

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 Malcolm Percy Building Design and Planning Consultancy 5 Chorley Green Farm Barns Nantwich Road Chorley Green Nantwich CW5 8JR United Kingdom	22/01488/CPL
Location	Description of Development
29B-29C First Floor Flat Milnrow Road Rochdale OL16 1UG	Certificate of lawfulness for proposed change of use of first floor from Class C4 (house in multiple occupation) to Class C3 (dwellinghouse) (re-submission 22/01260/CPL)

This Authority hereby certifies that on 22 November 2022, 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:

Reason:

The proposal would fall within the parameters 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 of first floor from Class C4 (house in multiple occupation) to Class C3 (dwellinghouse) (re-submission 22/01260/CPL)

Second Schedule

29B-29C First Floor Flat
Milnrow Road
Rochdale
Rochdale
OL16 1UG

Daniel Ripa
Interim Head of Planning Services

Date: 23 January 2023

INFORMATIVE:

For the avoidance of doubt, this certificate relates to the following set of plans:

Location Plan - received by the Council 22/11/2022

Existing and Proposed Floor Plans dwg. no. 1193.01 received 22/11/22

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 have been/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.