

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:
Alder King Planning Consultants Pembroke House 15 Pembroke Road Bristol BS8 3BA	23/01361/CPL
Location	Description of Development
19 Fisherfield Rochdale Rochdale OL12 7QW	Certificate of lawfulness for proposed change of use from C3 (dwellinghouse) to C2 (Residential Institution) as a home for up to three looked-after young persons

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:

- 2 The evidence submitted in support of the application is deficient in that it is not sufficiently precise and unambiguous, giving rise to uncertainty in how the proposed use would function and thus any implications this may have for the character of the activities at the site. On this basis, it is not possible to determine whether the proposed change of use of the building between C3(a) and C2 would be material for the purposes of section 55(1) of the Town and Country Planning Act (1990) (as amended).

First Schedule

Certificate of lawfulness for proposed change of use from C3 (dwellinghouse) to C2 (Residential Institution) as a home for up to three looked-after young persons

Second Schedule

19 Fisherfield
Rochdale

Rochdale
OL12 7QW

Melanie Hale
Head of Planning Services

Date: 9 February 2024

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).