

LDC (Proposed) Report	Application number	2023/0960/P
Officer	Expiry date	
Fast Track Team	01/05/2023	
Application Address	Authorised Officer Signature	
29-30 Alliance House, High Holborn London WC1V 6AZ		
Conservation Area	Relevant article 4	
Bloomsbury Conservation Area	None relevant	
Proposal		
Change of use from restaurant (Class E (b)) to medical service (Class E (e)).		
Recommendation:	Grant Lawful Development Certificate	

1. The certificate is for Change of use from restaurant (Class E (b)) to medical service (Class E (e)).
2. Section 55 of the Town and Country Planning Act 1990 defines “development”. Planning permission is required for most forms of “development” (unless excluded by Section 57). However, Section 55(2) say, amongst other things, that *“The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—*
...
(f) in the case of buildings or other land which are used for a purpose of any class specified in an order made by the Secretary of State under this section, the use of the buildings or other land or, subject to the provisions of the order, of any part of the buildings or the other land, for any other purpose of the same class.”
3. The relevant Order is the Town and Country Planning (Use Classes) Order 1987 (as amended). Class E of the Order is broad and covers commercial, business, and service uses. These include:
 - E(b) Sale of food and drink for consumption (mostly) on the premises, and
 - E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
4. The current restaurant use was granted permission under application 2013/2477/P which granted permission for *“Change of use of basement and ground floor from bank (Class A2) to restaurant (Class A3)...”*. There are no conditions attached the planning permission that removes or restricts the use class rights for this planning unit.
5. The existing use as a Leon restaurant now falls with Class E under paragraph (b) (rather than the old A3 class). The proposed use as a medical service also falls within Class E, under paragraph (e). As such, the change of use would be for a purpose of the same class, and so would not constitute “development” as defined by Section 55 of the Town & Country Planning Act 1990, and therefore would not require planning permission.
6. **Recommendation:** Grant Certificate of Proposed Lawful Development.