

Application for a Lawful Development Certificate for an Existing Use or Operation or Activity,
including those in breach of a planning condition

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

**** REDACTED ****

Secondary number

Fax number

Email address

**** REDACTED ****

Reason for Lawful Development Certificate

Please indicate why you are applying for a lawful development certificate

- An existing use
 Existing building works
 An existing use, building work or activity in breach of a condition

Being a use, building works or activity which is still going on at the date of this application.

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please select the relevant Use Class.

C2 - Residential institutions

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. [View more details on Use Classes.](#)

Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

The Site

The site for development is located on the main campus of Gloucestershire Royal Hospital, Gloucester. It comprises of a 0.12ha tarmacked area on which the development concerned is located. It is bordered to the south, east and west by the main hospital building. To the north the site can be accessed via Mayhill Road which in turn leads to both the Claremont Road and Horton Road access points to the hospital campus.

The site is not subject to any heritage, landscape or other designations identified as Article 2(3) land in Schedule 1, Part 1 of the GPDO.

The site does not lie within the curtilage of any listed buildings.

Existing Development

The existing development is a 217m² single storey modular unit measuring a maximum of 4.335m in height. It is used as a discharge lounge with the primary purpose of relieving winter bed pressures in Gloucestershire Royal Hospital. The unit falls under use class C2: Residential Institutions including hospitals.

The unit consists of 5no. bed spaces and 3no. chair bays, as well as ancillary accommodation and sanitary accommodation. The building is served by ramped access on either side, and stepped access to the plant room.

Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

- The use began more than 10 years before the date of this application
- The use, building works or activity in breach of condition began more than 10 years before the date of this application
- The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
- The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- The use as a single dwelling house began more than four years before the date of this application
- Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

If the certificate is sought on 'Other' grounds please give details

The development concerned falls under permitted development as laid out in Schedule 2, Part 7, Class M of General Permitted Development Order 2015

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

- Yes
- No

Please state why a Lawful Development Certificate should be granted

The development concerned has been assessed against the following as laid out in Sch. 2 Part 7 Class M of GPDO.

- Permitted development as laid out in paragraph M
- Restrictions as laid out in paragraph M.1
- Conditions as laid out in paragraph M.2

The development concerned is compliant with all relevant definitions, restrictions and conditions contained within the legislation. Accordingly, we ask Gloucester City Council to issue a Certificate of Lawful Development for existing development.

Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

01-01-2023

In the case of an existing use or activity in breach of conditions has there been any interruption?

- Yes
- No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought?

- Yes
- No

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?

Yes

No

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

Interest in the Land

Please state the applicant's interest in the land

Owner

Lessee

Occupier

Other

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

Declaration

I / We hereby apply for Lawful development: Existing 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

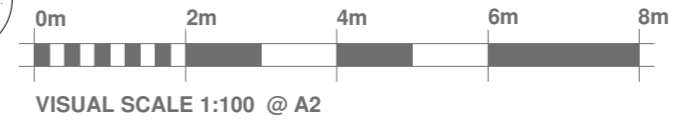
Henry Clegg

Date

31/01/2023



Site Plan - Existing Topo
1 : 100



P2	Building orientation amended	PB	CR	17/10/2022
P1	Design freeze provided by Trust	PB		04/10/2022
REV	DESCRIPTION	BY	CHK	DATE

DarwinGroup
Construction Has Evolved

CLIENT TITLE
Gloucestershire Hospitals NHS FT

PROJECT TITLE
Discharge Lounge

PROJECT ADDRESS
Gloucester Royal Hospital / Great Western Rd / Gloucester / GL1 3NN

