

Mr Wright
Blemont Farm Cottage
Belmont Road
Ipstones
Staffordshire
ST10 2JR

Application no: SMD/2024/0446

Determined on: 10th January 2025

**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 26/09/2024; the use specified in the First Schedule (the Use), that had last taken place at the building specified in the Second Schedule (the Building), was LAWFUL within the meaning of Section 191 of the Town and Country Planning Act 1990 (the Act), for the following reason(s):

The last and lawful use of the Building (all three floors) was a Midlands/HSBC bank branch with ancillary offices and space associated with that use (ground floor occupied and used as such pre 1978 with planning permission, 78-05508, granted 1978 to confirm authorised use of first and second floors for such purposes). There has not been any intervening material change of use since that use ceased and the relatively short period when the Building was unoccupied and then used for the administration of a housing association after the bank branch closed, has not resulted in an abandonment of that use as the lawful use of the Building. The provision of financial services, such as a bank, is included at E(c)(i) of use Class E of the Use Classes Order 1987 (as amended).

FIRST SCHEDULE

Use of the Building as a bank branch and ancillary offices and spaces associated with that use (Class E of the Use Classes Order 1987).

SECOND SCHEDULE

All three floors of the building at 17 Derby Street, Leek, Staffordshire, ST13 6HR, shown edged on the attached location plan.

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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>

1. 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

2. Domestic sprinklers - Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install. Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building. The chance of an accidental discharge is 16,000,000:1. If you would like further advice please contact Staffordshire Fire and Rescue Service (www.staffordshirefire.gov.uk)

3. Working smoke alarms correctly positioned in your home can save your life. The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month. Although the application of approved guidance and enforcement of regulations will give buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers.