



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

CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

Correspondence Address:	Application Number:
Mr M Farooq Building Design Services 418 Bury Road Rochdale OL11 5EU	25/00394/CPL
Location	Description of Development
418 Bury Road Rochdale OL11 5EU	Certificate of lawfulness for proposed use of a dwellinghouse (C3A) as a care home (C2) for maximum of three children with four carers working on a rota basis

This Authority hereby certifies that on 10 April 2025, the use described in the First Schedule to this Certificate in respect of the land specified in the Second Schedule and edged in red on the plan attached to this certificate **would have been LAWFUL** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s):

Reasons:

1. The proposed use of the building for two children and two carers on a shift basis and a manager providing care would be a change of use from C3 to C2 however the change is not considered to be material, and therefore does not comprise development within the meaning set out within section 55 of the Town and Country Planning Act (1990) and would not require planning permission.

First Schedule

Certificate of lawfulness for proposed use of a dwellinghouse (C3A) as a care home (C2) for maximum of three children with four carers working on a rota basis

Second Schedule

418 Bury Road
Rochdale
OL11 5EU

Melanie Hale
Head of Planning Services

Date: 20 August 2025

For the avoidance of doubt, this decision relates to the following plans and documents:

- Location Plan
- Amended Planning Statement prepared by BDS dated July 2025
- Existing and Proposed Floor Plans, Elevations and Site Plans 2277/1, 2277/2, 2277/3, 2277/4

Notes

- 1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990**
- 2. It certifies that the use specified in the First Schedule to take place on the land described in the Second Schedule would have been lawful on the specified date and, therefore, would not have been liable to enforcement action under Part 7 on the 1990 Act on that date.**
- 3. This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.**
- 4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations are begun, in any of the matters relevant to determining such lawfulness.**