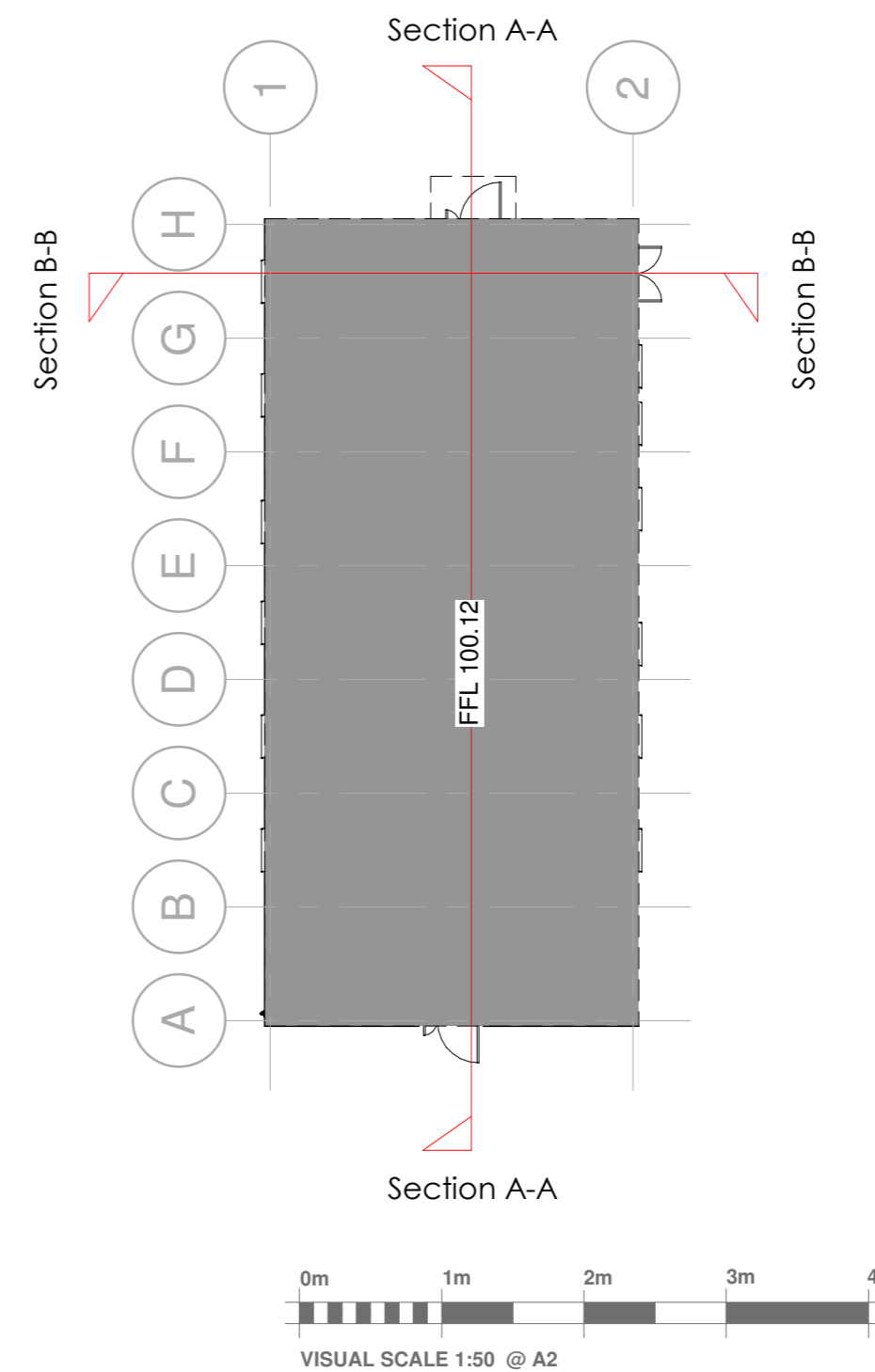
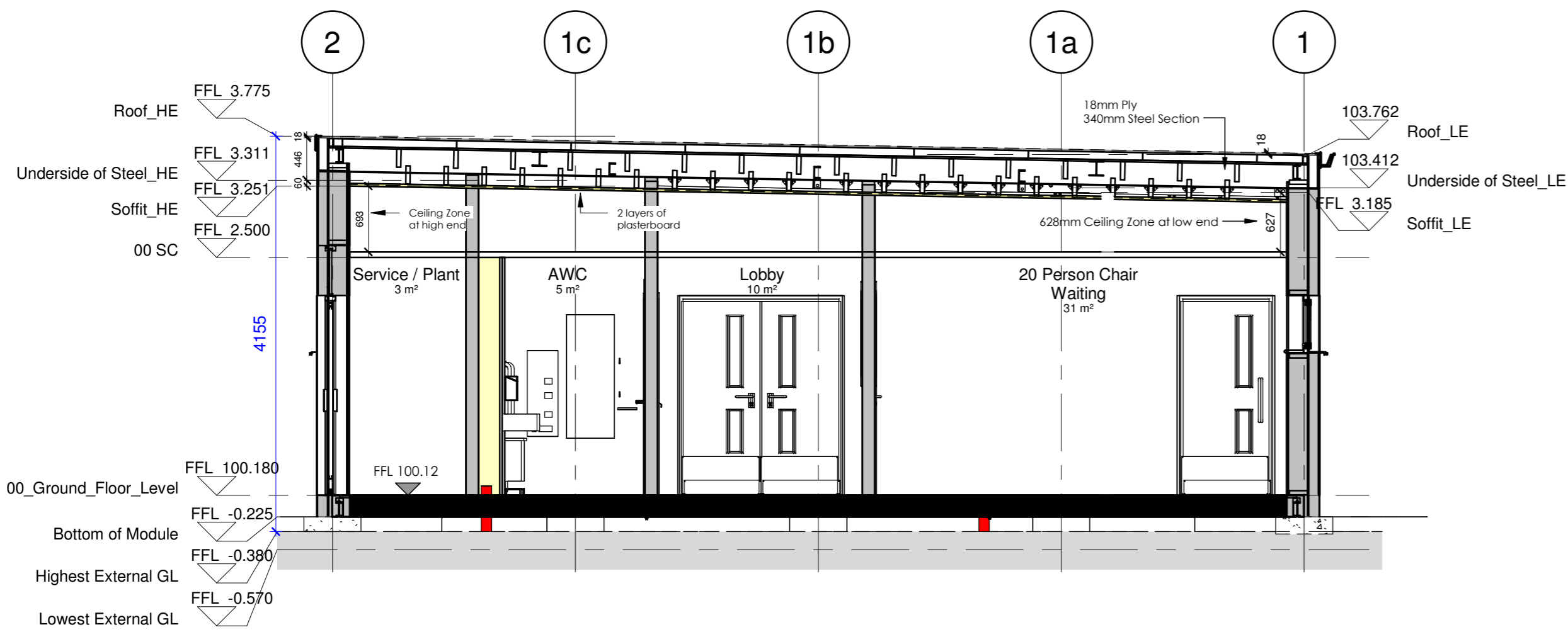
