STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Staffordshire Moorlands District Council
Moorlands House, Stockwell Street, Leek
Staffordshire Moorlands, ST13 6HQ
Telephone: 0845 605 3013
www.staffsmoorlands.gov.uk

08/01455/CL_EAG
22 JUL 2008

PART ONE

Application for a Lawful Development Certificate for an Existing use or operation or activity including those in breach of a planning condition.

Town and Country Planning Act 1990: Section 191 as amended by section 10 of the Planning and Compensation Act 1991.

Town and Country Planning (General Development Procedure) Order 1995

Publication of planning applications on council websites

Please note that with the exception of applicant contact details and Certificates of Ownership, the information provided on this application form and in supporting documents may be published on the council's website.

If you have provided any other information as part of your application which falls within the definition of personal data under the Data Protection Act which you do not wish to be published on the council's website, please contact the council's planning department.

Please complete using block capitals and black ink.
It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title:	MR
First name:	JOHN
Last name:	SIMMONS
Company (optional):	
Unit:	
House number:	53
House suffix:	
House name:	ST EDWARD ST
Address 1:	
Address 2:	
Address 3:	
Town:	LEEK
County:	STAFFS
Country:	U.K
Postcode:	ST13 5DN

2. Agent Name and Address

Title:	
First name:	
Last name:	
Company (optional):	
Unit:	
House number:	
House suffix:	
House name:	
Address 1:	
Address 2:	
Address 3:	
Town:	
County:	
Country:	
Postcode:	

3. Site Address Details

Please provide the full postal address of the application site.

Unit: | House number: 51 | House suffix:

House name:

Address 1: ST EDWARD ST

Address 2:

Address 3:

Town: LEEK

County: STAFFS

Postcode (optional): ST13 5DN

Description of location or a grid reference.
(must be completed if postcode is not known):

Easting: | Northing:

Description:

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☐ Yes ☐ No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).

Please tick if the full contact details are not known, and then complete as much as possible: ☐

Officer name:

Reference:

Date (DD/MM/YYYY):
(must be pre-application submission)

Details of pre-application advice received?

5. Lawful Development Certificate - Interest In Land

Please state the applicant's interest in the land:

Owner: ☑ Yes ☐ No Lessee: ☐ Yes ☐ No Occupier: ☐ Yes ☐ No

If Yes to Lessee or Occupier please give details of the owner and state whether they have been informed in writing of this application:

Name	Address	Have they been informed in writing of the application Yes	No
		☐	☐

if No to all the above, pleases give name and addresses of anyone you know who has an interest in the land:

Name	Address	State the nature of their interest (if known)	State whether they have been informed about this application Yes	No	If No, please explain why not
			☐	☐	
			☐	☐	
			☐	☐	
			☐	☐	

6. Council Employee / Member

Is the applicant or agent related to any member of staff or elected member of the council? ☐ Yes ☑ No

If Yes, please provide details:

08/01455/CL-EXG 22 JUL 2008

7. Description of Use, Building Works or Activity

Please state for which of these you need a lawful development certificate/building works (you must tick at least one option):

An existing use:	☑ Yes	☐ No
Existing building works:	☐ Yes	☐ No
An existing use, building work or activity in breach of a condition:	☐ Yes	☐ No

Being a use, building works or activity which is still going on at the date of this application

If Yes to either 'an existing use' or 'an existing use in breach of a condition', please state which one of the Use Classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use relates to:

FROM A1 TO C3

SHOP TO RESEDENTIAL

8. Description of Existing Use, Building Works or Activity

What is the existing site use(s) for which the certificate of lawfulness is being sought? Please fully describe each use and state which part of the land the use relates to:

LAWFUL USE OF THE PROPERTY IS RESEDENTIAL AND THIS HAS BEEN THE CASE CONTINUSLY SINCE 1993 MARCH

9. Grounds For Application For A Lawful Development Certificate

Please state under what grounds is the certificate sought (you must tick at least one box):

- ☑ The use began more than 10 years before the date of this application.
- ☐ The use, building works or activity in breach of condition began more than 10 years before the date of this application.
- ☐ The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years.
- ☐ The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- ☑ The use as a single dwelling house began more than four years before the date of this application.
- ☐ Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

If the certificate is sought on 'Other' grounds please give details:

If applicable, please give the reference number of any existing planning permission, lawful development certificate or enforcement notice affecting the application site. Include its date and the number of any condition being breached:

Reference Number: | Condition Number: | Date (DD/MM/YYYY): (must be pre application submission)

Please state why a Lawful Development Certificate should be granted:

USED FOR RESEDENTIAL SINCE 1993

10. Information In Support Of A Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed: 1993 (date must be pre-application submission) (DD/MM/YYYY)

In the case of an existing use or activity in breach of conditions has there been any interruption? ☐ Yes ☑ No

If Yes, please provide details of the dates, duration and any discontinuance of the development which is the subject of this application. If your application is based on the claim that a use or activity has been ongoing for a period of years, please state exactly when any interruption occurred:

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought? ☐ Yes ☑ No

If Yes please provide details?

08/01455/CL-GKG 22 JUL 2008

10. Information In Support Of A Lawful Development Certificate (Continued) - Residential Information

Does the application for a Certificate relate to a residential use where the number of residential units has changed? ☐ Yes ☐ No
If Yes, please complete the following table:

Proposed Housing

	Number of Bedrooms					Total
	1	2	3	4+	Unknown	
Market Housing						
Houses						
Flats & Maisonettes						
Live-Work Units						
Cluster Flats						
Sheltered Housing						
Bedsit/Studios						
Unknown						
Market Housing Total *(a + b + c + d + e + f + g) =*						

Social Rented Housing	1	2	3	4+	Unknown	
Houses						
Flats & Maisonettes						
Live-Work Units						
Cluster Flats						
Sheltered Housing						
Bedsit/Studios						
Unknown						
Social Rented Housing Total *(a + b + c + d + e + f + g) =*						

Intermediate Housing	1	2	3	4+	Unknown	
Houses						
Flats & Maisonettes						
Live-Work Units						
Cluster Flats						
Sheltered Housing						
Bedsit/Studios						
Unknown						
Intermediate Housing Total *(a + b + c + d + e + f + g) =*						

Key Worker Housing	1	2	3	4+	Unknown	
Houses						
Flats & Maisonettes						
Live-Work Units						
Cluster Flats						
Sheltered Housing						
Bedsit/Studios						
Unknown						
Key Worker Housing Total *(a + b + c + d + e + f + g) =*						

Proposed Housing Grand Total *(A + B + C + D) =*	

Existing Housing

	Number of Bedrooms					Total
	1	2	3	4+	Unknown	
Market Housing						
Houses						
Flats & Maisonettes						
Live-Work Units						
Cluster Flats						
Sheltered Housing						
Bedsit/Studios						
Unknown						
Market Housing Total *(a + b + c + d + e + f + g) =*						

Social Rented Housing	1	2	3	4+	Unknown	
Houses						
Flats & Maisonettes						
Live-Work Units						
Cluster Flats						
Sheltered Housing						
Bedsit/Studios						
Unknown						
Social Rented Housing Total *(a + b + c + d + e + f + g) =*						

Intermediate Housing	1	2	3	4+	Unknown	
Houses						
Flats & Maisonettes						
Live-Work Units						
Cluster Flats						
Sheltered Housing						
Bedsit/Studios						
Unknown						
Intermediate Housing Total *(a + b + c + d + e + f + g) =*						

Key Worker Housing	1	2	3	4+	Unknown	
Houses						
Flats & Maisonettes						
Live-Work Units						
Cluster Flats						
Sheltered Housing						
Bedsit/Studios						
Unknown						
Key Worker Housing Total *(a + b + c + d + e + f + g) =*						

Existing Housing Grand Total *(E + F + G + H) =*	

TOTAL NET GAIN or LOSS of RESIDENTIAL UNITS (Proposed Housing Grand Total - Existing Housing Grand Total):

08/01455/CL-GKG 22 JUL 2008

11. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.
The burden or proof in a Lawful Development Certificate is firmly with the applicant and therefore sufficient and precise information should be provided.

The original and 3 copies of a completed dated application form: ALREADY SUBMITTED ☐

The original and 3 copies of a plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North: ☑

The original and 3 copies of such evidence verifying the information included in the application as you can provide: ☑

The correct fee: ALREADY SUBMITTED ☑

12. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information.

Signed - Applicant: J Simmons

Or signed - Agent:

Date (DD/MM/YYYY): 4/8/08 (date cannot be pre-application submission)

WARNING:
The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the Council to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.

13. Applicant Contact Details

Telephone numbers

Country code:	National number:	Extension number:
01538	382909	

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

14. Agent Contact Details

Telephone numbers

Country code:	National number:	Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

15. 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? *(Please select only one)* ☐ Agent ☑ Applicant ☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

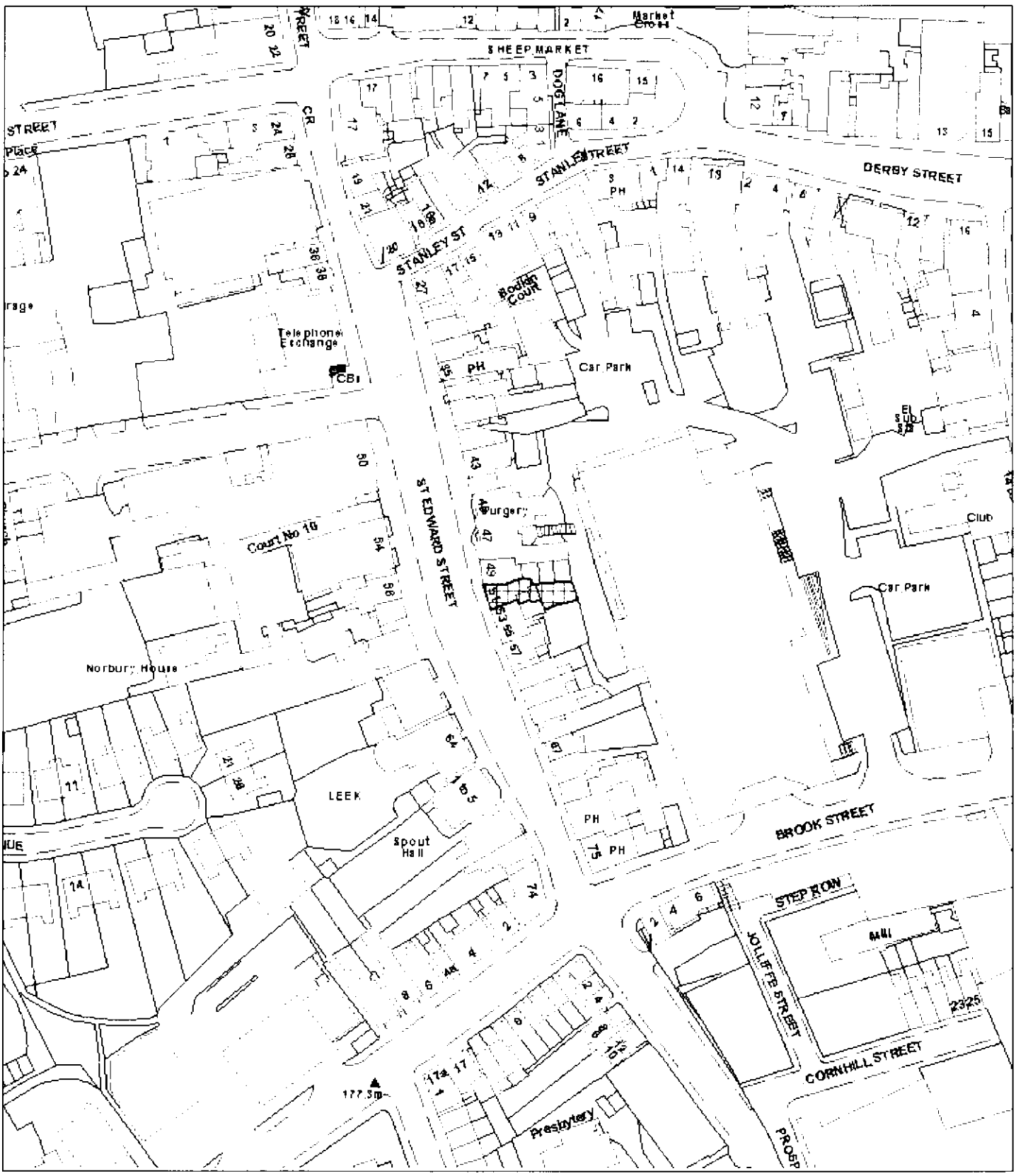
Contact name: Telephone number:

