



STAFFORDSHIRE
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 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 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	43
Suffix	
Property Name	
Address Line 1	Beggars Lane
Address Line 2	
Address Line 3	Staffordshire
Town/city	Leek
Postcode	ST13 8DB

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

Easting (x)	Northing (y)
397439	356073

Description

Applicant Details

Name/Company

Title

Mr

First name

Richard

Surname

Cohen

Company Name

Address

Address line 1

38 Mill Lane

Address line 2

Address line 3

Town/City

Derby

County

Country

GB

Postcode

DE65 5GP

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Applicant 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

Full permission granted in 2018 for annex to the rear of 43 Beggars Lane, Leek, Staffordshire, ST13 8DB.

Under application SMD/2017/0744

Reference number

SMD/2017/0744

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

11/10/2018

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

Condition number(s)

Condition no: 3 - The development hereby permitted shall be used ancillary to the main dwelling house and shall not be rented, sold or otherwise occupied as a separate unit of accommodation at any time.

Has the development already started?

☒ Yes

☐ No

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

21/10/2018

Has the development been completed?

☒ Yes

☐ No

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

31/01/2019

Condition(s) - Variation/Removal

Condition(s) - Variation/Removal

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

Reason for seeking removal of Condition 3

The original permission (SMD/2017/0744, varied by SMD/2018/0467) granted a modest single-storey building to replace an existing double garage for use as a granny flat. Condition 3 was imposed at that time to ensure the building remained subordinate to the main dwelling. Circumstances have changed and the condition is no longer necessary or reasonable. The building is a self-contained single-storey unit of modest scale, already constructed in accordance with the approved plans. It is capable of independent residential occupation without causing harm to the character of the area, residential amenity of neighbouring properties, highway safety, or parking provision.

Removal of the condition would allow the building to be occupied as a separate dwelling (or let/sold independently). This would:

- Make efficient use of an existing building within the built-up area of Leek;
- Contribute a small additional dwelling unit to the local housing supply at a time when the Council's housing delivery has been below the Local Plan target;
- Avoid the need for a completely new dwelling elsewhere.

The condition no longer meets the statutory tests in the National Planning Policy Framework and Planning Practice Guidance (necessary, relevant to planning, relevant to the development, enforceable, precise and reasonable in all other respects). There is no ongoing planning purpose in restricting occupation to ancillary use only.

A recent local precedent exists within Staffordshire Moorlands where a similar occupancy restriction on dependent relative accommodation was recommended for removal on the basis that the condition no longer served a useful planning purpose (SMD/2025/0368).

The proposal raises no material planning objections and is consistent with the adopted Staffordshire Moorlands Local Plan and the NPPF.

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

I am seeking the complete removal of Condition 3 of permission SMD/2018/0467

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?

E.g. All the land is owned by a single individual

☒ 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

Richard

Surname

Cohen

Declaration Date

20/08/2026

☒ 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

Richard Cohen

Date

20/08/2026

Amendments Summary

Planning statement uploaded