

## 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

Baileys Diy

Address Line 1

Ross Park

Address Line 2

Address Line 3

Herefordshire

Town/city

Ross-on-wye

Postcode

HR9 7US

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

Easting (x)

360761

Northing (y)

225618

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

Use of existing DIY and garden centre (Use Class A1) in compliance with condition 2 of Planning Permission SE2000/0656/F with a maximum 15% of ancillary retail floorspace.

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

Use Class A1

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

See attached Supporting Statement. Following email exchanges between [REDACTED] and Herefordshire Council culminating in the Council's letter dated 7 September 2022 stating that the Council is now of the opinion that the current level of 15% ancillary sales is acceptable, providing that this level is not subsequently increased.

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

Supporting statement dated 5 October 2022.

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

A1 - Shops

**Please note that following changes to Use Classes on 1 September 2020:** The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

#### Information about the proposed use(s)

Select the use class that relates to the proposed use.

A1 - Shops

**Please note that following changes to Use Classes on 1 September 2020:** The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Is the proposed operation or use

- ☒ Permanent  
☐ Temporary

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

Please see attached Supporting Statement. The Council have confirmed in writing that 15% ancillary sales would be acceptable. Therefore the applicant seeks a certificate of lawfulness to regularise this.

## 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

## 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

## Declaration

I / We hereby apply for Lawful development: Proposed use as described in this form and 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 options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available 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

[Redacted Signature]

Date

14/11/2022

Amendments Summary

Updated wording in questions to provide more background. Supporting Statement uploaded.

The agent's details do differ from the declaration, but this is due to the account used to submit the application. [Redacted]