

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:
Adrian Rose Rose Consulting 16 Rhodesia Avenue Halifax HX3 0PB	23/00172/CPL
Location	Description of Development
173 Wood Street Middleton Rochdale M24 4FJ	Certificate of lawfulness for proposed use of dwelling-house C3a dwelling as a children's home for a maximum of two children, with two carers, with one sleeping overnight, working on a rota basis (C2)

This Authority hereby certifies that on 16 February 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:

The proposed use of the building for 2 children, two carers, with one sleeping overnight living together and receiving care would be a change of use from C3 to C2 however the change is not considered to be material, 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.

First Schedule

Certificate of lawfulness for proposed use of dwelling-house C3a dwelling as a children's home for a maximum of two children, with two carers, with one sleeping overnight, working on a rota basis (C2)

Second Schedule

173 Wood Street
Middleton
Rochdale
M24 4FJ

Daniel Ripa
Interim Head of Planning Services

Date: 26 April 2023

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.