

# 17 EDWARD STREET LEEK

## PLANNING, HERITAGE, DESIGN & ACCESS STATEMENT

PREPARED BY PEGASUS GROUP | MR M BALL | OCTOBER 2016 | BRS.6723



**PLANNING APPLICATION FOR A CHANGE OF USE  
FROM A RESTAURANT (CLASS A3) TO A HOT FOOD  
TAKEAWAY (CLASS A5); INSTALLATION OF  
EXTRACTION/VENTILATION EQUIPMENT AND  
OTHER EXTERNAL ALTERATIONS**

**PLANNING, HERITAGE & DESIGN AND  
ACCESS STATEMENT**

**17 ST EDWARD STREET, LEEK, STAFFORDSHIRE,  
ST13 5DR**

**ON BEHALF OF MR M BALL**

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)  
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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**PLANNING** | **DESIGN** | **ENVIRONMENT** | **ECONOMICS**

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## **1. INTRODUCTION**

- 1.1 This Planning, Heritage & Design and Access Statement has been prepared by Pegasus Group on behalf of Mr M Ball in support of a change of use from a restaurant (Class A3) to a hot food takeaway (Class A5).
- 1.2 The proposal also includes the installation of 1 no. oven air extract, terminating via a duct above the roof level; 2 no. wall mounted compressors at the rear elevation and 1 no. fresh air intake terminating at a louvred grille at the side elevation. In addition, there will be some changes to the shopfront and some other external alterations to the building.
- 1.3 This Statement sets out the justification for the change of use and external alterations, firstly by reviewing the site and its surroundings in terms of the relevant physical, social, economic and planning context as well as summarising the relevant planning history.
- 1.4 It will then deal with the implications of the proposed ventilation equipment in terms of design and amenity. The Statement will also demonstrate how the proposal complies with both national and local planning policies.
- 1.5 This Statement should be read in conjunction with the full planning application, including the full set of plans prepared by AEW Architects and Designers Ltd.

## **2. SITE DESCRIPTION**

- 2.1 The application site comprises the ground floor and basement of 17 St Edward Street, which is located at the junction of St Edward Street and Sheep Market in Leek.
- 2.2 The site has previously been occupied by Bengal Spice but is currently vacant. It was previously occupied as a Class A3 restaurant with an ancillary takeaway element.
- 2.3 The site is located within the defined town centre of Leek. The site is within the primary retail area of the centre but is not within a designated frontage. The site is surrounded by a mixture of uses and is adjacent to another hot food takeaway (Abbies).
- 2.4 Planning permission is in place (ref: SMD/2016/0267) to convert the upper floors of the application site into an HMO and a self-contained flat.
- 2.5 The site is within the Leek Conservation Area. The site is not a Listed Building but 19 St Edward Street (just to the south of the site) is a Grade II Listed property.
- 2.6 The site is in Flood Zone 1, which is the area least at risk from flooding.
- 2.7 There are double yellow lines in front of the site. There are on-street parking spaces available along High Street, just to the west of the site. These allow for 45 minutes free parking between 8am and 6pm Monday to Saturday and are unrestricted outside of these times. Market Place public car park is approximately 75 metres to the north east of the site.
- 2.8 There is a yard area to the rear of the site which can be accessed via the rear exit door or the side alley immediately to the south of the site. There is an existing outhouse in the yard area and an external staircase leading down to a lower level.



### **3. THE PROPOSAL**

#### Change of Use

- 3.1 The proposal is for the change of use of the site from a restaurant (Class A3) with an ancillary takeaway element to a hot food takeaway (Class A5). The takeaway will be used as a pizza takeaway and will be open until midnight 7 days a week. The proposed store could create up to 35 full and part time local jobs.
- 3.2 The building's interior will be altered to accommodate the new hot food takeaway store. The customer service and seating area will be located to the left of the ground floor (as one enters the store). There will be seating for approximately 24 customers. The oven and cooking area are directly in front of the main customer door (as one enters the store). There will also be a customer WC and cold room on the ground floor.
- 3.3 In the basement, there will be a washing up area, an additional cold room, a store room, a manager's office and staff WC's.
- 3.4 Refuse and recycling will be stored in an existing outhouse to the rear of the building and will be taken to the relevant collection points on collection days.