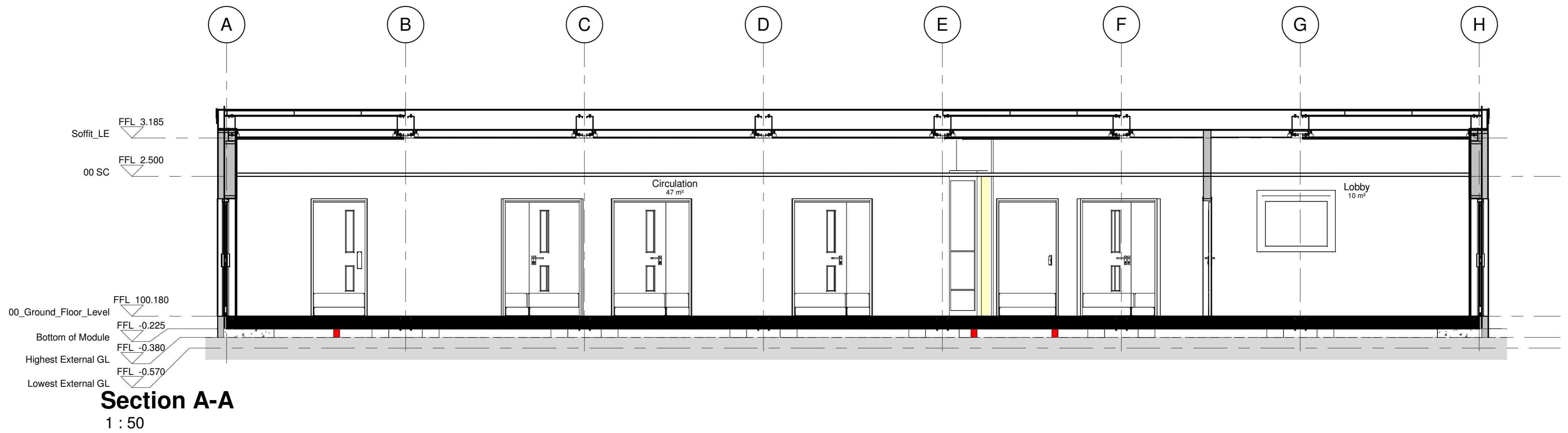
DRAWING TITLE
Site Plan - Building Layout

