

LDC (Proposed) Report		Application number	2024/2591/P
Officer		Expiry date	
Tony Young		27/08/2024	
Application Address		Authorised Officer Signature	
Aviation House 125 Kingsway London WC2B 6NH			
Listed / Conservation Area		Article 4	
Grade II listed building / Kingsway CA		Basements & land use	
Proposal			
Use of part of 5th floor office premises for purposes associated with a private hire vehicle operator.			
Recommendation:		Issue Certificate	
1.0 Introduction			
<p>1.1 The application site comprises a 9-storey office building located in close proximity to the corner junction of High Holborn and Kingsway. The site is located within the Kingsway Conservation Area and is a Grade II listed building.</p> <p>1.2 The application seeks confirmation that the proposed use of part of office premises at 5th floor level for purposes associated with a private hire vehicle operator does not constitute development and is lawful such that planning permission would not be required.</p> <p>1.3 No internal or external alterations are proposed.</p>			
2.0 Applicants Evidence			
<p>2.1 The applicant provided the following documents/drawings in support of the proposal:</p> <ul style="list-style-type: none">• Unnumbered site location plan (identifying the application site in red)• Unnumbered floor plan received 25/06/2024 (showing the general area of operation)• Operational Statement from Ray Car Service Ltd. received 02/07/2024 (providing operational information).			
3.0 Assessment			
<p>3.1 Development is defined by section 55 of the 1990 Town and Country Planning Act as <i>‘the carrying out of building, engineering, mining or other operations, in, on, or under land, or the making of any material change in the use of any buildings or other land’</i>.</p> <p>3.2 Section 55(2)(f) provides that in the case of buildings or other land which are used for a purpose of any class specified in an order made by the Secretary of State under this section [i.e. the Use Classes Order], the use of the buildings or other land, or of any part of the buildings or other land, for any purpose in the same class is not to be taken for the purposes of the Act to involve development of the land.</p>			

- 3.3 It is firstly noted that planning history in relation to the application site does not include any conditions restricting the use of the relevant area of the property.
- 3.4 The applicant wishes to use a small area of an existing office building located at 5th floor level within an existing business centre (WeWork) as an office space from which to carry out the operation of a mini-cab booking or private hire vehicle office, primarily for administrative purposes associated with the business.
- 3.5 The business involves managing bookings, dispatching chauffeurs, handling customer enquiries and maintaining business records. The office staff coordinate schedules and ensure the smooth operation between clients and chauffeurs.
- 3.6 All bookings and client communications are handled via phone, email or online booking systems. The applicant has stated that there would be no public access to the site and clients would be picked up and dropped off remotely from the site, coordinated from client-specific locations, which are typically their homes and offices. There is no parking associated with the operation within the vicinity of the application site. As such, the operation would not result in the generation of any additional pedestrians, traffic or vehicles visiting the premises.
- 3.7 The office would be used solely for the purposes of arranging private hire driver/minicab despatch services. The applicant has confirmed that there are 7 drivers associated with the operation at present with typical working hours between 09:00-18:00, Monday to Friday.
- 3.8 The applicant confirmed that the premises would remain exactly as it is at this moment and would not involve any alterations, installation of radio equipment (such as, antennas) or display of advertisements. No internal or external alterations are proposed, and as such, there would be no impact on the special architectural and historic interest of the Grade II listed building.
- 3.9 As such, the proposal as described within the application submission would not result in a material change of use, nor fall within the 'meaning of development' which would require planning permission, as defined by section 55 of the Town and Country Planning Act 1990.
- 3.10 Consequently, the proposal is lawful and it is recommended that a Certificate of Lawfulness be granted.

Other matters:

- 3.11 In the event of an intensification of the business use at the site beyond what is sought under this current application, the applicant is advised that planning permission may be required. For instance, should the use involve deliveries or customers to visit the site, the employment of additional staff, parking of additional vehicles associated with the use, use of the area as a set-off/drop-off point, or result in any increase in vehicle/customer activity on or close to the application site.
- 3.12 Any future display of associated advertisements may require advertisement consent and might also be indicative of an intensification of the use at the site and the need for planning permission.
- 3.13 As such, a number of informatives will be added to any certificate issued to advise the applicant accordingly.

4.0 RECOMMENDATION: Grant Certificate of Lawfulness

