



**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**

| <b>Correspondence Address:</b>                                                                               | <b>Application Number:</b>                                                            |
|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| Mr M Farooq<br>Building Design Services<br>Building Design Services<br>418 Bury Road<br>Rochdale<br>OL11 5EU | 24/00430/CPL                                                                          |
| <b>Location</b>                                                                                              | <b>Description of Development</b>                                                     |
| 43 Industry Road<br>Rochdale<br>OL12 0LY                                                                     | Certificate of lawfulness for proposed change of use from dwelling into 4 bedroom HMO |

This Authority hereby certifies that on 3 May 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:**

- 1 The change of use of the dwellinghouse to a 4-bedroom house of multiple occupation would accord with the requirements of Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015.

**First Schedule**

Certificate of lawfulness for proposed change of use from dwelling into 4 bedroom HMO

**Second Schedule**

43 Industry Road  
Rochdale  
OL12 0LY

Melanie Hale  
**Head of Planning Services**

**Date:** 26 July 2024

The applicant is reminded of the requirement for a House in Multiple Occupation to be licensed by the Councils Private Rented Service prior to the change of use taking place. This Certificate does not serve as a replacement for the need for licensing nor does it serve as justification as to why one

should be granted. The Council's Private Rented Service can be contacted at [landlordlicensing@rochdale.gov.uk](mailto:landlordlicensing@rochdale.gov.uk)

This application relates to the following plans:

Location Plan (received 07/05/2024)

2142/1 - Existing Floor Plans

2142/2 - Proposed Floor Plans

#### **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 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.**