

DELEGATED REPORT

Report by Sam Summers	Date of report: 24/03/2025	Ref: 71567/LDCP
Registration: 27/01/2025	LDFC:	Expiry Date: 24/03/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Lawful development certificate for proposed change of use from a dwellinghouse (Use Class C3); the internal layout will be revised to allow the use of the property as a small house in multiple occupation 'HMO' for up to six individuals (Use Class C4).

Location: 31 Grosvenor Street, Prestwich, Manchester, M25 1ES

Description

Lawful development certificate for proposed change of use from a dwellinghouse (Use Class C3); the internal layout will be revised to allow the use of the property as a small house in multiple occupation 'HMO' (Use Class C4) for up to six individuals.

Relevant Planning History

70742 - Change of use from dwelling (Class C3) and Swim School building (Class E(d)) to 10 no. bed House of Multiple Occupancy (HMO) (Class Sui Generis) to include changes to the fenestration of the pool building; Loft conversion with 2 no. rear dormers to dwelling - Refuse/Refused 18/07/2024

Publicity

None

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

Development Plan and Policies

Issues and Analysis

Part 3, Class L of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows a permitted change of use between dwellinghouses in Use Class C3(a) and small HMOs in Use Class C4 (up to 6 persons living as a single household) and vice versa

Permitted development:

Development consisting of a change of use of a building—

(a) from a use falling within Class C4 (houses in multiple occupation) of the Schedule to the Use

Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule;

(b) from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes

Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule.

Development not permitted

L.1 Development is not permitted by Class L if it would result in the use—

(a) as two or more separate dwellinghouses falling within Class C3 (dwellinghouses) of the Schedule

to the Use Classes Order of any building previously used as a single dwellinghouse falling within

Class C4 (houses in multiple occupation) of that Schedule; or

(b) as two or more separate dwellinghouses falling within Class C4 (houses in multiple occupation) of that Schedule of any building previously used as a single dwellinghouse falling within Class C3 (dwellinghouses) of that Schedule.

There is no planning history or any other evidence that the building has only ever been in lawful use as single dwellinghouse. It should be noted that the building in use as a swimming school is located within the blue edge and does not form part of this lawful development certificate. As such on the balance of probability the building is in domestic use class C3(a) and so would qualify for the permitted development right. Permitted Development Rights have not been removed.

The submitted proposed floor plans show an additional two bedrooms with ensembles and a communal bathroom along with other communal spaces and facilities retained. As such the building would be capable of being occupied by up to 6 individuals as a single household. Therefore the proposed change of use would be lawful.

Having regard to the above the proposal would be lawful as it falls within the limitations of Part 3 Class L of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Recommendation: LAWFUL

Conditions and Reasons:

- 1 The proposal, described in the First Schedule, is deemed to be 'Permitted Development' having regard to Article 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in that it falls within the limitations of Part 3, Class L

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
SS	24/03/2025	DM	24/03/2025