

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 Mohammed Solaiman
7 Bankfield Avenue
Manchester
M13 0YQ

Agent

Mr John Albutt
PZvi Architects & Designers Ltd.
62 Clifford Road
Stockport
SK12 1JA

Date of Application

15 January 2025

Application No.

141904/LP/2025

First Schedule

Enlargement of dwellinghouse comprising of the erection of a single storey rear and side extension and rear dormer

Second Schedule

7 Bankfield Avenue
Manchester
M13 0YQ

Manchester City Council are not satisfied that on 15 January 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) 1) The proposed single-storey rear and side extension, as shown on the submitted drawings NN878-PL-202, NN878-PL-203, NN878-PL-204, NN878-PL-205, NN878-PL-206, and NN878-PL-207, does not constitute permitted development. It fails to meet the requirements of Part 1, Schedule 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the following reasons:

1. The development would have a rearward projection greater than 3 metres (A.1(f)).
2. The development would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves would exceed 3 metres (A.1(i)).
3. The development would extend beyond a wall forming a side elevation of the original dwellinghouse and have a width greater than half the width of the original dwellinghouse (A.1(j)(iii)).
4. No materials have been specified to ensure compliance with A.3(a).

2) 2) The proposed rear dormer, as shown on drawings titled NN878-PL-202, NN878-PL-204, NN878-PL-205, NN878-PL-206, and NN878-PL-207, does not constitute

permitted development. It fails to meet the requirements of Part 1, Schedule 2, Class A.1(f)(i), A.1(i), and Class B.2(a) and B.2(c) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the following reasons:

1. No materials have been specified to ensure compliance with B.2(a).
2. The windows in the side of the dormer would not be obscurely glazed (B.2(c)).
3. A section of the new wall (below the eaves of the main dwelling) would extend outwards directly from the rear-facing wall of the main part of the dwelling, and:
 - a) The development would have a rearward projection greater than 3 metres (A.1(f)).
 - b) The development would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres (A.1(i)).

Date: 7 March 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.

