

# Running a business from home

## Guidance Notes

The information set out in this factsheet is to help you find out if you are eligible under your tenancy agreement to run a business from your home. The guidelines will also help you to complete the application form and make sure that any documentation needed to complete your application is included.

Remember, you must receive written permission from Wakefield and District Housing (WDH) before you start running a business from your home.

## Frequently asked questions

These are the most often asked questions when applying to run a business from home.

If, after reading the guidance notes, you are still not sure if you can apply. Send us your application and we will check your details to see if your tenancy agreement and / or the business you wish to run are suitable.

WDH will not unreasonably refuse permission for you to run a business from your home.

There are various factors, which may affect the outcome of your application, but whatever the outcome, you will receive a letter explaining how we have arrived at the final decision.

### Which tenancies qualify?

- Assured Tenancy.
- Assured Non-Shorthold Tenancy.
- Assured Shorthold (Starter) Tenancy.

### Which tenancies do not qualify?

- All other classes of tenancy agreement.

## What businesses do I need written permission for?

You need written permission to run **any** business from your home.

### Important

If you receive WDH's permission to run the business from your home, it will be your responsibility to get formal planning permission or building regulations approval from Wakefield Council or any other permission you may need before any business activity starts.

## What if I start a business without written permission?

It is a breach of your tenancy agreement to run a business from your home without written permission from WDH. If you are already running an unauthorised business from your home you must apply for permission immediately.

If the application is refused, you must stop any business activity from your home immediately. You will receive visits by WDH to ensure that this has been carried out. Failure to do so will put you in breach of your tenancy agreement.

## Are there any rules or conditions that WDH insist on?

WDH will not refuse permission to run a business from your home without good reason. Listed below are some of the reasons WDH would refuse permission. If your business were likely to:

- cause a nuisance to neighbours or adversely impact on the neighbourhood and the environment;
- involve the use of oxygen, acetylene or other flammable gas bottles, or the storage of large quantities of dangerous substances;
- involve the display of any signs or noticeboards about your business on / in your property;
- involve repairing motor vehicles from your home;
- involve the use of noisy machinery;
- present a danger to the health and safety of the occupiers or neighbours;
- conflict with any of the conditions of your tenancy agreement; or,
- reduce the amenities of the property, or be unsuitable in relation to the nature of the business, number or employees, property type, location and size.

When granting permission, WDH may impose conditions. If we do, they will be clearly outlined in the letter of permission you will receive. Any conditions stipulated, must be adhered to. Failure to do so will be considered a breach by you of your obligations under your tenancy agreement and WDH reserves the right to withdraw permission.

If business activity continues in these circumstances then, as with any other breach of the tenancy agreement, action will be taken to put right the breach, including the use of injunctions and possession proceedings if necessary.

### When I put in my application, what happens next?

The Estate Manager at your local service access point will assess your application. It may be appropriate, depending on the nature of the business, for WDH to consult with neighbours around your home, before a decision is made.

If the business needs changes to your property, a WDH surveyor will visit your home to assess their suitability.

If changes need to be made, you will be required to complete a separate application form for the improvement / alteration work. Application forms are available from your local service access point or can be downloaded from the WDH website ([www.wdh.co.uk](http://www.wdh.co.uk)). The WDH surveyor who visits your home will advise you if you need to do this.

You will receive a letter telling you if your application has been approved. There may be certain conditions you have to follow and, if there are, they will be clearly explained in the letter of permission.

If your application has been refused, the letter you receive will detail the reasons. WDH will not refuse permission unless there is good reason to do so. If you do wish to speak to someone further, the name and phone number of the person dealing with your application will be on the top of the letter you receive.

You will receive a visit within 28 days of permission being granted and periodically after that to ensure the running of the business complies with any conditions stipulated by WDH.

## Do I have a right to appeal against the decision to refuse permission?

Yes, if you are unhappy with the outcome of your application, you have the right to appeal. You should appeal within 28 working days of receiving your letter about the decision.

First you should contact the Estate Manager who dealt with your application. The name, address and contact number will be shown at the top of the letter you receive.

If the decision to refuse your application is for any of the following reasons the Estate Manager's decision will be final.

- Likely to cause a nuisance to neighbours.
- Damage to your home or contravenes any building, planning, safety or legislative regulations.

