

Planning Newsletter May 2008-

HOME WORKING

Running your business from home is becoming increasingly popular and, as we tend to want to work from home more and more, the question of whether Planning Permission for a change of use is required has become more significant.

Generally speaking, the approach that a Local Authority is likely to take is that Planning Permission is not necessarily required if you use part of your home for business purposes and do not change the overall character of its use as a residence. So, for example, if you run your business from your garden shed, or your front room, you may well not change the overall use at all. Using one room in a house or flat as an office or as doctor's consulting room is probably acceptable without the need for planning permission, possibly on an occasional basis. The test will depend on whether your home becomes a business premises first and a home second. You may also be making major structural changes to your home to accommodate the business.

Matters to consider include whether all or any part of your house will no longer be used as a private residence. Will the business generate more visitors or traffic than your neighbours would reasonably expect? Will your business be producing more noise, perhaps at unreasonable hours, or fumes, over and above what might be expected if the property were in use as a single dwelling without any business use?

Have you erected signs to advertise your business and are parcels or other deliveries being made which you would not normally expect to be delivered to a home. Are you using your forecourt as part of your business or to park a commercial vehicle? If the use disturbs your neighbours they may well call on the local authority to investigate.

One way to see whether Planning Permission is required to enable you to work and run your business from your home is to test the water by making an application for what is known as a Certificate of Lawfulness of Proposed Use. Whilst there are no hard and fast rules, it makes sense to test the water before setting up your business rather than being faced with enforcement action at an early stage.

For more information and advice please contact Bernadette Hillman on 01727 735658 or by email bh@turnerdebs.co.uk.

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