Email address:

08/01455/CQ-EX9 22 JUL 2008

$Date: 2008/05/16 11:16:32 $ $Revision: 1.23 $

Reference:	08/01455/CL_EXG Leek



Scale : 1:1250

This copy has been produced specifically for the Map Return Scheme purposes only. No further copies may be made.

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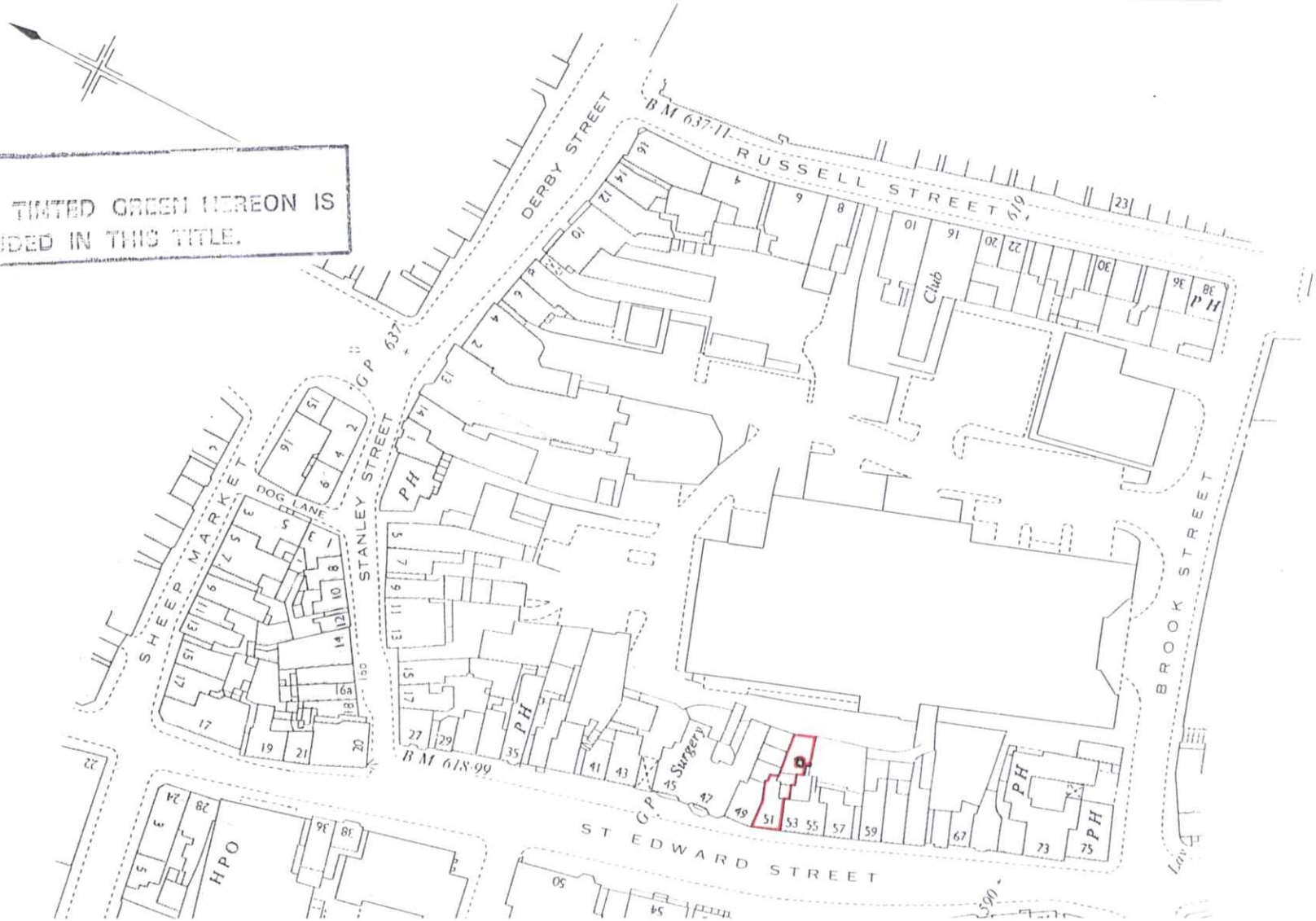
Organisation	Not Set
Department	Not Set
Description	