#### Extraction/Ventilation Equipment

- 3.5 The proposal will also include the installation of extraction/ventilation equipment. This will include a duct running from the oven, through the side elevation, and then running vertically up the side wall until it terminates 1 metre above the ridge level of the building.
- 3.6 This is in the same location as the existing extraction, and this is an upgrade of the equipment.
- 3.7 There will be 2 no. compressors located in the rear yard area, directly beneath an external staircase. The cold room compressor will keep the food at an adequate temperature and will therefore be in operation 24 hours a day.
- 3.8 There will also be a fresh air intake duct which will terminate via a louvred grille at the rear elevation.
- 3.9 Further details of the ventilation and extraction system proposed are provided on the submitted plans, the Proforma Annex B document and the specification sheets.

These documents provide more specific details of the noise emissions and design of the proposed equipment.

#### Other Alterations

- 3.10 The existing aluminium shopfront will be retained and redecorated RAL 7043 Traffic Grey. The stallriser will also be retained and redecorated. The existing double entrance door will be replaced with a single entrance door.

#### **4. PLANNING HISTORY**

##### The Application Site

- 4.1 On 21<sup>st</sup> September 2016, a Certificate of Lawfulness (ref: SMD/2016/0402) was issued confirming the lawful use of the site as a restaurant (within Class A3 use) with connected hot food takeaway. A copy of the Decision Notice is included at Appendix 1.

#### **APPENDIX 1 – DECISION NOTICE REF: SMD/2016/0402**

- 4.2 Planning permission (ref: SMD/1980/0627) was granted on 20<sup>th</sup> November 1980 for a change of use from a shop to a restaurant.
- 4.3 Planning permission (ref: SMD/1978/0925) was granted on 16<sup>th</sup> November 1978 for the provision of a shop with office accommodation.

##### Upper Floors

- 4.4 An application (ref: SMD/2016/0267) was granted on 3<sup>rd</sup> August 2016 for the change of use of the first and second floor offices and third floor store to form a HMO and a self-contained flat.
- 4.5 Planning permission (ref: SMD/1985/0671) was granted on 4<sup>th</sup> April 1985 for the conversion of the first, second and third floors from offices to five self-contained flats.

##### Other Sites

- 4.6 Planning permission (ref: SMD/2014/0005) was granted on 5<sup>th</sup> March 2015 for a change of use from A3 to A3/A5 and an extraction duct to the rear elevation at 80 West Street, Leek. This site is approximately 400 metres to the west of the site.



## 5. PLANNING POLICY

5.1 The following policy is considered relevant.

### **National Planning Policy**

#### National Planning Policy Framework (NPPF)

5.2 The National Planning Policy Framework (NPPF) published in March 2012 sets out the Government's planning policies for the planning system to ensure that the planning system helps to achieve sustainable development.

5.3 The key objective of the NPPF is to achieve sustainable development and **paragraph 7** confirms there are three dimensions to achieving this, namely economic, social and environmental. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.

5.4 **Paragraph 14** confirms that a presumption in favour of sustainable development is at the heart of the NPPF and for planning applications this means proposals for development conforming to the Development Plan should be approved without delay.

5.5 At **paragraph 18**, the NPPF states:

*"The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future."*

5.6 At **paragraph 19**, the NPPF states:

*"The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system".*

- 5.7 **Paragraph 128** states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.
- 5.8 **Paragraph 131** confirms that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- 5.9 **Paragraph 132** states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
- 5.10 **Paragraph 134** confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 5.11 **Paragraphs 186 and 187** relate to decision taking and confirm that "local planning authorities should approach decision taking in a positive way to foster the delivery of the sustainable development" and that they:
- "should look for solutions rather than problems, and decisions taken at every level should seek to approve applications for sustainable development where possible".*
- 5.12 Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Authorities should approach development management decisions positively – looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Securing the optimum viable use of the property and achieving public benefits are key material considerations for application proposals.

