

Certificate of lawful development

Casa De Moor, 133 Beech Road, Chorlton M21 9EQ



1 Introduction

- 1.1 This statement accompanies an application for a 'Lawful Development Certificate' for the existing timber structures over the external dining areas.

2 The 4 - Year Rule

- 2.1 The application is being made under the the 4 - Year Rule.
- 2.2 The development falls within the criteria below
'The carrying out of building, engineering, mining or other operations' in, on, over or under land. The four-year time period starts from the date on which operations are 'substantially completed'.
- 2.3 The development has been 'substantially completed' since 2nd January 2021

3 Supporting Evidence

- 3.1 The existing timber structures were erected in 2020 during the COVID pandemic over the outside seating area to help with the economic recovery of the business. The covered seating area has proved to be a great success for both the business and its customers.



Photo 1 - Google Street View - November 2020 showing left hand side structure complete

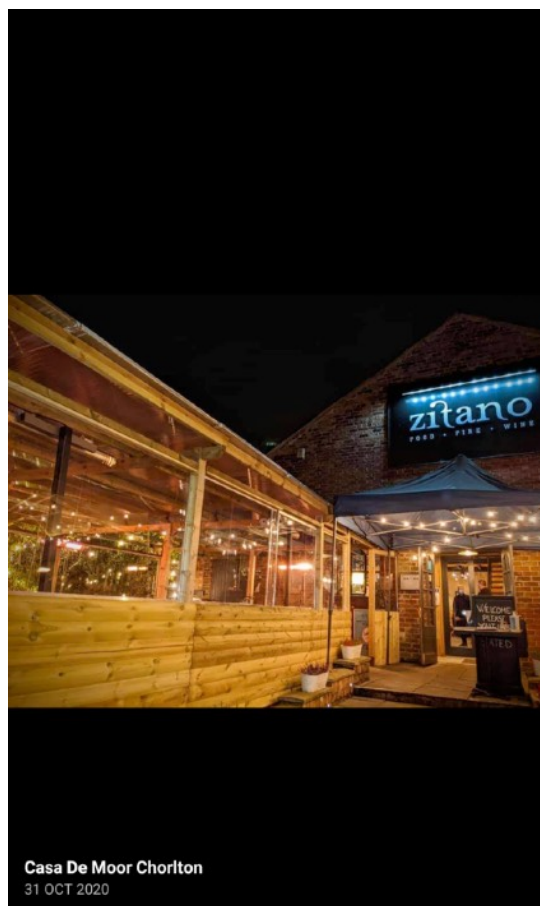


Photo 2 - Photo from Facebook (October 2020) showing the left hand side structure in use



Photo 3 - Image taken from video showing right hand side structure complete taken 02/01/2021 - (full video can be sent if required)



Photo 4 - Date stamp from phone used to record video showing right hand side structure complete

4 Summary

- 4.1 The burden of proof is on the applicant and the Courts have held that the relevant test of the evidence on such matters is "*the balance of probability*". Therefore if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application.
- 4.2 The evidence provided confirms that the existing structures have been substantially complete and in use for over 4 years. A Lawful Development Certificate should therefore be issued for the existing structures.