DRAWING REFERENCE
180673 - DGL - 01 - XX - DR - A - 1101

PROJECT	ORIGINATOR	VOLUME	LEVEL	TYPE	ROLE	NUMBER
26/09/22	PB	CR				217 m ²
ISSUE DATE	INITIAL ISSUE BY	INITIAL CHECKED BY	GIFA			

SUITABILITY		SCALE	SHEET SIZE	REVISION
S2	For Information	1 : 100	A2	P2
STATUS CODE	STATUS DESCRIPTION	SCALE	SHEET SIZE	REVISION

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REV	DESCRIPTION	PB	CR	CHK	DATE
P1	Building orientation amended	PB	CR		17/10/2022

DarwinGroup
Construction Has Evolved

CLIENT TITLE
Gloucestershire Hospitals NHS FT

PROJECT TITLE
Discharge Lounge

PROJECT ADDRESS
Gloucester Royal Hospital / Great Western Rd / Gloucester / GL1 3NN

DRAWING TITLE
Initial Building Section

DRAWING REFERENCE
180673 - DGL - 01 - 00 - DR - A - 2300

PROJECT	ORIGINATOR	VOLUME	LEVEL	TYPE	ROLE	NUMBER
06/10/22	PB	CR				217 m²

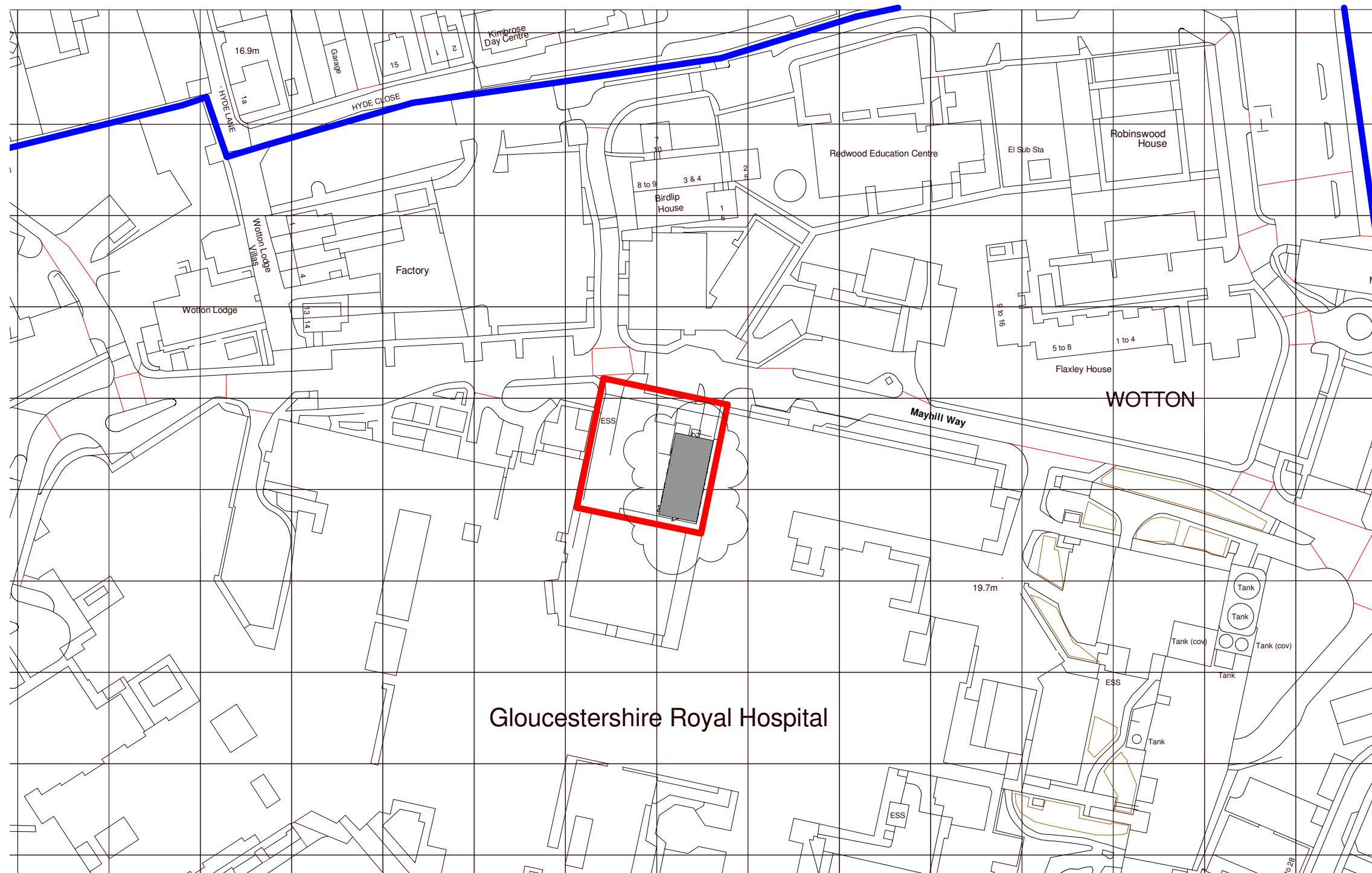
ISSUE DATE
INITIAL ISSUE BY
INITIAL CHECKED BY
GIFA

SUITABILITY
S2 For Information

As indicated

A2 P1

STATUS CODE
STATUS DESCRIPTION
SCALE
SHEET SIZE
REVISION

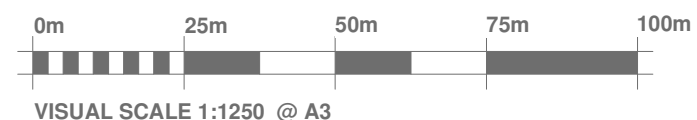


- Hospital Boundary
- Site Boundary



Location Plan

1 : 1250



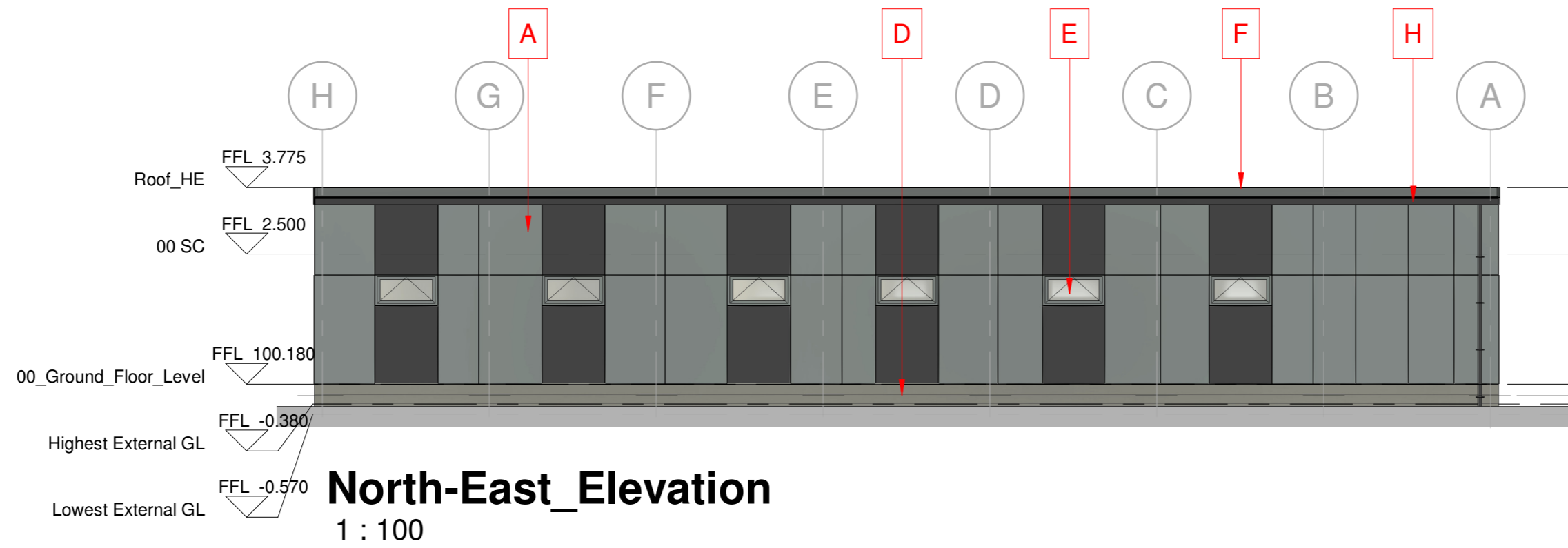
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Construction Has Evolved

