

PLANNING STATEMENT

Application for a Lawful Development Certificate (Existing Use)

Land at Ladyview Kennels, Holehouse Lane, Brown Edge, ST6 8UB

1. Introduction

This statement has been prepared in support of an application for a Lawful Development Certificate (LDC) under Section 191 of the Town and Country Planning Act 1990. The application seeks to confirm the lawfulness of the existing use of a field for the commercial exercising of dogs in connection with Ladyview Kennels.

2. Description of the Site and Use

The application relates to land forming part of Ladyview Kennels, Holehouse Lane, Brown Edge, ST6 8UB, a long-established dog boarding business. The site includes a field used as a dog walking and exercise area for boarded dogs. The use forms an integral part of the operation, with dogs exercised daily by staff throughout the year.

3. Relevant Legislation

Under Section 191 of the Town and Country Planning Act 1990, a use is lawful if it has been carried out continuously for at least 10 years without enforcement action. The test is on the balance of probability. This application demonstrates that the use has occurred since approximately 2006.

4. Planning Unit and Nature of Use

The dog walking field forms part of the wider planning unit associated with Ladyview Kennels and is directly related to the primary business. It is essential to the operation of the kennels and is used routinely for dog exercise as part of the commercial service provided.

5. Evidence Supporting Lawful Use

Appendix A – Owner Declaration (Marian Adams): confirms continuous use since c.2006 and no interruption or enforcement action.

Appendix B – Boarding Licence (2010): demonstrates the established kennel operation by at least 2010.

Appendix C – Neighbour Declaration (Ian Smith, Lane Head Farm): confirms ongoing and uninterrupted use since approximately 2006.

Appendix D – Customer Letters: Gary Bragg, Kirsty Clowes, Pauline Ashley, Wendy Scarratt confirm long-term use and awareness of dog exercising in the field.

6. Continuity of Use

The evidence demonstrates that the field has been used continuously for commercial dog exercising since approximately 2006, with no material interruption or enforcement action.

7. Conclusion

The evidence clearly demonstrates that the use has been ongoing for well over 10 years and is lawful on the balance of probability. The Local Planning Authority is therefore requested to grant a Lawful Development Certificate.

8. Appendices

Appendix A – Owner Declaration (Marian Adams)

Appendix B – Boarding Licence (2010)

Appendix C – Neighbour Declaration (Ian Smith, Lane Head Farm)

Appendix D – Customer Letters