H.M. LAND REGISTRY

		TITLE NUMBER	
		SF279130	
ORDNANCE SURVEY PLAN REFERENCE	SJ 9856	SECTION J	Scale 1/1250
COUNTY STAFFORDSHIRE	DISTRICT STAFFORDSHIRE MOORLANDS		© Crown copyright 1986

NOTE :-
THE LAND TINTED GREEN HEREON IS NOT INCLUDED IN THIS TITLE.



08/01455

CL-EXG

CL-EXG

existing title plan based on such revision, if this

NIXON REEVES
Building and Joinery Contractors

A small local company, well known
for all the right reasons

ESTABLISHED IN 1961

18th July 2008

Planning Department
Staffordshire Moorlands District Council
Stockwell House
Leek
Staffordshire
ST13 6HQ

Dear Sir/Madam,

RE: 51 St Edward Street

We're writing to support the retrospective change of use/planning permission application in relation to the above noted property.

Being situated directly opposite, we can verify that the said property as been residential for many years, at least 10 years to our knowledge but probably more.

We trust that this information will be helpful with the application.

Yours sincerely,

Jo Fox (Mrs)
For and on behalf of Nixon Reeves

08/01455/CL - EKG
22 JUL 2008

National Federation of Builders

58a St. Edward Street, Leek, Staffordshire, ST13 5DL • Telephone / Fax: 01538 383013 • enquiries@nixonreeves.co.uk • www.nixonreeves.co.uk
Directors: Darren J. Fox & Andrew J. Reeves • Nixon Reeves Limited - Company Registration No. 5330499 • VAT Registered No. 855 8936 65

DIAMOND INSURANCE SERVICES LTD
63, St Edward Street,
Leek,
Staffordshire,
ST13 5DN
Tel: (01538) 386031
Fax: (01538) 399588

Planning Department
SMDC
Stockwell House
LEEK
Staffs
ST13 6HQ

Date: 21st July 2008

Dear Sir/Madam

RE: 51 St Edward Street, LEEK, Staffs

I can confirm that I am aware that this property has been used for residential purposes for atleast the last 10 years.

I trust that you will contact me should you require any further information.

Yours faithfully

I Evans
Director

08/01455 22 JUL 2008 - SMD
CLERG

I mrs K A Pulham lived for well over 10 years a 51, St Edward Street Leek Staffs ST13, 5DN.
The property was always rented as a domestic dwelling never as a shop as this was the only way in to the flat

L A Pulham

08/01455
CL_EXG
22 JUL 2008

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MILAM
Chief Executive

Dealt with by: Rob Duncan

Our Ref: PI/Leek

Your Ref: 38/KH/Simmons/11295/1

Direct Dial: (01538) 483563

Date: 16th July 2008

Miss. J. Woodward
Bowcock & Pursail Solicitors
54 St. Edward Street
Leek
Staffordshire
ST13 5DJ

Dear Miss Woodward

51 St. Edward Street, Leek, Staffordshire Moorlands

I refer to your letters dated the 4th June and 9th July respectively and apologise for the delay in response.

