

## **DELEGATED REPORT**

|                                 |                                   |                                |
|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Sam Summers    | <b>Date of report:</b> 23/09/2024 | <b>Ref:</b> 70994/LDCP         |
| <b>Registration:</b> 01/08/2024 | <b>LDFC:</b>                      | <b>Expiry Date:</b> 26/09/2024 |
| <b>Site Visit:</b>              | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b>              | <b>Con Area:</b> N/A              | <b>Adv Type:</b> NONE          |
| <b>Reason for Delay:</b>        |                                   | <b>EIA:</b> NA                 |
| N/A                             |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> COUS        |

**Proposal:** Lawful development certificate for proposed change of use from solicitors (Class E(c)(ii)) to general shop/store selling groceries, alcohol & tobacco (Class E(a))

**Location:** 58 Church Street West, Radcliffe, Manchester, M26 2SQ

### **Description**

Lawful development certificate for proposed change of use from solicitors (Class E(c)(ii)) to general shop/store selling groceries, alcohol & tobacco (Class E(a))

### **Relevant Planning History**

52126 - Change of use of ground floor from retail (A1) to solicitors office (A2) use -  
Approve with Conditions 05/02/2010

### **Publicity**

None

### **Statutory/Non-Statutory Consultations**

None

**Pre-start Conditions** - None

### **Development Plan and Policies**

### **Issues and Analysis**

The building has been in use as a solicitors since a planning application was approved in 2010 (Ref: 52126). Google street view images confirm that the use as a solicitor was maintained from at least 2012 through to 2023. There is no evidence of any intervening use. This establishes the lawful use of the building as Class E(c)(ii). The applicant proposes to use the building for display or retail sale of goods, other than hot food. This includes the sale of groceries, alcohol and tobacco. The proposed opening times are 08.00 - 22.00.

The Town and Country Planning (Use Classes) Order 1987 has been amended by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which came into force on the 1st September 2020. It created a new use class, Class E - Commercial, Business and Service use. The permitted change of use from a solicitors Class E(c)(ii) to the Display or retail sale of goods, other than hot food E(a) would be lawful as both the uses fall within the same use class and as such would not constitute development within 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 to constitute development within the meaning of Section 55 of the Town & Country Planning Act 1990 (as amended) and therefore would be lawful.

| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
|---------------------|-------------|-------------------------|-------------|
| SS                  | 23/09/2024  | HL -                    | 24/09/24    |