MANCHESTER CITY COUNCIL

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

Applicant
Ms R Whelan
23 Darras Road
Manchester
M18 7PB

Agent
Mr Tom Adshead
AG Architectural Solutions Ltd
19 Hillbrook Road
Offerton
Stockport
SK1 4JW

Date of Application
21 May 2024

Application No.
140081/LP/2024

First Schedule

Part A Erection of single storey rear extension and Part B - creation of ramp to front entrance

Second Schedule

23 Darras Road
Manchester
M18 7PB

Grant of Certificate of Lawful Use or Development

Manchester City Council hereby certify that on 21 May 2024 the use/operations specified below and 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):

Single Storey Rear Extension
The proposed single storey rear extension as shown on drawings SRD.OM.E04.P4, SRD.OM.E04.P5 and SRD.OM.E04.P6A constitutes permitted development in accordance with Part 1, Schedule 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Refusal of Certificate of Lawful Use or Development

Manchester City Council are not satisfied that on 21 May 2024 the use/operations specified below and 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):

Ramp

The ramp is of a scale that cannot be considered de minimis and would thus be of a scale that must be classed as a building operation by virtue of sec.55.1A(d) of the Town and Country Planning Act 1990, in that it would be an operation normally undertaken by a person carrying on business as a builder.

There are no provisions under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) that would permit its construction without planning permission.

Date: 9 August 2024

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

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

Notes

1. This certificate is issued solely for the purposes of section 192 of the Town and Country Planning Act 1990 (as amended).

2. This certificate is issued solely to the extent of the use/operations described under the heading Grant of Certificate of Lawful Use or Development and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

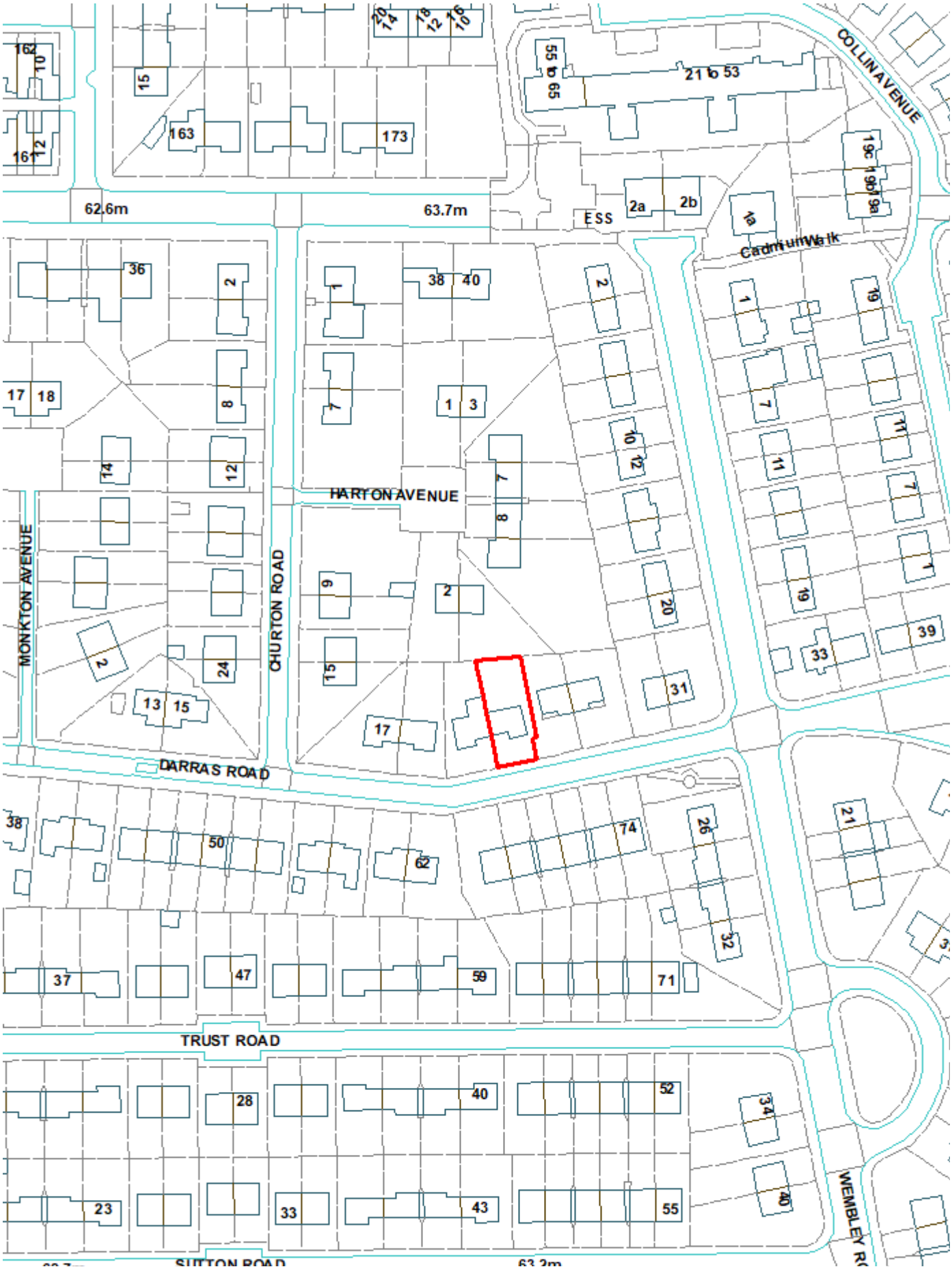
3. The effect of the Certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

4. If you are aggrieved by the decision of the local planning authority to refuse to grant a certificate of lawfulness for the use/operations described under the heading Refusal of Certificate of Lawful Use or Development, then you may appeal to the Secretary of State under section 195 of the Town and Country Planning Act 1990 (as amended).

5. 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.



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