

Planning Team

Rochdale Borough Council

Number One Riverside

Smith Street

Rochdale

OL16 1XU

[Sent electronically]

4th March 2025

Dear Sir/Madam

Re: 176 Entwisle Road, Rochdale, OL16 2JY – Certificate of Lawfulness Application to confirm the lawful use of the property as a 5 bed House in Multiple Occupation (HMO) (Class C4)

This application is made on behalf of Liv Cooke Developments Ltd ('the Applicant') who wishes to confirm that the property at 176 Entwisle Road, Rochdale, OL16 2JY is lawfully operating as a 5-bed House in Multiple Occupation (HMO) under Use Class C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Use Class C4 of the Order permits the use of shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom. Class L of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development Rights) (England) Order 2015 permits the change of use from Use Class C3 (Dwellings) to Use Class C4 (small HMO). The Applicant made use of this Permitted Development Right in 2024, and the first HMO occupants moved into the property on 7th August 2024.

The Council do not have an Article 4 Direction in place restricting Class L Permitted Development Rights. Therefore, the use of the property as a small-scale HMO (up to 6 persons) is lawful.

To support this application, the following evidence is presented which demonstrates that the property is lawfully operating as a 5-bedroom HMO:

- Electrical Installation Certificate – dated 06.08.2024 including the installation of 5 showers at the property
- Emergency Lighting Completion Certificate – dated 23.08.2024
- Fire Detection and Alarm System Installation Certificate – dated 23.08.2024
- Building Insurance – dated 15.11.2024 which states that the property is in use as a HMO
- Signed lease between the Applicant and Elemel 2018 CIC to rent the property;
- Building Control Final Certificate – dated 31.05.2024 for conversion of the property to a 5 bed HMO.
- Screenshot of confirmation of HMO Licence – Register fit and proper persons application

The Applicant has applied for, and had approved, a HMO license from Rochdale Council. They are currently awaiting a physical copy to be provided to them, as such a physical copy is not submitted with this application. However, the Council as an organisation, will clearly be aware of the property operating as a HMO, which can be confirmed by internal collaboration.

The evidence clearly indicates that the property has been lawfully operating as a 5-bedroom HMO.

Owing to the lack of an Article 4 Direction blocking changes of use by Class L of the Town and Country Planning Act the change of use of the property to a small HMO was lawful. As such, we respectfully request that a certificate of lawfulness is granted without delay.

Yours sincerely



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