ROCHDALE BOROUGH COUNCIL

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:**
Ms Shazia Karim Castle Care Homes Ltd Flint Glass Works 64 Jersey Street Manchester M4 6JW	22/00747/CPL
Location	**Description of Development**
33 Greenvale Rochdale Rochdale OL11 5QJ	Application for a certificate of lawfulness for proposed use of dwellinghouse as children's home for up to 3 no. children

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 reasons:

Reasons:

1 The proposed use would result in the change of use of the building in the context of the Town and Country (Use Classes) Order (1987) (as amended) from Class C3(a) to Class C2. In considering the characteristics of the use, as set out within the available evidence and on the balance of probabilities, the proposed change of use would be material and comprises development within the meaning set out under S.55 of the Town and Country Planning Act 1990 and would subsequently require planning permission.

First Schedule
Application for a certificate of lawfulness for proposed use of dwellinghouse as children's home for up to 3 no. children

Second Schedule
33 Greenvale
Rochdale
Rochdale
OL11 5QJ

Daniela Ripa **Date:** 5 August 2022
Interim Head of Planning Services

Date: 5 August 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).