

APPLICATION NUMBER: 25/00645/CPL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

25/00645/CPL

CASE OFFICER

Aimee Bovaird

DETERMINATION DATE 27.08.2025 EXT OF TIME

Address: 17 Prince Street Rochdale OL16 5LL

Proposal: Application for a certificate of lawfulness for a proposed conversion of the existing dwelling to House of Multiple Occupation (HMO) for up to 5 people

PUBLICITY	Weekly list expired?	N/A	Site notice expired?	N/A
	Neighbour letters expired?	N/A	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N/A	Contrary to national policy?	N/A
	Applicant a Council Member or officer?	N/A	Contrary to previous decision?	N/A
	Major with 10 or more objections and recommending approval?	N/A	Called in or Planning Panel objection?	N/A

COMMENTS	Planning Panel comments received?	N/A
	Neighbour comments received?	N/A

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	N/A
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION

GRANT LAWFUL DEVELOPMENT CERTIFICATE

SITE

The application relates to 17 Prince Street, two storey terraced dwellings. The dwelling fronts Prince Street and does not benefit from off street parking. The dwelling does not have a front or rear amenity space.

The site is within the Defined Urban Area and in a predominately residential area.

PROPOSAL

The application is for a certificate of lawful development for conversion of the existing dwelling to House of Multiple Occupation (HMO) for up to 5 people.

RELEVANT PLANNING POLICY

The Town and Country Planning Act (1990)

S.55 - Meaning of “development” and “new development”

S.192 - Certificate of lawfulness of proposed use or development

The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (“the UCO Amendment Regulations”)

RELEVANT SITE HISTORY

24/00900/CPL - Certificate of lawfulness for a proposed rear dormer extension – Grant

CONSULTATION RESPONSES

N/A

REPRESENTATIONS

In accordance with the Council’s Code of Publicity for Planning Applications, no publicity was undertaken for this application.

ANALYSIS

S.55(1&1A) of the Town and Country Planning Act 1990 (*the Act*) sets out the meaning of development as:

“Development,” means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

For the purposes of this Act “ building operations ” includes—

- a) demolition of buildings;*
- b) rebuilding;*
- c) structural alterations of or additions to buildings; and*

- d) *other operations normally undertaken by a person carrying on business as a builder.*

S.55(2) goes on to set out a number of operations or uses of land which are not taken for the purposes of the Act to involve development. This includes:

the carrying out for the maintenance, improvement or other alteration of any building of works which—

- (i) *affect only the interior of the building, or,*
- (ii) *do not materially affect the external appearance of the building,*
- (iii) *The proposed changes to the internal layout are not considered development.*
- (iv)
- (v) *The Town and Country Planning (Use Classes) Order 1987 schedule Part C Class C3 sets out the use of a dwellinghouse:*
- (vi)
- (vii) *Class C3. Dwellinghouses*
- (viii) *Use as a dwellinghouse (whether or not as a sole or main residence) —*
- (ix) *(a) by a single person or by people living together as a family, or*
- (x) *(b) by not more than 6 residents living together as a single household (including a household where care is provided for residents).*
- (xi) *Class C4. Houses in multiple Occupation*
- (xii)
- (xiii) *Use of a dwellinghouse by not more than six residents as a HMO*

The proposal would convert one dwelling house into 5 bedroom HMO with a communal kitchen, living and bathroom, and this would fall under the parameters of Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015. It is not considered the proposal would result in a material change and no external works are proposed.

Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015

L. Development consisting of a change of use of a building—

(a) from a use falling within Class C4 (houses in multiple occupation) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule;

(b) from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule.

This proposal is a permitted change of use as long as the works are carried out in accordance with the description of development and plans.

RECOMMENDATION

GRANT UNCONDITIONALLY

Reason

The proposal falls within the parameters of Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Notes for Applicant:

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

- Location Plan
- Proposed Floor Plans A 2190/2
- Proposed Elevations A 2190/3

Report Author Aimee Bovaird