



Economic Prosperity & Place Directorate Wyre Forest House, Finepoint Way, Kidderminster. Worcs DY11 7WF
 telephone: **01562 732928** email: **devcontrol@wyreforestdc.gov.uk** website: **www.wyreforestdc.gov.uk**
 Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning 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

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

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

Easting (x)

Northing (y)

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Contact Details

Primary number

Secondary number

Fax number

Email address

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

Yes

No

Does the proposal consist of, or include, a change of use of the land or building(s)?

Yes

No

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

The use will comprise a veterinary surgery, for the treatment of animals on site, including operations where appropriate to be carried out within a clinical operating theatre facility. Fuller description in accompanying Statement. This application is to confirm that the proposed use is within Class E (e) "medical services not attached to the residence of the practitioner".

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

The unit is a retail shop within Class E. This use has been in place for many years; however the shop has recently closed.

Has the proposal been started?

Yes

No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The existing retail use, as a fabrics superstore, has been taking place in the premises for many years; whilst no consent can be found on the WFDC planning site relating to the commencement of this use, it is evident that this was already a long established use at the time of the 2006 application (ref 06/0930/FUL) for conversion of the upper level of the building for residential units.

Retail use is within Use Class E (a) "display or retail sale of goods other than hot food, principally to visiting members of the public".

Use Class E (e) covers "for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner". It is widely accepted that all veterinary services are indeed medical services, and are therefore covered by Class E.

As such, there is no change of use other than within Class E; changes within a Use Class are permitted without consent.

This application is for a Certificate of Lawfulness to formally confirm this position.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

see Supporting Statement

Select the use class that relates to the existing or last use.

E(a) - Display/Sale of goods other than hot food

Information about the proposed use(s)

Select the use class that relates to the proposed use.

E(e) - Medical or health services - Except premises attached to the residence of the provider

Is the proposed operation or use

- Permanent
 Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

Changes of use within a Use Class are permitted without the need for a new consent for the alternative use; as both the existing use and the proposed use are within Class E, the proposed veterinary use is a lawful change, and a Lawful Development Certificate should therefore be granted.

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

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

First Name

Surname

Reference

Date (must be pre-application submission)

Details of the pre-application advice received

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- Yes
- No

Interest in the Land

Please state the applicant's interest in the land

- Owner
- Lessee
- Occupier
- Other

If Other, please give the names and addresses of anyone who has an interest in the land and state the nature of their interest (if known)

Have they been informed of the application?

Yes

No

Declaration

I/We hereby apply for Lawful development: Proposed use 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

Robert Cronk

Date

14/03/2024