

Certificate of Lawful Use or Development

Town and Country Planning (Scotland) Act 1997 as amended by the
Planning etc (Scotland) Act 2006



Reg. No. 14/00845/CL

Savills (UK) Limited
33 Margaret Street
London
W1G 0JD

Midlothian Council, as Planning Authority, having considered the application for a Certificate of Lawful Use or Development by Companion Care (Services) Limited, c/o Savills, 33 Margaret Street, London, W1G 0JD, which was registered on 24 November 2014, in pursuance of their powers under the above Acts, hereby a Certificate of Lawful Use or Development for the proposed development below:

Certificate of lawfulness of a proposed use (use of part of retail unit as ancillary pet care and treatment facility) at Unit B, Straiton Mains, Loanhead, EH20 9PW

The certificate of Lawfulness is for the following reason:

Implementation of the proposed use within the building subject of this application would not have constituted a material change of use from its existing Class 1 retail use, if instituted or begun at the time of application. As such the proposed use would have been ancillary and subordinate to the Class 1 use of the building, in terms of its nature, the space that would have been occupied by it and the functional relationship between both uses as at the same date (24 November 2014).

Subject to the following conditions:

1. This Certificate of Lawfulness is issued solely for the purpose of Section 151 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. This certificate solely relates to the building outlined in red on the location plan that accompanied this application (attached - Location Plan CC/PRP/SLP).
3. It certifies that the use referred to above would have been lawful if instituted or begun at the time of application. It would thereby not have been liable to enforcement action - under the terms of Section 127 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006 - on that date.
4. The effect of the certificate is also qualified by the proviso in Section 151(4) of the 1997 Act, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters determining such lawfulness.

Please ask for: Bruce MacLeod
Our Reference: 14/00845/CL
Uniform ref: EPCLUD

Direct Dial: 0131 271 3319
Fax No: 0131 271 3537

Dated 23/01/15



.....
Joyce Learmonth
Principal Planning Officer
Fairfield House, 8 Lothian Road, Dalkeith, EH22 3ZN

Please ask for: Bruce MacLeod
Our Reference: 14/00845/CL
Uniform ref: EPCLUD

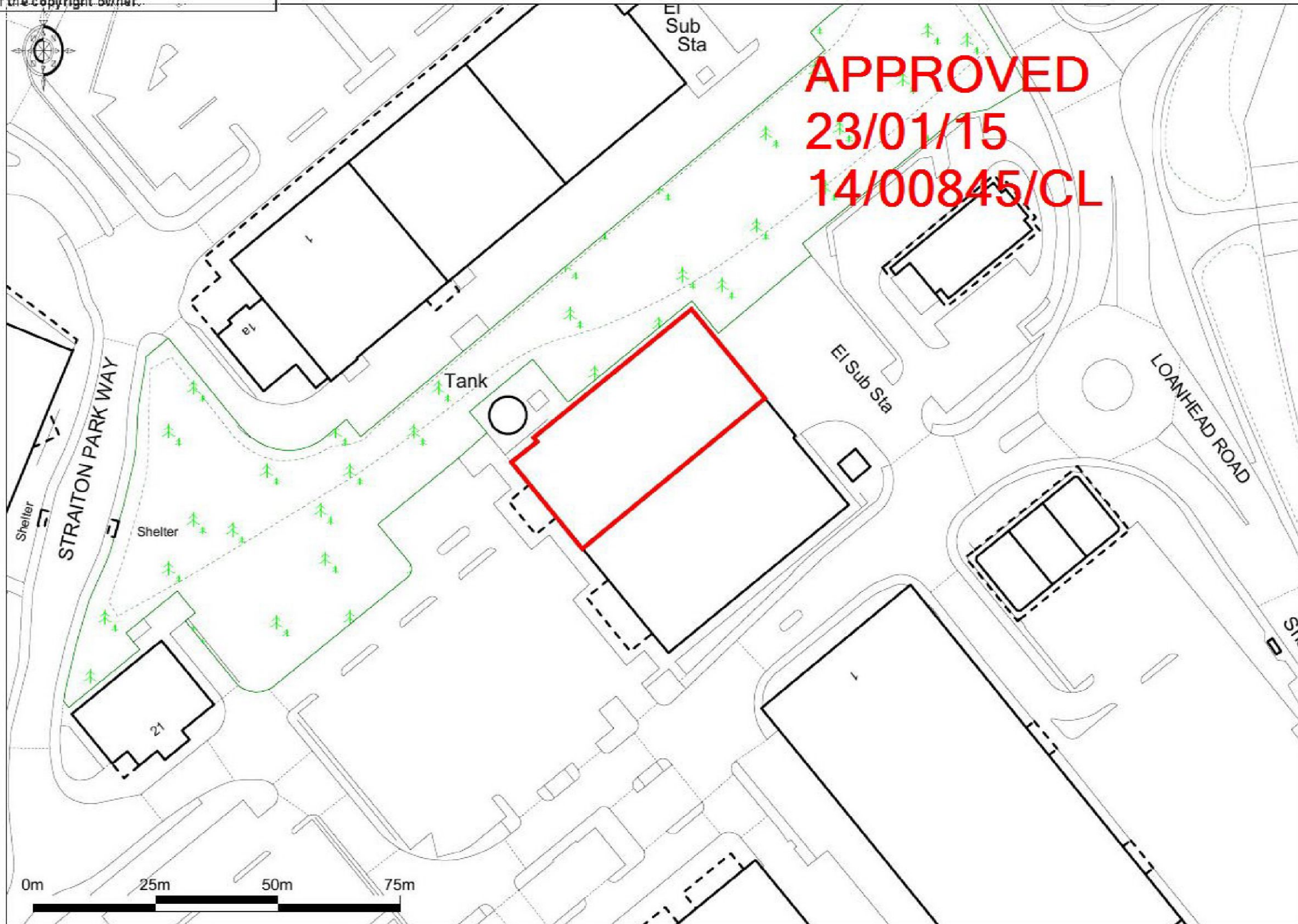
Direct Dial: 0131 271 3319
Fax No: 0131 271 3537

PLEASE NOTE

It the applicant is aggrieved by the decision of the Planning authority to refuse the Certificate of Lawful Use or Development the applicant may appeal to the Scottish Ministers under section 154 of the Town & Country Planning (Scotland) Act 1997 within 3 months from the date of this notice. The notice of appeal should be addressed to The Chief Reporter, Directorate for Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk FK1 1XR.

This copy has been made by or with the authority of Midlothian Council pursuant to Section 47 of the Designs and Patents Act 1988. Unless that Act provides a relevant exception to copyright, the copy must not be copied without the prior permission of the copyright owner.

Companion Care (Services) Limited
Pets at Home, Unit B, Pentland Retail Park, Straiton Mains, Straiton, Loanhead, EH20 9PW
Site Location Plan



Ordnance Survey © Crown Copyright 2014. All rights reserved. Licence number 100022432. Plotted Scale - 1:1250



Ref: CC/PRP/SLP
November 2014