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1569 /01

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PROPOSED ALTERATIONS 27-29 BAWDLANDS, CLITHEROE LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED USE

SUPPORTING INFORMATION

Planning application 3/2024/0552. – confirmed description of proposals

Proposed change of use of ground floor unit (Use class E) and first floor flat (Use Class C3) to House in Multiple Occupation with up to eight rooms (Use Class Sui Generis) including removal of shop front and replacement with two ground floor windows and addition of new door and window to side elevation.

Planning Change of Use

Change of use of the first floor from use class C3 to use class C4 is planning permitted development.

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2 Part 3 Class L (b)

Planning Application 3/2024/ 0879 – extract from e-mail from Planning Officer dated 2nd December 2024.

"It is my understanding that there has been some discussion with respect to the door opening proposed for the Eastern side elevation of the application building. For clarity, our position on this is as follows:

Part 7 of the GDPO applies to "The extension or alteration of a commercial, business or service establishment". Condition A.2(c) requires "any alteration is only to be used as part of, or for a purpose incidental to, the use of the commercial, business or service establishment." Interpretation A.3 says for the purpose of Class A "commercial, business or service premises" means a building, or part of a building, used for (my underlining) any purpose within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order and includes buildings with other uses in other parts as long as the other uses are not within the parts being altered or extended. The premises is not being used for anything therefore there is no establishment at present. In light of this it is our view that the building cannot benefit from these provisions therefore planning consent would be required to install the doorway opening."

RESOLUTION

The most recent correspondence with the Local Authority determined that as the premises are currently unused, the building has no defined planning use class.

Given this determination a planning change of use application cannot be submitted as the building has no established planning use class.

The only option available is for a Lawful Development Certificate application to establish proposed use class of the building.



✓

Paul Derbyshire *Dip.Surv.*