

Development Management

Eastleigh House, Upper Market Street, Eastleigh, SO50 9YN

Tel: 023 8068 8264 www.eastleigh.gov.uk

Office hours: Mon-Thurs 8.30am - 5pm, Friday 8.30am - 4.30pm

**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	7
Suffix	
Property Name	
Address Line 1	Manor Crescent
Address Line 2	
Address Line 3	Hampshire
Town/city	Bursledon
Postcode	SO31 8DQ

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

Easting (x)	Northing (y)
447737	110283
Description	

Applicant Details

Name/Company

Title

Dr

First name

Wojciech

Surname

woszczynski

Company Name

Address

Address line 1

21

Address line 2

Britannia Gardens

Address line 3

Town/City

Hedge End

County

Country

United Kingdom

Postcode

SO302RN

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

***** REDACTED *****

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

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

This building did benefit from D1 class in the past.

Ms Lovell (landlord) has an answer to her original inquiry (application nr: PD/23/95038) answered by Rachael Morris on 23.05.2023 stating that site does benefit from class E use.

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

Application nr: PD/23/95038

Decision was backed by planning history Z/24010/001/00 and Z/24010/003/00

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

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

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?

I am seeking legal confirmation that the proposed use of 7 Manor Crescent can be for veterinary purposes, with the intention of opening an independent veterinary surgery where emergency (out-of-hours) services would be provided for our existing clients. Additionally, I am inquiring about any potential limitations on opening times, particularly regarding access to the building in cases of emergency treatment required by patients (7pm-9am weekdays, weekends and bank holidays).

This inquiry has been communicated to the landlord. In response, a planning technician from the Eastleigh Borough Council, Sarah Douglas, reviewed the landlord's email inquiry. Her interpretation is as follows:

"Planning permission was granted on 26 October 1982 for the use of the above premises as a doctor's surgery, under planning application Z/24010/002/00.

A doctor's surgery falls under the Planning Use Class Category D1, and the other uses mentioned in your email—namely, a veterinary surgery, physiotherapy clinic, and children's day nursery—also fall under this same category. Therefore, a change to any of these businesses would not require any additional planning consent."

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

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

00867691

Date (must be pre-application submission)

11/04/2024

Joanna looked into my inquiry and after few emails suggested that application should be made.

One of the questions that I have had was regarding opening times.
I have copied one of Joanna's replies below.

It looks like the original decision was a personal permission and it had an expiry of 30th November 1982.

If the practice, be it a doctor's surgery or veterinary practice has been running since then, ie more than 10 years, we consider this to be established.

Therefore you would not need any permission to continue and because the previous mentioned decision has expired, and there are no rules around opening times now, you could run your practice at any time.

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 Lessee or Occupier, please give details of the owner and state whether they have been informed in writing of this application

***** REDACTED *****

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

Wojciech woszczynski

Date

21/04/2024