CLIENT TITLE	Gloucestershire Hospitals NHS FT
PROJECT TITLE	Discharge Lounge
PROJECT ADDRESS	Gloucester Royal Hospital / Great Western Rd / Gloucester / GL1 3NN
DRAWING TITLE	Site Location Plan

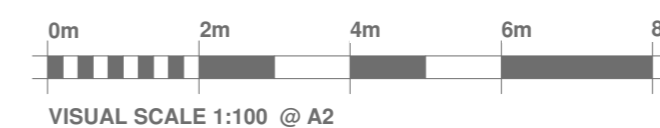
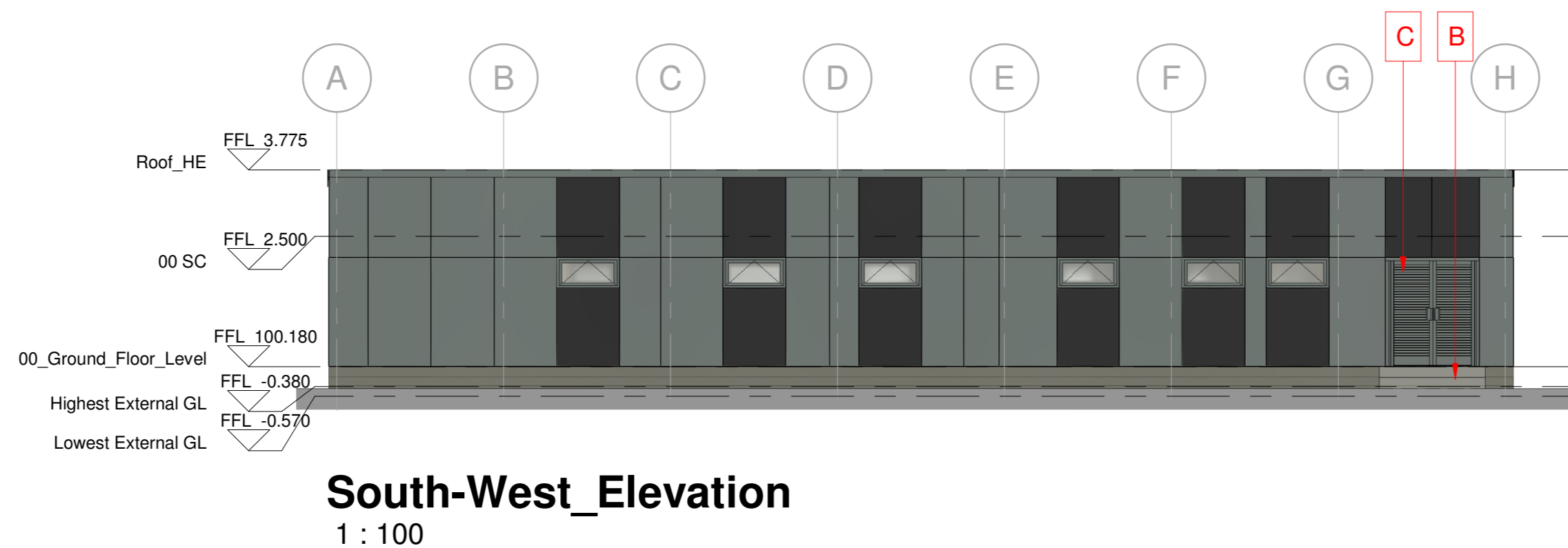
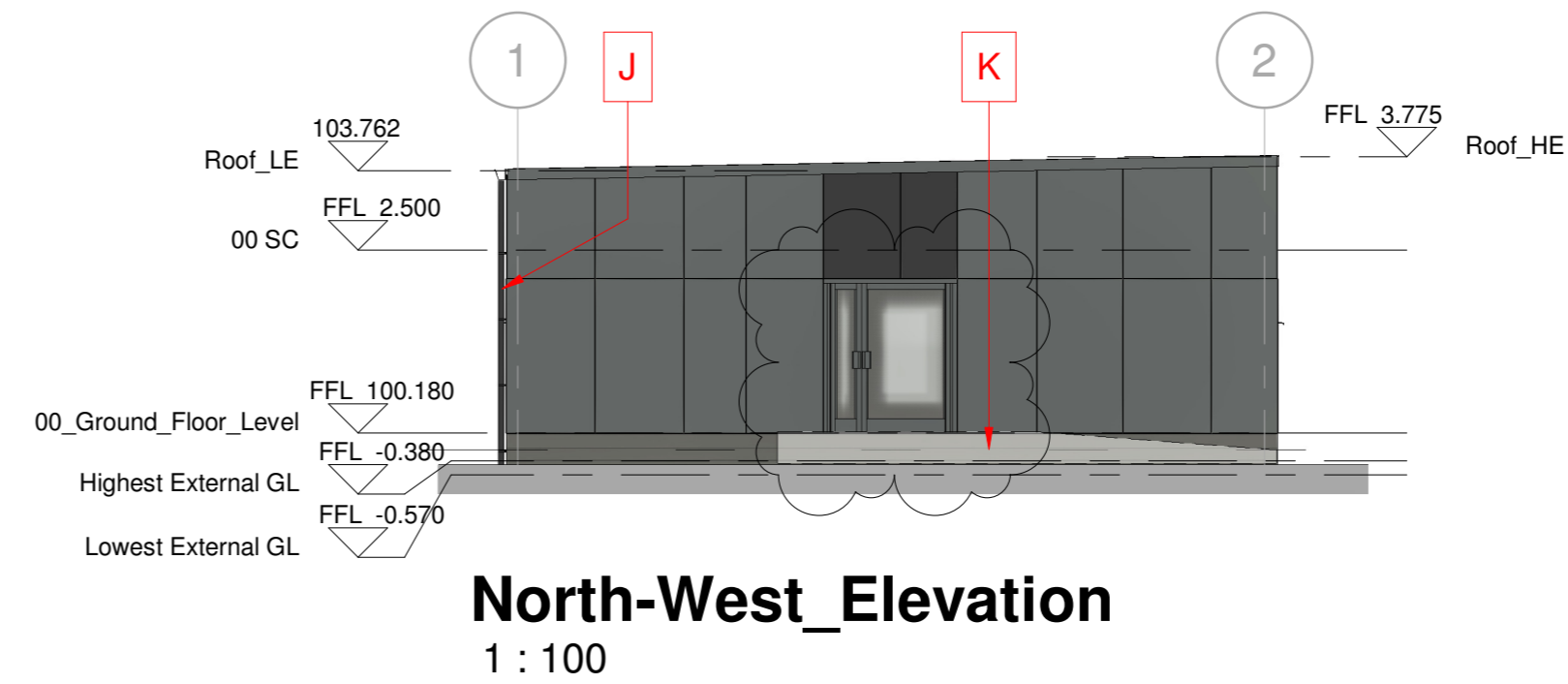
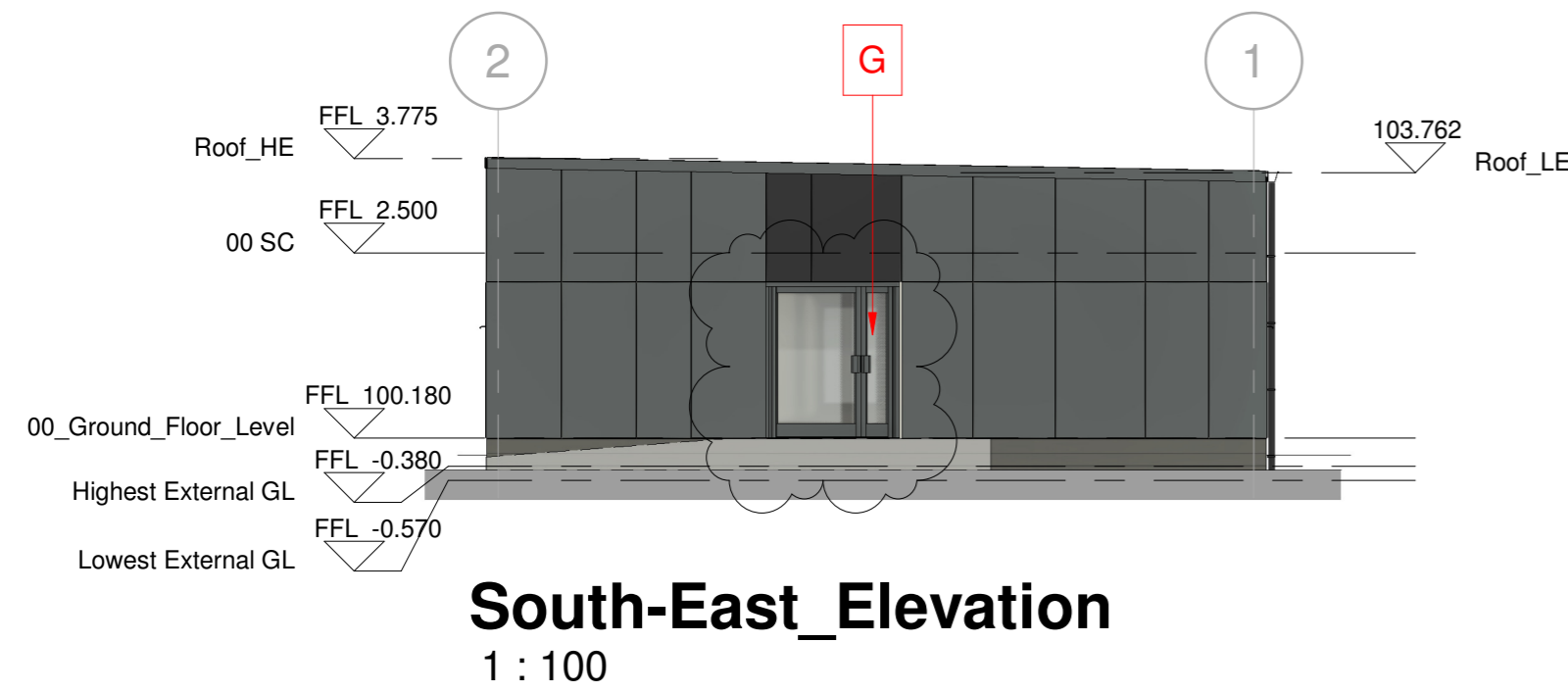
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180673 - DGL - 01 - XX - DR - A - 1120						
PROJECT	ORIGINATOR	VOLUME	LEVEL	TYPE	ROLE	NUMBER
26/09/22	PB					217 m ²
ISSUE DATE	INITIAL ISSUE BY	INITIAL CHECKED BY		GIFA		
SUITABILITY				As indicated	A3	P2
S2	For Information	SCALE		SHEET SIZE	REVISION	

