

Planning Department
Manchester City Council
PO Box 532
Manchester
M60 2LA

Our Ref: JCS/24-03367
Date: 02 May 2025

Dear Planning Department,

Re: Application for Lawful Development Certificate (Proposed Use) under Section 192 of the Town and Country Planning Act 1990 at Compass Point, Pocklington Drive, Wythenshawe, Manchester, M23 1ED.

Rapleys LLP has been instructed by Clear Building Management to submit an application for a Lawful Development Certificate (Proposed Use) ('LDC') to confirm that the re-cladding of the Compass Point residential building would not constitute 'development'.

This application has been submitted via the Planning Portal (Ref. PP-13981367) and is accompanied by the following supporting information:

- Completed Application Form;
- Application Covering Letter (this letter) dated 2nd May 2025;
- Location Plan drawing no. 05 01 rev P01;
- Site Plan drawing no. 05 02 rev P02;
- Elevation 1 – Existing West Elevation drawing no. 01 01;
- Elevation 2 – Existing East Elevation drawing no. 01 02;
- Elevation 3 – Existing North Elevation drawing no. 01 03;
- Elevation 4 – Existing South Elevation drawing no. 01 04;
- Elevation 5 – Existing Partial North Elevation drawing no. 01 05;
- Elevation 6 – Existing Partial South Elevation drawing no. 01 06;
- Elevation 1 – Proposed West Elevation drawing no. 01 51;
- Elevation 2 – Proposed East Elevation drawing no. 01 52;
- Elevation 3 – Proposed North Elevation drawing no. 01 53;
- Elevation 4 – Proposed South Elevation drawing no. 01 54;
- Elevation 5 – Proposed Partial North Elevation drawing no. 01 55;
- Elevation 6 – Proposed Partial South Elevation drawing no. 01 56;

We respectfully ask that the contents of this letter are taken into consideration.

The Site

The site comprises a multi-unit residential apartment building located along Pocklington Drive, off Altrincham Road (A560). The building layout is in a 'C' shape and the height ranges from 3 stories at its lowest to 6 stories at its tallest. The site also features secure car parking in the southeastern corner of the site.

The site is bound by Altrincham Road to the north, a Petrol Filling Station to the east, Pocklington Drive to the south, and Pocklington Drive and Southmoor Road to the west.

Rapleys - York House York Street Manchester M2 3BB

T: 0370 777 6292 E: info@rapleys.com www.rapleys.com @rapleys [linkedin/twitter](#)

Residential properties are located further to the north, east and south. A retail park and Dixons Brooklands Academy are located to the east, Wythenshawe Hall and Park is located to the northeast, and Southmoor Industrial Estate is located to the southwest.

There are no constraints relating to the site, and the site is not allocated within Manchester City Council's Core Strategy (2012).

The Proposal

This application seeks a Lawful Development Certificate to confirm that the proposed development of the re-cladding of the Compass Point residential building would not constitute 'development'.

The replacement cladding is required to improve the fire safety of the building, as well as to improve the visual appearance of the building.

No additional cladding is proposed. The replacement cladding will match the colour of the existing cladding.

Planning Legislation

Lawful Development Certificate

The legislation and principal guidance applicable to the assessment of the proposal is:

- The Town and Country Planning Act 1990 (as amended) – Section 192; and
- The Town and Country Planning Act 1990 (as amended) – Section 55.

Section 192(1) of the Town and Country Planning Act 1990 (as amended) states that if any person wishes to ascertain whether any operations proposed to be carried out in, on, over or under land is lawful, they may make an application for a Certificate of Lawfulness for the purpose to the Local Planning Authority specifying the land and describing the use, operations or other matter.

Section 55(1) of the Town and Country Planning Act 1990 (as amended) states that *"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"*.

Section 55(2) states that: *"The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land –*

- a) 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.*

As such, this application for a Lawful Development Certificate seeks to confirm that the proposed re-cladding does not constitute 'development' as defined by Section 55 of the Town and Country Planning Act.

Justification

As outlined above, Section 55 of the Town and Country Planning Act 1990 (as amended) outlines that alteration of any building which does not materially affect the external appearance of the building does not constitute 'development'.

The existing cladding will be replaced by a Direct Fix K Render System. The colour of the proposed cladding would match the colour of the existing cladding.

As such, the proposed replacement cladding would not materially affect the external appearance of the building, and would therefore not constitute 'development' in line with Section 55 of the Town and Country Planning Act 1990 (as amended).

Subsequently, the proposed re-cladding should be considered lawful and a Lawful Development Certificate should be granted, in accordance with Section 192 of the Town and Country Planning Act 1990 (as amended).

Conclusion

On the basis of the information set out above, it is considered that the proposed re-cladding does not constitute 'development'.

Therefore, we respectfully request that a Lawful Development Certificate is granted, confirming that the proposed re-cladding is lawful, in accordance with Sections 55 and 192 of the Act.

We trust that the information submitted is sufficient to ensure that the application can be registered and validated and look forward to receiving confirmation in due course. If you require any additional information, please do not hesitate to contact me.

Yours faithfully,

Rapleys LLP

Rapleys LLP (May 2, 2025 15:38 GMT+1)

Rapleys LLP