



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

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	
Suffix	
Property Name	3 The Smithfield Centre
Address Line 1	Ashbourne Road
Address Line 2	
Address Line 3	Staffordshire
Town/city	Leek
Postcode	ST13 5JW

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

Easting (x)	Northing (y)
398702	356449

Description

Applicant Details

Name/Company

Title

First name

Surname

Shakil

Company Name

Tiger Bites

Address

Address line 1

3 The Smithfield Centre Ashbourne Road

Address line 2

Address line 3

Town/City

Leek

County

Staffordshire

Country

Postcode

ST13 5JW

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

Mr

First name

Andrew

Surname

Dukesell

Company Name

DBD Architectural Consultancy Ltd

Address

Address line 1

50 Broad Street

Address line 2

Address line 3

Town/City

Leek

County

Country

Postcode

ST13 5NS

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 A3 (Restaurant) to A5 (Hot food takeaway)

Reference number

SMD/2018/0546

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

05/11/2018

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

Condition number(s)

3

Has the development already started?

☒ Yes

☐ No

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

05/11/2018

Has the development been completed?

☒ Yes

☐ No

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

05/11/2018

Condition(s) - Variation/Removal

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

Due to the nature of the business, their trading hours would normally extend past midnight to allow for customers who require the services after that time. A significant portion of business is being lost due to the restrictions of opening hours. The applicant has applied for, and has been granted a license for trading hours to cease at 03:00.

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

The opening hours of the A5 unit hereby approved shall be restricted to 10:00 to 03:00, Monday to Sunday of any week.

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?

- ☒ The agent
☐ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes
☒ 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?

- ☒ Yes
☐ No

Is any of the land to which the application relates part of an Agricultural Holding?

- ☐ Yes
☒ 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

- ☐ The Applicant
- ☒ The Agent

Title

Mr

First Name

Andrew

Surname

Dukesell

Declaration Date

05/04/2024

☒ 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.

☒ I / We agree to the outlined declaration

Signed

Andrew Dukesell

Date

05/04/2024