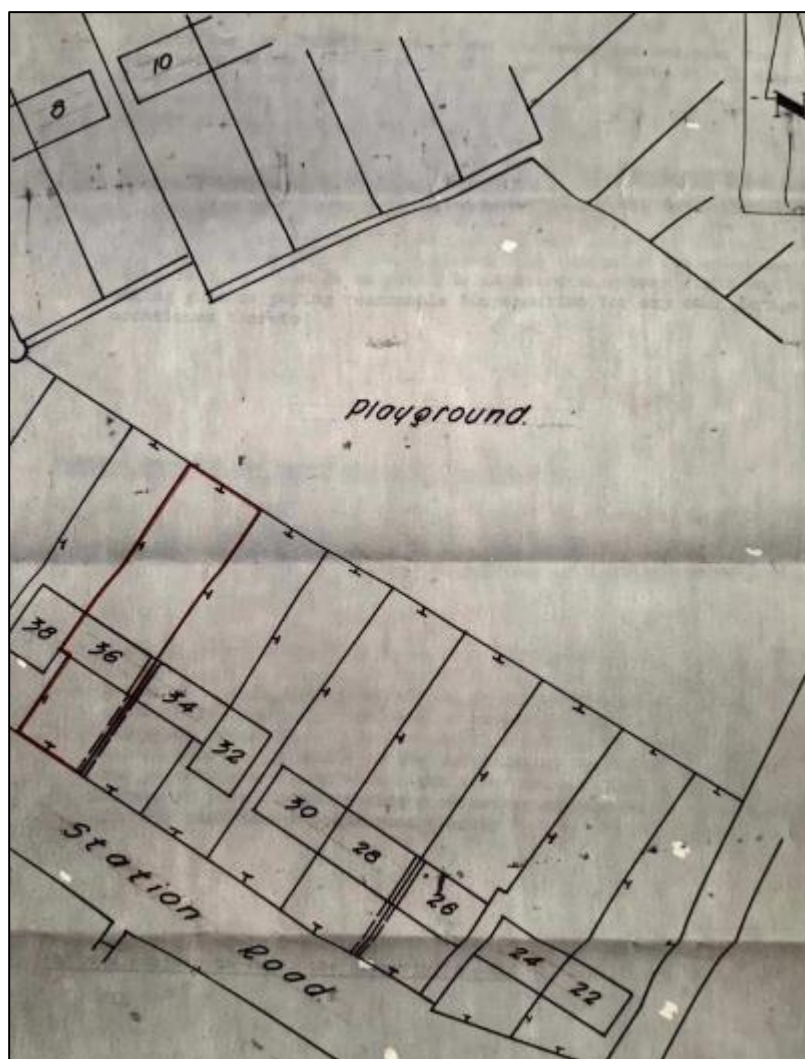


Application Reference Number:		2026/0632	
Application Type:		Lawful Development Certificate – Proposed.	
Proposal Description:		Certificate of Lawful Development for the proposed use of a dwellinghouse as a remote taxi operators office of operations.	
Location:		36 Station Road, Dodworth, Barnsley, S75 3JE.	
Applicant:		Mr Dean Duke.	
Third-party representations:	None.	Parish:	
		Ward:	Dodworth, Stainborough and Tankersley.

Site Description

This application relates to a modest-sized plot located on the north-east side of Dodworth Road and within an area which is principally residential characterised by two-storey terraced properties of varying scale and appearance.

The application property is a two-storey mid-terrace dwellinghouse constructed of brickwork, finished in blue coloured render, and has a rosemary coloured pantile pitched roof. The application dwellinghouse benefits from a modest porch on its principal elevation and is fronted by a modest hard surface driveway area.



Planning History

There is no planning history associated with this development site.

Proposed Development

This application is for a lawful development certificate (LDC) under Section 192 of the Town and Country Planning Act 1990 which seeks confirmation that the proposed use of the dwellinghouse (36 Station Road, Dodworth, Barnsley, S75 3JE) as a remote taxi operators office of operations is lawful and does not require planning permission.

No internal or external extensions or alterations are proposed.

Relevant Policies

Section 192(1) the Town and Country Planning Act 1990 states that if any person wishes to ascertain whether any operations proposed to be carried out in, on, over, or under land, would be lawful, they may make an application for the purpose to the local planning authority describing the use or operations in question.

Section 192(2) then states that if, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case shall refuse the application.

No special restrictions or designations affecting the proposal are considered to apply to the development site, such as permitted development rights having been removed, or listed status etc.

Purely internal alterations are lawful pursuant to section 55(2)(a) of the Town and Country Planning Act 1990.

Consultations

No statutory or non-statutory consultations were consulted on this application.

Representations

There is no statutory requirement for LPAs to consult third parties, including neighbouring residents or parish councils on a lawful development certificate application as such applications are a matter of fact and law and are not determined on their planning merits or judged against national or local planning policies or guidance.

This application was advertised on the Council website; and no representations have been received.

Planning Assessment

This application is for a lawful development certificate (LDC) under Section 192 of the Town and Country Planning Act 1990 which seeks confirmation that the proposed use of the dwellinghouse (*36 Station Road, Dodworth, Barnsley, S75 3JE*) as a remote taxi operators office of operations is lawful and does not require planning permission.

The use of a dwellinghouse (Use Class C3) as a remote taxi operators office of operations could prove to be lawful subject to consideration of Section 55 of the Town and Country Act 1990 which establishes the definition of development.

Section 55 of the Town and Country Planning Act 1990 establishes “development” as meaning the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in use of any building or other land.

For the purposes of this Act “building operations” includes: demolition of buildings; rebuilding; structural alterations of or additions to buildings; and other operations normally undertaken by a person carrying on business as a builder.

The submitted application form indicates that this application has been made as the applicant is required to provide a registered address to obtain an operator’s licence to provide taxi and private hire services. It is understood that operations would be undertook from a car or within the

application dwellinghouse and would be limited to receiving phone calls for bookings. There would be no visiting members of the public or pick ups and drop offs at the application dwellinghouse, no employees, and no identifying advertisement signage erected at the premises.

It is understood that the car used for the taxi and private hire services would also be used in a personal capacity by the occupant(s) of the application dwellinghouse, and would be parked on a driveway at the development site when not in use. The existing driveway appears sufficient to accommodate at least two vehicles and should be sufficient to meet the needs of the existing residential use and the proposed taxi and private hire operations.

Considering the above and taking relevant factors into account, as a matter of fact and degree, the proposed use of the dwellinghouse (*36 Station Road, Dodworth, Barnsley, S75 3JE*) as a remote taxi operators office of operations is not considered to constitute a material change of use and is therefore, considered lawful pursuant to Section 55 of the Town and Country Planning Act. As such, planning permission is not required and it is recommended that this Certificate of Lawful Development should be granted.

RECOMMENDATION: Lawful development certificate – Grant.