

Town and Country Planning Act 1990 (as amended) (Section 192)
Town and Country Planning (Development Management Procedure) (England)
Order 2015 (as amended)

Refusal of Certificate of Lawful Use or Development

Applicant

Mr Kyle Warner
Devon Developments N/W Ltd (12885573)
349 Bury Old Road
Bury
Manchester
M8 5SG

Agent

Mr Joe Jennings
ExtensionsNW Ltd
3 Cribden Street
Rawtenstall
Rossendale
BB4 8HZ

Date of Application

7 February 2025

Application No.

142024/LP/2025

First Schedule

Change of use from domestic dwelling (Use Class C3) to children's home (Use Class C3b)

Second Schedule

3 Courtfield Avenue
Manchester
M9 6RT

Manchester City Council are not satisfied that on 7 February 2025 the use/operations described in the First Schedule in respect of the land specified in the Second Schedule and more particularly identified on the plan attached to this certificate edged in red, was lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1) The applicants' supporting information has failed to demonstrate, on the balance of probabilities, that the use of the site as a home for the care for two children would satisfy Class C3(b) and would not be a material change of use. The proposal involves providing residential accommodation and care for two children, a use that would fall in Class C2 and not Class C3(b).

Date: 4 April 2025

Signed:



Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes to applicant

1. If you are aggrieved by the decision of the local planning authority to refuse to grant a certificate of lawfulness, then you may appeal to the Secretary of State under section 195 of the Town and Country Planning Act 1990 (as amended).

2. There is no deadline for submitting your appeal. The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the Gov.uk website – www.gov.uk/planning-inspectorate.

The Inspectorate will publish details of your appeal on the internet. This may include a copy of the original application form and any supporting documents supplied to the local planning authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

