

APPLICATION NUMBER: 25/00800/CPL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.
25/00800/CPL

CASE OFFICER
Aimee Bovaird

DETERMINATION DATE 26.09.2025 **EXT OF TIME**

Address: 20 Harry Street Rochdale OL11 3HS

Proposal: Application for a certificate of lawfulness for the proposed change of use dwelling house (C3) into a 5 bed HMO (C4) (5 occupants)

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
-----	--	-----

CONDITIONS	Pre-commencement conditions proposed?	N/A
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	GRANT UNCONDITIONALLY
----------------	-----------------------

SITE

This site is located 20 Harry Street, a two-storey extended semi-detached residential dwelling. The dwelling is finished in red brick, the surrounding residential dwellings have similar characteristics. The dwelling benefits from off street parking for between 2 and 3 cars, and a rear amenity space. It is located on the corner of Ivor Street and Harry Street.

The site is located within the Defined Urban Area.

PROPOSAL

The application is for a certificate of lawfulness for change of use from a dwelling (C3) into a 5 bedroom HMO (C4).

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

25/00499/FUL - Proposed Change Of Use From A Dwelling House (C3) Into A 5 Bed HMO (C4) (5 occupants) – Withdrawn

16/00784/HOUS - Two storey side and rear extension and erection of detached garage within rear garden – Approved

CONSULTATION RESPONSES

Not applicable

REPRESENTATIONS

In accordance with the Council's Code of Publicity for Planning Applications, no publicity was undertaken for this application. No comments have been received by the council.

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,*

The proposed changes to the internal layout are not considered development.

The Town and Country Planning (Use Classes) Order 1987 schedule Part C Class C3 sets out the use of a dwellinghouse:

Class C3. Dwellinghouses

Use as a dwellinghouse (whether or not as a sole or main residence) —

- (a) by a single person or by people living together as a family, or*
- (b) by not more than 6 residents living together as a single household (including a household where care is provided for residents).*

Class C4. Houses in multiple Occupation

Use of a dwellinghouse by not more than six residents as a HMO

The proposal would convert the dwelling house (C3) into a 5-bedroom HMO. 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.

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 under permitted development 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 and Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore comprises permitted development for which Planning Permission is not required.

Notes for Applicant:

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

- Location Plan A204
- Proposed Plans A200
- Proposed Elevations A201
- Proposed 3D Views A202
- Fire Strategy Plan A203

Report Author Aimee Bovaird