

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

APPLICATION NO: 26/00357/CLU **CASE OFFICER:** Andrew Hunt

WARD: Halewood North **PARISH:** Halewood
Town Council

LOCATION: 45 Woodbine Road, Halewood, Knowsley, L25 9AA

PROPOSAL: CERTIFICATE OF LAWFUL USE FOR THE PROPOSED PART USE
OF A RESIDENTIAL DWELLING (C3) AS A PRIVATE HIRE
OPERATOR (SUI GENERIS)

Site Description

The application site is an end terrace dwelling set within a rectangular plot at 45 Woodbine Road, Halewood. The site is located near the end of a close in a central location within the southern part of the road. The site is surrounded by other dwellings to the north, south, east and west.

Proposal

The proposal is for a certificate of lawfulness for the proposed part use of a residential dwelling (C3) as a private hire operator (Sui Generis). The business will be operated solely by the applicant. There are no employees, office staff or shift rotas. No staff will work from or attend the property.

The activities carried out at the property will include:

- Receiving booking enquiries by telephone, email and social media.
- Managing customer bookings and schedules.
- Maintaining business records and accounts.
- General office administration.
- All bookings will be managed remotely. No customers will visit the property, and no members of the public will attend the address.
- No repairs, servicing, vehicle storage, dispatching of drivers, waiting area or customer collection point will operate from the property.
- No external alterations, extensions or business signage are proposed
- Telephone calls, emails and online booking enquiries may be received between 7:00 am and 10:00 pm, although office administration will generally take place during normal daytime hours.

Consultations

N/A

Representations

N/A

Planning History

N/A

Relevant Policy

Town and Country Planning Act 1990 (as Amended)
The Town and Country Planning (Use Classes) Order 1987

Assessment

PROPOSAL

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Section 55 of the Town and Country Planning Act 1990 (as amended) states that

“development,” means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

Section 55 (2) of the Town and Country Planning Act 1990 (as amended) states that any use of building within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse as such shall not be considered to involve development of land.

“(2) The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—

(d) the use of any buildings or other land within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse as such”;

The Town and Country Planning (Use Classes) Order 1987 as amended

The key questions are whether the proposal would:

- a. Fall within Class C3 of The Town and Country Planning (Use Classes) Order 1987 as amended (the UCO).
- b. (if required) whether the changes would constitute a material change of use.

Class C3

Use Class C3 of the UCO is sub-divided into 3 parts: C3(a) use by a single person or by people to be regarded as forming a single household; C3(b) use as a dwelling house where care is provided for residents; and C3(c) use by not more than six residents living together as a single household where no care is provided to residents.

Proposed Use

Guidance

In relation to whether the application would constitute a material change of use. The governments planning practise guidance states that whether a material change of use is a matter of fact and degree based on the individual merits of a case.

“When does a change of use require planning permission?”

A change of use of land or buildings requires planning permission if it constitutes a material change of use. There is no statutory definition of ‘material change of use’; however, it is linked to the significance of a change and the resulting impact on the use of land and buildings. Whether a material change of use has taken place is a matter of fact and degree and this will be determined on the individual merits of a case.

If planning permission is required for change of use, there may be permitted development rights which allow change of use without having to make a planning application.

Paragraph: 011 Reference ID: 13-011-20140306

Revision date: 06 03 2014”

Assessment

Change of Use

In relation to the proposed use, there would be a single person operating a private hire operator business from the premises. This would operate between 07:00am and 10:00pm. The work would consist of typical office work such as answering phone calls and emails, maintaining customer bookings and accounts business record and general administration. There would be no servicing or maintenance of vehicles from the premises.

This type of work is similar to a typical home working use in which an office worker works from home and answers emails, phone calls, produces and manages documents etc and other administrative tasks. There would be no significant difference between the two. The use of the premises for a private hire operator business would be subordinate to the main use as a dwelling.

As a result, the use is considered to be ancillary to the main residential use of the dwelling and no change of use would occur.

Material Change of Use

As it has been concluded that there would be no change of use. There is no need to assess whether a change of use would be material.

Conclusion

The proposal would be incidental to a dwellinghouse. As a result, no change of use would take place and the proposal is lawful in accordance with Section 192 of the Town and Country Planning Act 1990 (as amended).

Signed Case Officer¹: **Andrew Hunt** _____

Signed Authorising **Jo Sheridan**
Officer²: _____

Date: **01/09/2026**

Informatives

1 I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

2 I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed