

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 6 Stock Close Rochdale	23/00950/CPL
Location	Description of Development
77 Church Street Littleborough OL15 8AB	Application for a certificate of lawfulness for the change of use from office (Class E) into private hire operating centre (Class E) - Resubmission of 23/00483/CPL

This Authority hereby certifies that on 25 August 2023, 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:

- 1 The proposed office for a private hire operating centre would not change the existing use class of the site and therefore the proposal would not result in a material change of use of the site. The proposed use therefore would be retained within Use Class E of The Town and Country Planning (Use Classes) Order 2020 (as amended) and as such would not represent development as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended).

First Schedule

Application for a certificate of lawfulness for the change of use from office (Class E) into private hire operating centre (Class E) - Resubmission of 23/00483/CPL

Second Schedule

77 Church Street
Littleborough
OL15 8AB

Melanie Hale
Head of Planning Services

Date: 12 January 2024

For the avoidance of doubt, this decision notice relates to the following drawings and documents:-

Location Plan

Existing site plan, existing ground floor plan and existing/proposed first floor plan. Drawing no: A 1948/1. Received by email on 03/01/2024

Proposed site plan and proposed ground floor plan. Drawing no: A 1948/2. Received by email on 03/01/2024

Application Form

Planning Statement

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 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 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.**