s) to which this application relates (i.e. seeking planning permission to develop land without complying with conditions subject to which a previous planning permission was granted and provide a short summary to identify each one e.g. to develop land without complying with condition 03 (seeking removal of occupancy condition); to develop land without complying with condition 07 (seeking variation of opening hours condition).

*If there is not enough space please give description details of the application on a separate sheet.*

**NOTE: The reasons why permission to develop land without complying with conditions (in effect seeking removal and / or variation of conditions) is sought should be specified on an accompanying statement.**

**7. Certificate of Ownership**

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 \*a fee simple absolute/a fee tail/a life estate/a tenancy of which at least 40 years remain unexpired in the land. \*You **must** delete words which do not apply.

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 Council 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 he is unable to issue a certificate which would satisfy the requirements of Section 42(1)(c) of the said Act for the following reasons;

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(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 \_\_\_\_\_  
on \_\_\_\_\_ 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 Council 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.**

## 8. Statutory Neighbour Notification of Planning Application

You are not required to notify the occupiers listed below. This will be done by the Council, or as the case may be, the Department for Infrastructure.

Please give the address of any identified occupiers of buildings on neighbouring land. An 'identified occupier' is the occupier of premises within a 90 metre radius of the boundary of the proposed application site, provided they adjoin the application site. 'Neighbouring land' is land which directly adjoins the application site, or which would adjoin it but for an entry or road less than 20 metres in width. Where identified occupiers of a building on neighbouring land have to be notified and the building is in multiple occupation give the addresses of all occupiers.

a) Address:		b) Address:	
Town:		Town:	
Postcode:		Postcode:	
<hr/>			
c) Address:		d) Address:	
Town:		Town:	
Postcode:		Postcode:	
<hr/>			
e) Address:		f) Address:	
Town:		Town:	
Postcode:		Postcode:	
<hr/>			
g) Address:		h) Address:	
Town:		Town:	
Postcode:		Postcode:	
<hr/>			
i) Address:		j) Address:	
Town:		Town:	
Postcode:		Postcode:	

If there is not enough space please list any additional addresses on a separate sheet.

## 9. Fee Payable

Please read 'Planning Fees Explanatory Notes for Applicants' and submit the correct fee as set out in the scale of fees in the current Fee Regulations available on the Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)).

I enclose a cheque / postal order no.  for the sum of £

Cheques or postal orders should be made payable to your relevant council, or as the case may be, the Department for Infrastructure and crossed 'Not negotiable, A/C Payee only'.

## Declaration

The information \*I / we have given in this Form RVC1 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 \_\_\_\_\_

\* 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 section 54 planning application the information will appear on the Planning Register which is publicly available and, along with other associated documentation (with the exception of personal telephone numbers, email addresses or sensitive personal data), will also be published on the internet on the Public Access site ([www.planningni.gov.uk/public-access-info](http://www.planningni.gov.uk/public-access-info)). The Department for Infrastructure and the 11 Councils will process your information in line with the General Data Protection Regulations (GDPR) requirements. A copy of the full Privacy Statement is available at [www.infrastructure-ni.gov.uk/dfi-privacy](http://www.infrastructure-ni.gov.uk/dfi-privacy). To request a hard copy, please contact the relevant Data Protection Officer as listed in the statement.

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 council, or as the case may be, the Department for Infrastructure.

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” on the NI Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)) and / or discuss queries with the relevant planning office.