



Planning Development Management Ltd

**Prospect House
Lion Square
Kidderminster DY10 1PD**

**Application for Certificate of Lawfulness
Change of Use within Class E
from Class E(a) retail to Class E(e) veterinary**

Statement of Facts and Intentions

The Property

Prospect House comprises a two storey stand alone brick built building, located on the north part of Lion Square, Kidderminster, with public car parking on three sides; an overhead view of the location, from Google Maps, is below:



The ground floor of the building has long established retail use, being currently occupied by 'Fabric Direct', a fabrics retailer. The building has a basement which is used by the retail store for storage.

The first floor, and roof space over, was converted into six residential units following approval on 3rd November 2006 of application reference 06/0930/FUL.

Recent images of the building and its ground floor follow:



The Fabrics Direct shop ceased trading at this unit during February 2024.

Plans showing the existing ground floor and basement are included with this application for information purposes.

Proposed Use

Our clients are a veterinary practice who wish to acquire the ground floor retail unit (complete with the associated basement) and refit the unit for a primary care veterinary surgery; this will comprise a reception & waiting area, four or five consulting rooms in which veterinary surgeons and veterinary nurses will meet patients and owners, and conduct examinations, one or two small operating theatres for surgery on animals, a preparation area adjacent, an x-ray facility, and separate recovery ward rooms for cats and dogs.

Other than for emergencies, patients would normally arrive for pre-booked appointments for their consultations and treatments.

The veterinary practice is anticipated to have normal trading hours of 08:00 to 19:00 from Monday to Friday, and 09:00 to 17:00 on Saturdays.

It is not anticipated that overnight emergencies will be treated at this location; nor is it anticipated that there will normally be any animals or staff on site overnight.

A plan showing a possible configuration for the fitting out of the ground floor of the unit for veterinary purposes has been included with this application for information purposes.

Planning user

The existing established retail use is now within Use Class E(a).

The proposed veterinary use is also within Class E, at section (e) – *“Medical services not attached to the residence of the practitioner”*.

In each of around 30 veterinary sites acquired by our clients since the change to the Use Classes Order came into effect in August 2021, Class E use has been agreed with all planning authorities for our client's veterinary use.

Following informal consultation with planning officers at Wyre Forest DC, we are advised that the officer view is that the proposed use is within Class E, and that therefore there is no requirement for an application for a change of use; however it was recommended that the position is formalised by an application for a Certificate of Lawfulness.

Permitted Development

Whilst we believe it is clear that our client's veterinary use falls within Class E, as our clients investment in the property and its refit for veterinary use will be substantial, we seek formal confirmation from the Council by way of a formal Certificate of Lawfulness that the proposed veterinary use is a permitted change within Class E and that therefore no separate consent is necessary for the change of use.

PDML
14th March 2024