

DELEGATED REPORT

Report by Mark Kilby	Date of report: 29/03/2023	Ref: 69074/LDCP
Registration: 12/01/2023	LDFC:	Expiry Date: 09/03/2023
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Certificate of lawfulness for a proposed use permitting the occupation of the premises which falls within use Class C3 (Dwellinghouse), and for the purpose of undertaking the administrative functions of an app based private hire vehicle operator from a home office.

Location: 6 Ripon Hall Avenue, Ramsbottom, Bury, BL0 9RE

Description

An application for a lawful development certificate for the proposed use of single room within a dwellinghouse (Use Class C3) as a home office for the purposes of booking and assigning private hire taxis.

Relevant Planning History

55338 - Two storey rear extension - Refuse 10/09/2012

63948 - Two storey extension at front/side and single storey extensions at side - Approve with Conditions 07/05/2019.

Publicity

Not applicable.

Statutory/Non-Statutory Consultations - Not applicable.

Pre-start Conditions - None/Not applicable.

Unitary Development Plan and Policies

Issues and Analysis

The onus in a lawful development certificate application is on the applicant to provide evidence to show that on the balance of probability the use or operation applied for is or would be lawful.

If the local planning authority does not possess or is not aware of evidence that contradicts the evidence submitted or makes any proposed events less likely, then the local planning authority must grant a certificate.

The applicant resides at the application address. It is not proposed to have vehicles visiting the site to pick up clients or for parking purpose. It is proposed solely to use a single room as a home office for the purposes taxi booking.

As such, as a large detached dwellinghouse, the use of a single room as a home office with no other proposed operational activities is considered not to represent a material change of use from a dwellinghouse or to create a mixed use development. Therefore the use of a single room as a home office would be lawful as it would not constitute development within

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the meaning of Section 55 of The Town and Country Planning Act 1990.

Recommendation: LAWFUL

Conditions and Reasons:

- 1 The proposal, described in the First Schedule, is not deemed not to be constitute development within the meaning of Section 55 of the Town & Country Planning Act 1990 (as amended) and therefore would be lawful development.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Mark Kilby	29/3/23	HL	29/03/23