REV	DESCRIPTION	BY	CHK	DATE
P1	Building orientation altered.	DK		20/09/222
P2	Building orientation amended	PB	CR	17/10/2022

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- A** Rockpanel Durable Cladding Panel - Colour 1 - RAL7016 - Anthracite Grey - Total 225m²
- B** Indicative Steps into plant room from existing ground level
- C** Louvred Aluminium Double Door - RAL7016 Anthracite Grey
- D** Vermin skirt from external ground level to FFL - Colour TBC
- E** External uPVC Window - RAL7016 Anthracite Grey
- F** Roof Edge Trim - Quartz Grey
- G** External Aluminium Leaf and a Half Door - RAL7016 - Anthracite Grey
- H** uPVC Gutter - Ral9005 - Jet Black
- J** uPVC Rainwater Pipe - Ral9005 - Jet Black
- K** Indicative Ramp from existing ground level to proposed FFL



P2	Ironmongery and notes updated	KB	CR	17/10/2022
P1	Design freeze provided by Trust	PB		04/10/2022
REV	DESCRIPTION	BY	CHK	DATE

DarwinGroup
Construction Has Evolved

CLIENT TITLE
Gloucestershire Hospitals NHS FT

PROJECT TITLE
Discharge Lounge

PROJECT ADDRESS
Gloucester Royal Hospital / Great Western Rd / Gloucester / GL1 3NN

DRAWING TITLE
Elevations

DRAWING REFERENCE
180673 - DGL - 01 - ZZ - DR - A - 2100

PROJECT	ORIGINATOR	VOLUME	LEVEL	TYPE	ROLE	NUMBER
26/09/22	PB			CR		217 m ²
ISSUE DATE	INITIAL ISSUE BY			INITIAL CHECKED BY		GIFA

SUITABILITY		SCALE		SHEET SIZE		REVISION	
S2	For Information	1 : 100	A2	P2			
STATUS CODE	STATUS DESCRIPTION	SCALE	SHEET SIZE	REVISION			

18th January 2023



Development Control
Gloucester City Council
PO Box 2017
Gloucester
WR10 9BJ

E: [REDACTED]
T: [REDACTED]

36 King Street, Bristol, BS1 4DZ
72 Paris Street, Exeter, EX1 2JY

RE: Lawful Development Certificate – Gloucester Royal Hospital, Great Western Road, Gloucester, GL1 3NN

Dear Sir/Madam,

I am writing to you on behalf of our client, Gloucestershire Hospitals NHS Foundation Trust, to submit an application for a Certificate of Lawful Development for existing development under Section 191 of the Town and Country Planning Act 1990.

The existing development relates to a 217m² discharge lounge (the development concerned) to alleviate winter bed pressures in the hospital. Express planning consent was not required for this development as it complies with all relevant definitions, restrictions and conditions contained within Schedule 2, Part 7, Class M of General Permitted Development Order 2015 (GPDO) (as amended 1st August 2021).

In support of the determination of this application the following plans are submitted under cover of this letter:

- Site Location Plan (ref: 180673-DGL-01-XX-DR-A-1120(P2))
- Site Plan (ref: 180673-DGL-01-00-DR-A-1101(P2))
- Floor Plan (ref: 180673-DGL-01-00-DR-A-2000(P3))
- Building Section (ref: 180673-DGL-01-00-DR-A-2300(P1))
- Building Elevations (ref: 180673-DGL-01-ZZ-DR-A-2100(P2))

The Site

The site for development is located on the main campus of Gloucestershire Royal Hospital, Gloucester. It comprises of a 0.12ha tarmacked area on which the development concerned is located. It is bordered to the south, east and west by the main hospital building. To the north the site can be accessed via Mayhill Road which in turn leads to both the Claremont Road and Horton Road access points to the hospital campus.

The site is not subject to any heritage, landscape or other designations identified as Article 2(3) land in Schedule 1, Part 1 of the GPDO.

The site does not lie within the curtilage of any listed buildings.

Existing Development

The existing development is a 217m² single storey modular unit measuring a maximum of 4.335m in height. It is used as a discharge lounge with the primary purpose of relieving winter bed pressures in Gloucestershire Royal Hospital. The unit falls under use class C2: Residential Institutions including hospitals.

The unit consists of 5no. bed spaces and 3no. chair bays, as well as ancillary accommodation and sanitary accommodation. The building is served by ramped access on either side, and stepped access to the plant room.

Development Permitted under Class M

Under *Class M – extensions etc for schools, colleges, universities, prisons and hospitals* of the latest available (revised) version of GPDO the following development is permitted:

'The erection, extension or alteration of a school, college, university, prison or hospital building.'

Class M places various restrictions on permitted development. These are laid out in Sch. 2 Pt. 7 Class M para. M.1 of GPDO. Those that are relevant to the development concerned are considered below.

- **Cumulative footprint** – The cumulative footprint (gross floor area (GFA)) of any new building, extension or alteration built under Class M on or after 21st April 2021 on the hospital site must not exceed the greater of.
 - 25% of the cumulative footprint of the hospital as it was on 21st April 2021; or
 - 250 square metres.

The development concerned is unaffected by this restriction as the GFA amounts to 217m² which is less than both limits detailed above.

- **Distance from boundary of curtilage** – Development under Class M may only take place if no part of the erection, alteration or extension lies within 5 metres of the curtilage boundary. At the closest point the curtilage boundary runs circa 100m from the development concerned. Accordingly, this restriction does not apply.
- **Height of proposed new buildings** – The height of any new building under Class M may only be 5m if within 10m of the curtilage boundary, or in all other cases 6 metres. As the development concerned consists of vermin skirts up to 0.335m above ground level and a building height of 4m above ground level, the total maximum building height amounts to 4.335m. Therefore, the development concerned is compliant with this restriction.
- **Roof-top Structures** – The height of rooftop structures, such as for purposes of ventilation, are allowed up to 1.5 metres in height beyond the height limit of the building. This is in addition to the height of the building as erected, extended or altered, as set out above. The

development concerned does not feature any rooftop structures, so this restriction does not apply.

- **Development within the curtilage of a listed building** – Development is not permitted within the curtilage of a listed building. In the case of a hospital, this restriction does not apply if the predominant use of the existing buildings on the premises is for the provision of any medical or health services. The development concerned does not lie within the curtilage of a listed building.

The development concerned is the erection of a hospital building which is permitted development under Sch. 2 Pt. 7 Class M of GPDO. No restrictions contained within paragraph M1 of the order preclude the development concerned from being permitted.

Conditions on Permitted Development

Development permitted under Class M is subject to a range of conditions which are identified in paragraph M.2 of Sch. 2 Part 7 Class M of GPDO. Each condition, as laid out in GPDO, is considered in the table below according to relevancy to the development concerned and, if relevant, compliancy with the condition.

Condition	Relevant (Y/N)	Development concerned is compliant (Y/N)	Comments
the development is within the curtilage of an existing school, college, university prison or hospital	Y	Y	Development concerned lies within curtilage of existing hospital.
the development is only used as part of, or for a purpose incidental to, the use of that school, college, university, prison or hospital;	Y	Y	Development concerned serves as a discharge lounge. A use that is part of the site's function as a hospital.
any new building erected is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the original school, college, university, prison or hospital buildings;	N		The site is not located on article 2(3) land.
any extension or alteration is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the building being extended or altered;	N		The site is not located on article 2(3) land.
where proposed development under Class M relates to the erection, extension or alteration of a school building that results in an increase in the school's published admission number, the developer must, within a period of six months starting with the date the development is completed,	N		The development concerned does not relate to development of a school building.

submit to the local planning authority a travel plan for the site;			
where proposed development under Class M relates to the erection, extension or alteration of a university building, development is permitted subject to the condition that before beginning the development the developer applies to the local planning authority for a determination as to whether the prior approval of the authority will be required as to— (i)transport and highways impacts of the proposed development; (ii)the design and external appearance of the erection, extension or alteration; or (iii)the impact of the development on heritage and archaeology;	N		The development concerned does not relate to development of a university building.
an application required under paragraph (f) is to be made and determined in accordance with paragraph M.2A (procedure for applications for prior approval under Class M);	N		Applies to erections, extensions and alterations to university buildings. Application for prior approval, therefore, not required.
development approved pursuant to an application under paragraph (f) is permitted subject to the condition that it is completed within a period of three years starting with the prior approval date	N		See above.

As can be seen above, the development concerned is compliant with all relevant conditions to permitted development as laid out in Sch. 2 Part 7 paragraph M.2 of GPDO.

Conclusion

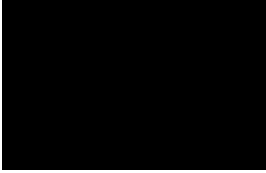
The development concerned has been assessed against the following as laid out in Sch. 2 Part 7 Class M of GPDO.

- Permitted development as laid out in paragraph M
- Restrictions as laid out in paragraph M.1
- Conditions as laid out in paragraph M.2

The development concerned is compliant with all relevant definitions, restrictions and conditions contained within the legislation. Accordingly, we ask Gloucester City Council to issue a Certificate of Lawful Development for existing development.



Yours sincerely



Assistant Planner