



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 Elliot Sparks Pennine Social Care Ltd Rhodes Bank Chambers 184-188 Union Street Oldham Greater Manchester OL1 1EN	24/00711/CPL
Location	Description of Development
13 Harry Street Rochdale OL11 3HS	Application for a certificate of lawfulness for the proposed change of use of dwelling from Class C3 to Class C2 children's residential home

This Authority hereby certifies that on 19 July 2024, 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 be LAWFUL** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s):

Reasons:

The proposed use of the building for one child and two carers on a shift basis 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.

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

Location Plan

Site Plan

Floor Plan received 18/10/24

First Schedule

Application for a certificate of lawfulness for the proposed change of use of dwelling from Class C3 to Class C2 children's residential home

Second Schedule

13 Harry Street

Rochdale

OL11 3HS

Melanie Hale
Head of Planning Services

Date: 29 October 2024

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 be lawful on the specified date and, therefore, would not be 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/operations* 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 those described or which relate 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.