Following a review of your letter it would appear on the basis of the information submitted that the site has been in residential use more or less continuously for period in excess of 4 years. As a consequence, it is likely that the lawful use of the property is residential.

As a final point may I remind you that this letter constitutes an informal view and is therefore not legally binding. Should you require a binding determination you may choose to submit an application for a Certificate of Lawfulness, the forms for which are available on our website.

Yours sincerely,

Rob Duncan
Development Control Manager

RECEIVED
18 JUL 2008
Bowcock & P...

08/01455 2 2 JUL 2008 - 9 MO
a_exg

Staffordshire Moorlands District Council
Moorlands House, Stockwell Street
Leek
Staffordshire Moorlands ST13 6HQ

Telephone: **0845 6053011**
Email: **local.taxation@staffsmoorlands.gov.uk**
Website: **www.staffsmoorlands.gov.uk**

STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Council Tax Bill 2008/2009

Mr John Simmons
53 St Edward Street
Leek
Staffordshire Moorlands
ST13 5DN

54541819

Address of the property to which the charge relates:

51 St Edward Street
Leek
Staffordshire
ST13 5DN

The Council Tax for this property is made up of the following amounts:

	% Change from previous year	Amount
STAFFORDSHIRE MOORLANDS D C	2.5%	£106.50
STAFFORDSHIRE COUNTY COUNCIL	4.0%	£766.45
STAFFORDSHIRE POLICE AUTHORITY	3.8%	£129.24
STAFFORDSHIRE FIRE AUTHORITY	4.9%	£49.19
LEEK TOWN COUNCIL	4.6%	£48.61
Total	**3.9%**	**£1,099.99**

Date of issue: 12 March 2008
Account reference: 18141096
Property reference: 30133500510008
Valuation band: B

Our records show that you are liable to pay Council Tax for the property shown. Council Tax, along with Business Rates, helps pay for the services provided by the local authorities in your area.
The Government also provides some money for local services. Details of what we spend on services are available from the Revenues Office.

The amount shown above supports spending of £118,500.00 for LEEK TOWN

Details of Charge	From	To	Amount
Gross Charge	01/04/2008	31/03/2009	£1,099.99
Exemption (Class C - Empty for up to six months)	01/04/2008	31/03/2009	-£1,099.99 CR

Amount Due **£0.00**

Reason for sending this Bill: Property Exemption Updated

08/01455

This document is available in alternative formats on request

STAFFORDSHIRE moorlands DISTRICT COUNCIL
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Staffordshire Moorlands District Council
Moorlands House, Stockwell Street, Leek
Staffordshire Moorlands, ST13 6HQ
Telephone: 0845 605 3013
www.staffsmoorlands.gov.uk

Application for a Lawful Development Certificate for a Proposed use or development.

Town and Country Planning Act 1990: Section 192, as amended by section 10 of the Planning and Compensation act 1991.

Town and Country Planning (General Development Procedure) Order 1995

08/01455 CL-EXG 2008 - SMD

Publication of planning applications on council websites

Please note that with the exception of applicant contact details and Certificates of Ownership, the information provided on this application form and in supporting documents may be published on the council's website.

If you have provided any other information as part of your application which falls within the definition of personal data under the Data Protection Act which you do not wish to be published on the council's website, please contact the council's planning department.

