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
Jo & Rob Power-O Keefe
3 Arliss Avenue
Manchester
M19 2PD

Agent
Chris Mulholland
Mulholland Architecture Ltd
Flat 1
37 Upper Chorlton Road
Manchester
M16 7RW

Date of Application
22 February 2024

Application No.
139344/LP/2024

First Schedule

PART A: Erection of timber canopy/pergola to rear patio.

PART B: Elevational alterations including the removal of two ground floor windows and installation of double "French Style" doors and side panels to rear; replacement of the rear porch with oriel bay window and brick riser; alteration to window opening on side elevation of the rear outrigger to form a door and the removal of window to rear elevation of outrigger and replacement with brickwork to match.

PART C: Installation of 1 no. additional rooflight to rear single storey outrigger, and 4 no. additional rooflights to the main house (1 no. to front roof slope and 3 no. to rear roof slope).

Second Schedule

3 Arliss Avenue
Manchester
M19 2PD

Grant of Certificate of Lawful Use or Development

Manchester City Council hereby certify that on 22 February 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):

Grant Part B
On the basis that the proposed elevational alterations as detailed on the submitted drawings, Pr-043-001, Pr-043-100, Pr-043-101, Pr-043-200 and Pr-043-201, constitutes permitted development and is in accordance with Part 1, Schedule 2, Class A of the Town and Country (General Permitted Development) (England) Order 2015 (as amended).

Grant Part C
On the basis that the 5 no. additional rooflights as detailed on the submitted drawings, Pr-043-001, Pr-043-100, Pr-043-101, Pr-043-200 and Pr-043-201, constitutes permitted development and is in accordance with Part 1, Schedule 2, Class C of the Town and Country (General Permitted Development) (England) Order 2015 (as amended).

Refusal of Certificate of Lawful Use or Development

Manchester City Council are not satisfied that on 22 February 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):

Refuse Part A
On the basis that the proposed timber canopy/pergola to rear patio as shown on the submitted drawings, Pr-043-001, Pr-043-100, Pr-043-101, Pr-043-200 and Pr-043-201 does not constitute permitted development in accordance with Part 1, Schedule 2, Class A.1(j)(iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), in that the proposed enlarged part of the dwellinghouse 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.

The materials proposed for the canopy/pergola would also fail to accord with Condition A.3(a) of Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Date: 23 April 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.

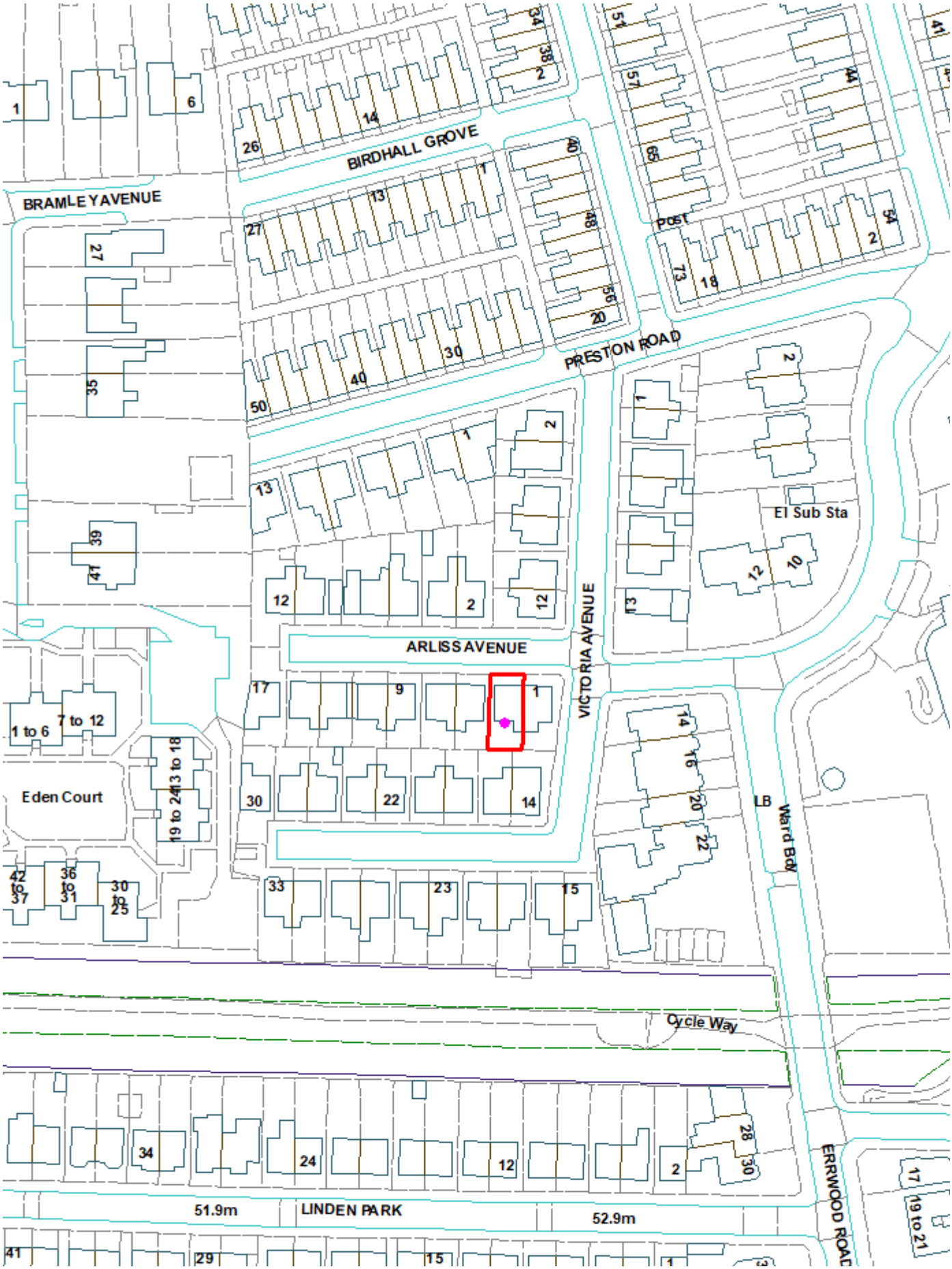
4. If you are aggrieved by the decision of the local planning authority to refuse to grant a certificate of lawfulness for the use/operations described under the heading Refusal of Certificate of Lawful Use or Development, then you may appeal to the Secretary of State under section 195 of the Town and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

MANCHESTER CITY COUNCIL



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