If the refusal is not related to the above and circumstances are such that alternative measures cannot be agreed for the application to progress further, the case will be passed to the Area Manager who will adjudicate the appeal.

## Where should I send my completed application?

When you have completed the application form, you should send it to your local service access point for it to be processed. (Addresses can be found in your Tenants Handbook.)

Remember to attach any plans or drawings (if applicable), so your application can be processed without delay.

## Important

**This document is for guidance only and does not give a legal interpretation or a summary of all the rules, which may apply to running a business from your home. If you need any further help or advice, please ask at your local service access point.**

**We are committed to providing equal access to information. If you would like this information in another format, such as large print, please phone 0845 8 507 507.**

## Running a business from home Application Form

Please read the guidance notes before completing the application form.  
The completed form should be sent to your local service access point

Section One		
<b>Tenant's name:</b>		
<b>Type of tenancy agreement:</b>		
<b>Address of your property:</b>		
<b>Address / location where the business is to be operated if different to above:</b>		
<b>Contact details: (Please specify) Home / work / mobile</b>		
<b>Please specify what business you wish to run from your home:</b>		
<b>Registration number if applicable: (For example Registered Childminder)</b>		
<b>Will the operating hours of the business be outside normal working hours and at weekends?</b>	<b>Delete as applicable</b>	
	<b>Yes</b>	<b>No</b>
<b>How many people do you employ?</b>		

<b>Do you need to make any changes to your home to accommodate the business?</b>		<b>Delete as applicable</b>	
		<b>Yes</b>	<b>No</b>
<b>If yes, give full details: Remember to attach copies of any drawings or plans</b>			
<b>Would any machinery be involved in the running of the business?</b>		<b>Delete as applicable</b>	
		<b>Yes</b>	<b>No</b>
<b>If yes, will the machinery cause any noise?</b>		<b>Delete as applicable</b>	
		<b>Yes</b>	<b>No</b>
<b>Please specify what machinery would be involved in the running of the business</b>			
<b>Will you be operating any vehicles from your home?</b>		<b>Delete as applicable</b>	
		<b>Yes</b>	<b>No</b>
<b>If yes, please specify how many and the type of vehicle(s) or wagon(s)</b>			

<b>Will you need to store any equipment or substances to run your business from home?</b>	<b>Delete as applicable</b>	
	<b>Yes</b>	<b>No</b>
<b>If yes, please specify in details what equipment / substances and quantities</b>		
<b>Are there any communal areas you will need to use to run your business?</b>	<b>Delete as applicable</b>	
	<b>Yes</b>	<b>No</b>

## Declaration

**I declare the information I have given is a true representation of the business I wish to run from my home. I agree to conduct my business, if granted permission, within the terms of my tenancy agreement and any conditions stipulated by Wakefield and District Housing in the granting of that permission.**

**I agree to notify Wakefield and District Housing if the information provided in my application should change.**

**I am aware that Wakefield and District Housing reserves the right to withdraw permission at any time.**

**Tenant's signature:**

**Print name:**

**Date signed:**

## For office use only

Target date set?		
Site visit needed?	Delete as applicable	
	Yes	No
Date and time of visit arranged with tenant:		
Is consultation with neighbours necessary?	Delete as applicable	
	Yes	No
If yes, identify which properties may be affected and consult with them, or write to them using standard letter BL5.		

## Inspection report

Is the nature / size of the business acceptable?	Delete as applicable	
	Yes	No
Is the property suitable for the business or does it reduce the amenities within the property?	Delete as applicable	
	Yes	No
Will the business adversely impact on the neighbourhood and the environment?	Delete as applicable	
	Yes	No
Will the nature of the business conflict with any of the conditions of the tenancy agreement?	Delete as applicable	
	Yes	No
Will the business be covered under Control of Substances Hazardous to Health or Provision and Use of Work Equipment Regulations?	Delete as applicable	
	Yes	No
Will the business cause unreasonable disruption or risk to communal areas?	Delete as applicable	
	Yes	No
Will the business present a risk or danger to the tenant or other members of the public?	Delete as applicable	
	Yes	No
Will the business present any risk or danger to the property or neighbouring properties?	Delete as applicable	
	Yes	No
Is the business likely to cause a nuisance or annoyance to neighbours?	Delete as applicable	
	Yes	No