## **Local Planning Policy**

### Core Strategy (adopted 2014)

- 5.13 The relevant local planning policy is contained within the Core Strategy (adopted 2014). The policies within the Core Strategy replaced the 'saved' policies of the Staffordshire Moorlands Local Plan.
- 5.14 **Policy TCR1** states that the vitality and viability of the town centres will be protected and enhanced by positive management including focusing and promoting retailing as well as other key town centre uses such as offices, leisure and cultural facilities within the town centres where they contribute to vitality and viability.
- 5.15 Primary and Secondary Shopping Frontages will be defined in the Site Allocations DPD. In primary frontages, proposals for changes of use to A1 retail will be supported. Development falling within other use classes will only be permitted where it will not create a concentration of non-shopping uses and result in an unacceptable change in the retail character of the immediate area or have an adverse effect on the vitality or viability of the town centre. Any non-A1 use must be complementary to adjacent shopping uses in terms of its operational characteristics and retain a display frontage appropriate to a shopping area.
- 5.16 In secondary frontages, development falling within other use classes will be permitted where it will contribute to the vitality and viability of the town centre.
- 5.17 **Policy DC1** states that all development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area. In particular, new development should:
- Be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;
  - Be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance;
  - Protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping; and

- Provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use.

5.18 **Policy DC2** states that the Council will safeguard and, where possible, enhance the historic environment, areas of historic landscape character and interests of acknowledged importance, including Conservation Areas, by:

- Resisting development which would harm or be detrimental to the special character and historic heritage of the District's towns and villages and those interests of acknowledged importance; and
- Promoting development which sustains, respects or enhances buildings and features which contribute to the character or heritage of an area and those interests of acknowledged importance through the use of conservation area appraisals, design statements, archaeological assessments, characterisation studies and Master planning;
- Preventing the loss of buildings and features which make a positive contribution to the character or heritage of an area through appropriate reuse and sensitive development, including enabling development, unless their retention is not viable or there would be substantial planning benefits to outweigh the loss.

5.19 **Policy T1** confirms that the Council ensure that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development and refer to appropriate parking standards as laid out in national guidance, or any parking standards that may be produced locally.

#### Staffordshire Moorlands Local Plan: Preferred Options Sites and Boundaries

5.20 The Preferred Options Sites and Boundaries document has been prepared by Staffordshire Moorlands District Council as part of the ongoing preparations for a new Local Plan for the District for the period 2016 to 2031. The document was consulted on between 28<sup>th</sup> April 2016 and 13<sup>th</sup> June 2016.

5.21 Within the Preferred Options Sites and Boundaries document, the site is partially within the Primary Shopping Frontage (at the frontage on Sheep Market) and

partially within the Secondary Shopping Frontage (at the frontage on St Edward Street).

- 5.22 The Local Plan is expected to be published in December 2016 and submitted in February 2017. As such, it only carried limited weight at this stage.

Draft Leek Conservation Area Appraisal

- 5.23 The Leek Conservation Area Appraisal seeks to analyze the characteristics that make Leek Conservation Area worthy of preservation. It is intended to help those living and working in the area to appreciate and value its special qualities, and to assist in the preparation of development proposals that complement its heritage.
- 5.24 The Conservation Area Appraisal states that major views occur at entry points. The churches of St. Mary and St. Edward dominate the southern approach with St. Edward Street between them.
- 5.25 The sinuous shape of St. Edward's Street and the fine quality of its buildings are enhanced by views of two major churches.