Please complete using block capitals and black ink.
It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title:	MR	First name:	JOHN		
Last name:	SIMMONS				
Company (optional):					
Unit:		House number:	53	House suffix:	
House name:					
Address 1:	53, ST EDWARD ST				
Address 2:					
Address 3:					
Town:	LEEK				
County:	STAFFS				
Country:	U.K.				
Postcode:	ST13 5DN				

2. Agent Name and Address

Title:		First name:			
Last name:					
Company (optional):					
Unit:		House number:		House suffix:	
House name:					
Address 1:					
Address 2:					
Address 3:					
Town:					
County:					
Country:					
Postcode:					

3. Site Address Details

Please provide the full postal address of the application site.

Unit: House number: 51 House suffix:

House name:

Address 1: ST EDWARD ST

Address 2:

Address 3:

Town: LEEK

County: STAFFS

Postcode (optional): ST13 5DN

Description of location or a grid reference. (must be completed if postcode is not known):

Easting: Northing:

Description:

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☐ Yes ☑ No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).

Please tick if the full contact details are not known, and then complete as much as possible: ☐

Officer name:

Reference:

Date DD/MM/YYYY: (must be pre-application submission)

Details of pre-application advice received?

5. Lawful Development Certificate - Interest In Land

Please state the applicant's interest in the land?

Owner: ☑ Yes ☐ No Lessee: ☐ Yes ☐ No Occupier: ☐ Yes ☐ No

If Yes to Lessee or Occupier please give details of the owner and state whether they have been informed in writing of this application:

Name	Address	Have they been informed in writing of the application Yes	No
08/01 55	CL-GCG 22 JUL 2008	☐	☐

if No to all the above, pleases give name and addresses of anyone you know who has an interest in the land:

Name	Address	Nature of interest in the land	Have they been informed of the application? Yes	No	if they have not been informed of the application please explain why not
			☐	☐	
			☐	☐	
			☐	☐	
			☐	☐	

6. Council Employee / Member

Is the applicant or agent related to any member of staff or elected member of the council? ☐ Yes ☑ No

If Yes, please provide details:

7. Grounds For Application

Information About The Existing Use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter, or extend are lawful

THE PROPERTY HAS BEEN USED SOLELY FOR RESIDENTIAL PURPOSES SINCE ABOUT MARCH 1993

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application:

1.	
2.	
3.	
4.	
5.	

If you consider the existing, or last use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended), state which one:

Information About The Proposed Use(s)

If you consider the proposed use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended), state which one:

RESIDENTIAL

Is the proposed operation or use:

☐ Temporary ☑ Permanent

If temporary please give details:

Please state why you consider that a Lawful Development Certificate should be granted for this proposal:

LAWFUL USE OF THE PROPERTY IS RESIDENTIAL AND HAS BEEN THE CASE CONTINUOUSLY SINCE ABOUT MARCH 1993

8. Description Of Proposal

Does the proposal consist of, or include:

a) The carrying out of building or other operations? ☐ Yes ☑ No

If Yes to a, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions):

08/01455 [illegible] 22 JUL [illegible]
A-GG

b) Change of use of the land or building(s)? ☐ Yes ☑ No

If Yes to b, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out:

If Yes to b, please describe fully the existing or the last known use, with the date this use ceased:

Has the proposal been started? ☑ Yes ☐ No

9. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

The burden of proof in a Lawful Development Certificate is firmly with the applicant and therefore sufficient and precise information should be provided.

The original and 3 copies of a completed dated application form: ☐

The original and 3 copies of such evidence verifying the information included in the application as you can provide: ☐

The original and 3 copies of a plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North: ☐

The correct fee: ☐

10. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information

Signed - Applicant

Or signed - Agent

Date (DD/MM/YYYY): 17/6/39 (date cannot be pre-application submission)

WARNING:
The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the Council to revoke, at any time, a certificate they may have been issued as a result of such false or misleading information.

11. Applicant Contact Details

Telephone numbers

Country code:	National number:	Extension number:
0153 8	382907	

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

12. Agent Contact Details

Telephone numbers

Country code:	National number:	Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

13. 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? *(Please select only one)* ☐ Agent ☑ Applicant ☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name: Telephone number:

Email address: