



**Town and Country Planning Act 1990: Section 192
Town and Country Planning (Development Management Procedure)
(England) Order 2015: Article 39**

**REFUSAL OF CERTIFICATE OF
LAWFULNESS OF PROPOSED USE OR
DEVELOPMENT**

Correspondence Address:	Application Number:
Mr Malcolm Percy Building Design and Planning Consultancy 47 Richard Gibson Road Henhull Nantwich Cheshire CW5 6XS	22/01260/CPL
Location	Description of Development
29B-29C First Floor Flat Milnrow Road Rochdale OL16 1UG	Certificate of lawfulness for proposed change of use of first floor from Class C4 (house in multiple occupation) to Class C3 (dwellinghouse)

This Authority has determined to **REFUSE** to issue a certificate of lawful use or development for the use described in the First Schedule in respect of the land specified in the Second Schedule and edged red on the plan attached to this decision.

The use is **NOT CONSIDERED TO BE LAWFUL** within the meaning of Section 192 of the Town and Country Planning Act 1990 for the following reason:

Reasons:

- 1 The proposal would fall within the parameters of Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015. However, the applicant has failed to provide accurate plans to which this certificate of lawfulness relates, by reason of an incorrect location plan. As such a certificate of lawfulness cannot be granted.

First Schedule

Certificate of lawfulness for proposed change of use of first floor from Class C4 (house in multiple occupation) to Class C3 (dwellinghouse)

Second Schedule

29B-29C First Floor Flat
Milnrow Road
Rochdale
OL16 1UG

Daniela Ripa
Interim Head of Planning Services

Date: 18 November 2022

Your attention is drawn to the attached notes:

If the applicant is aggrieved by the decision the applicant may appeal to the Secretary of State under section 195 of the 1990 Act (appeals against refusal or failure to give decision on application).