## **6. PLANNING ASSESSMENT**

- 6.1 This section of the Statement sets out the justification for the proposed change of use and extraction/ventilation equipment when considered against the relevant planning policies and other material considerations.
- 6.2 The key issues arising from this proposal, which this section will cover are as follows:
- a) Principle of Development;
  - b) Impact on Heritage Assets;
  - c) Impact on Residential Amenity; and
  - d) Highways and Parking.
- 6.3 Each of these issues is discussed in turn below:
- a) Principle of Development
- 6.4 The site is located within Leek Town Centre. Policy TCR1 states that the vitality and viability of the town centres will be protected and enhanced by positive management including focusing and promoting retailing as well as other key town centre uses such as offices, leisure and cultural facilities within the town centres where they contribute to vitality and viability.
- 6.5 The site is not currently within a designated shopping frontage. Although it can only be afforded limited weight at this stage, the emerging Local Plan identifies the site as partially being within a Primary Shopping Frontage and partially being within a Secondary Shopping Frontage.
- 6.6 Core Strategy Policy TCR1 confirms that within the Primary Shopping Frontages, development falling within other non-A1 uses will only be permitted where it will not create a concentration of non-shopping uses and result in an unacceptable change in the retail character of the immediate area or have an adverse effect on the vitality or viability of the town centre.
- 6.7 Notwithstanding this, the site is already in food and drink use as it is lawfully a restaurant with an ancillary takeaway element. The proposal will not result in the loss of a Class A1 shop and will therefore not impact the proportion of non-A1 uses.



Furthermore, the proposal will be open during the day and evening and will continue to attract a similar level of trade as the existing use.

- 6.8 As such, this is considered an appropriate location for a new Class A5 takeaway particularly considering it will allow for the reuse use of a vacant commercial unit and will continue to generate footfall and contribute to the vitality and viability of the town centre.
- 6.9 There would be up to 35-part time jobs created as a result of the change of use and most of these employees will come from the local area. As such, the proposal will help to boost the vitality and viability of Leek.

b) Impact on Heritage Assets

- 6.10 The site is within the Leek Conservation Area and is adjacent to a Grade II Listed Building. The external alterations, such as the extraction equipment, will need to preserve these existing heritage assets.
- 6.11 There will be 2 no. compressors located in the yard area to the rear of the building. These will be under an external staircase. They will not be visible outside of the application site and will have no impact on the architectural or historic interest of the Leek Conservation Area or the adjacent Grade II Listed Building.
- 6.12 The extraction duct will penetrate through the side of the building and will run up the side wall, terminating above the roof level. The duct will be positioned towards the rear of the building.
- 6.13 Due to the positioning of the duct, it will not be easily visible from St Edward Street unless looking in the narrow gap between the application site and the adjacent No. 19 St Edward Street. Therefore, the duct will not be seen when looking up or down St Edward Street towards the churches of St. Mary and St. Edward.
- 6.14 Although the extract duct is adjacent to the Grade II Listed No. 19 St Edward Street, there is an existing extraction duct in this location which served the Bengal Spice restaurant. This duct is illustrated in the image below:



**Image 1: Existing extraction duct**

- 6.15 The existing duct is degraded and currently detracts from the appearance of the building. The new duct will be modern and can be finished in a colour which will reduce its visual impact, such as reddish brown to match the brickwork. A condition could be added to ensure the duct is finished in such a colour if the Council felt this necessary.
- 6.16 The intake duct will terminate via a louvred grille at the side elevation. This will also not be viewed from outside of the site and will have no impact on the Conservation Area or the architectural or historic interest of the adjacent Listed Building.
- 6.17 The changes to the shopfront are minor. The existing aluminium framed shopfront will be retained and repainted. A new single storey customer entrance will replace the existing double entrance door in the same location.

- 6.18 The external alterations are minor and will not cause any harm to the Conservation Area or the architectural or historic interest of the adjacent Listed Building. However, should some harm be perceived then it cannot be considered more than 'less than substantial' and should be considered at the lower scale of 'less than substantial'.
- 6.19 The NPPF states at paragraph 134 that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 6.20 It is intended to occupy the site as a pizza takeaway provided planning permission is obtained for the change of use and necessary external alterations. The change of use could create up to 35 jobs which would be both part time and full time. A number of employees would come from the local area.
- 6.21 In addition, the reuse of a vacant commercial unit will help enhance the vitality and viability of Leek Town Centre by bringing back into use an active ground floor unit and generating a good amount of footfall.
- 6.22 Overall, the proposal will ensure that the heritage significance of the Conservation Area and the adjacent Listed Building will be preserved. Any perceived harm would be 'less than substantial' and would be outweighed by the public benefits. As such, the proposal would be compliant with local planning policy as well as the National guidance set out in the NPPF.

c) Impact on Residential Amenity

- 6.23 Planning permission (ref: SMD/2016/0267) is in place for the conversion of the upper floors into a house in multiple occupation and a separate self-contained flat.
- 6.24 The site is within Leek Town Centre and is surrounded by a mixture of other commercial uses and is also adjacent to a busy road. Furthermore, the site is lawfully a restaurant with an ancillary takeaway element and has been used as an Indian restaurant for a significant amount of time.
- 6.25 In this context, the proposed use of the site as a takeaway with an ancillary eating in area will not cause any unacceptable harm to the amenity of the upper floor occupiers or any adjacent properties.

- 6.26 To facilitate the use of the site as a hot food takeaway, the proposal includes the installation of an extract duct; 2 no. wall mounted compressor and a fresh air intake duct.
- 6.27 The extract duct will be in the same location as the existing extraction and will terminate above the roof level. As such, the fumes will be dispersed at an adequate height well above the residential windows and there will be no harm to amenity through grease or odours.
- 6.28 As the site has previously been in use as an Indian restaurant with an ancillary takeaway element the current use would produce a higher level of odours, grease and smoke. The proposed use as a pizza takeaway would actually result in a reduction in odours and grease.
- 6.29 There will be 2 no. compressors located at the rear yard elevation. Due to the site's busy town centre location and the fact that it is surrounded by other commercial uses, it is highly unlikely that the proposed equipment will cause any significant impact in terms of noise.
- 6.30 Further details of the ventilation equipment and extraction system proposed are provided on the Proforma Annex B document and the proposed plans. These documents provide more specific details of the noise emissions of the proposed equipment and demonstrate that they will not cause any unacceptable impacts to the amenity of nearby occupiers.

#### d) Highways and Parking

- 6.31 There are double yellow lines in front of the site along St Edward Street and Sheep Market is a pedestrianised street. As such, there is no opportunity to park directly outside of the site.
- 6.32 However, there are a number of on-street parking spaces available along High Street, just to the west of the site. These allow for 45 minutes free parking between 8am and 6pm Monday to Saturday and are unrestricted outside of these times. The proposed hot food takeaway would be at its busiest in the evenings, when the nearby on-street spaces are unrestricted.

- 6.33 Furthermore, the site is within the town centre and there are a number of public car parks within walking distance from the application site. For example, Market Place public car park is only 75 metres to the north east of the site.
- 6.34 In addition, the site is within a highly sustainable location in Leek Town Centre. The nearest bus stop is approximately 150 to the west of the site (on the A523). A number of customers would therefore walk to the site or use public transport.
- 6.35 Consideration should also be given to the lawful use of the site as a restaurant with an ancillary element of takeaway. Such a use would generate a similar amount of vehicle movements and parking demand as the proposed use, although most customers would have previously needed to park for longer periods of time.
- 6.36 Overall, it is clear that there is a suitable amount of parking within the vicinity of the site and the proposal would not result in an unacceptable increase in vehicular movements to the detriment of highway safety.

## **7. DESIGN AND ACCESS**

### Design

- 7.1 The application is for the change of use from a restaurant (Class A3) with an ancillary takeaway element to a hot food takeaway (Class A5). The site is located within Leek Town Centre and is within the Leek Conservation Area.
- 7.2 The unit will incorporate a preparation and baking area, and a customer waiting/seating area for those choosing not to use the home delivery option. Internally, the appearance of the building will be changed by virtue of the investment brought to it by a new pizza takeaway.
- 7.3 Externally this application seeks only to make minor changes to the elevations through the installation of extraction and ventilation equipment and the installation of a new entrance at the shopfront.
- 7.4 An extract duct and intake duct will terminate approximately 1 metre above the roof level at the side of the building. It will be in the same location as an existing duct and would therefore cause no impact on visual amenity.
- 7.5 The extract duct could be finished in a certain colour (and a condition could be added to any decision requiring this) if the Local Planning Authority felt it was necessary.
- 7.6 The compressors would be located at the rear of the building and would not be visible from outside of the site. Therefore, they would cause no harm to visual amenity or the character and appearance of the area.
- 7.7 The changes to the shopfront are minor and include retaining and repainting the existing aluminium shopfront and replacing the existing double entrance door with a single customer entrance.
- 7.8 These minor alterations will preserve the character and appearance of the surrounding area.

### Access

- 7.9 The main customer entrance door will be sufficiently wide to allow for easy access for all customers.



7.10 As previously mentioned, the site is in a sustainable location (being within Leek Town Centre) and is easily accessible via foot and public transport with there being bus stops in easy walking distance.

## **8. CONCLUSION**

- 8.1 This Statement has been prepared by Pegasus Group in support of an application for a change of use from a restaurant (Class A3) with an ancillary takeaway service to a hot food takeaway (Class A5); the installation of extraction/ventilation equipment and other external alterations at 17 St Edward Street, Leek.
- 8.2 It has been demonstrated that the proposed development would be compliant with both local and national planning policy. Furthermore, it has been demonstrated that the hot food takeaway will not have an adverse impact on residential amenity or to the character and appearance of the Conservation Area or nearby Listed Building.
- 8.3 The proposed development will allow for the reuse of a vacant commercial unit and will support the vitality and viability of Leek by maintaining footfall and providing job opportunities for the local residents.
- 8.4 It is for the reasons set out in this Statement that planning permission should be granted.

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## **APPENDIX 1**

**DECISION NOTICE REF: SMD/2016/0402**

Simon W. Baker B.Ed MBA MIMSPA  
Chief Executive

Mr Martin Ball  
Three Nooks Farm  
Horton  
Leek  
ST13 8QT

Application no: SMD/2016/0402

Determined on: 21/09/2016

**Town and Country Planning Act 1990 Section 191  
(As amended by Section 10 of Planning and Compensation Act 1991)  
Town and Country Planning (Development Management Procedure) (England) Order 2015**

**APPROVAL TO ISSUE CERTIFICATE OF LAWFULNESS OF  
EXISTING USE OR DEVELOPMENT**

The Staffordshire Moorlands District Council hereby approves to certify that on 29/06/2016; the use specified in the First Schedule taking place on the land specified in the Second Schedule and edged red on the plan attached to this certificate, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

On the balance of probability, the submitted evidence demonstrates that the ground floor of the building within the land edged red in the attached drawings at the address in the Second Schedule was used for the purposes set out in the First Schedule continually for a period in excess of 10 years.

**FIRST SCHEDULE**

Certificate of Lawfulness for existing use of the premises as a restaurant (within A3 Use Class) with connected hot food take-away.

**SECOND SCHEDULE**

Ground floor, 17 St Edward Street, Leek, Staffordshire ST13 5DR

X *B.J. Haywood*

Signed by: Haywood, Ben

**On behalf of Staffordshire Moorlands District Council**



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*moorlands*  
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Simon W. Baker B.Ed MBA MIMSPA  
Chief Executive



[www.staffsmoorlands.gov.uk](http://www.staffsmoorlands.gov.uk)

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ. Tel: 0345 605 3010.  
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.



## **NOTES**

1. An applicant may appeal against by giving notice to the Secretary of State:-
  - (a) the refusal to issue a certificate under Section 191 of the Act; or
  - (b) the failure to give notice of the Council's decision within 8 weeks of the registration of the application, or any other period agreed with the Local Planning Authority;

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

2. As part of the appeal process the Applicant must submit to the Planning Inspectorate a copy of the following documents:
  - a copy of your original application
  - a copy of the local planning authority's decision notice - if they didn't make a decision, send a copy of the letter acknowledging your application
  - a map of the site
  - copies of all plans, drawings and documents you sent to the local planning authority
  - copies of any letters or emails from the local planning authority
  - any other documents that directly support your appeal

If you think your land or building is now lawful because the time limit for enforcement has passed, you also need to submit evidence like:

- dated photographs of the site
- letters from neighbours
- receipts or invoices for work
- plans and drawings



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Pegasus  
Group

**Pegasus Group**

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