

25/06/2026

Mr Neal Kennedy
Progression Town Planning Ltd
The Dairy Packwood Road
Solihull
B94 6EJ

Dear Mr Kennedy

**TOWN AND COUNTRY PLANNING ACT 1990 (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

Planning Application SMD/2022/0051
Construction of a drive through restaurant
113 Mill Street Leek Staffordshire ST13 8EU

I refer to the above application.

Given the time that has lapsed since the submission of the application this letter hereby gives you 14 days notice that the Local Planning Authority intends to treat the application as finally disposed of under article 40(13) of the above Order in order to remove the application from the statutory register of outstanding applications.

Article 40(13) sets out the criteria for determining whether an application is “finally disposed of”. For these purposes only sub paragraph (a) is relevant. This states:

(a) it has been decided by the authority (or the appropriate period specified or referred to in article 34 (2) or (3) has expired without their giving a decision and the time limit specified in article 37(2) has expired without any appeal having been made to the Secretary of State

Article 34(2) and (3) provide the time periods for decisions while Article 37(2) deals with the time period for lodging an appeal. At the end of such periods where no decision or appeal has been made an application is transferred from the Part 1 registered to the Part 2 register and is “finally disposed of”.

Should we not hear from you within writing within 14 days of this letter then the local planning authority will finally dispose of the application in accordance with Article 40(3) of the Order and no further action will be taken on the application. We shall send confirmation of this following that date.

Yours sincerely

Mr Chris Johnston
Senior Planning Officer

