

**Planning**

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planning@manchester.gov.uk
PO Box 532 Town Hall
Manchester M60 2LA

Application for a Lawful Development Certificate for an Existing Use or Operation or Activity,
including those in breach of a planning condition

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

16

Suffix

Property Name

Address Line 1

Western Circle

Address Line 2

Address Line 3

Manchester

Town/city

Manchester

Postcode

M19 1HH

Description of site location must be completed if postcode is not known:

Easting (x)

386923

Northing (y)

392637

Description

Applicant Details

Name/Company

Title

Mr

First name

Kleanthis

Surname

Kasaras

Company Name

N/A

Address

Address line 1

16 Western Circle

Address line 2

Address line 3

Town/City

Manchester

County

Manchester

Country

Postcode

M19 1HH

Are you an agent acting on behalf of the applicant?

- ☒ Yes
- ☐ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Reason for Lawful Development Certificate

Please indicate why you are applying for a lawful development certificate

- ☐ An existing use
- ☒ Existing building works
- ☐ An existing use, building work or activity in breach of a condition

Being a use, building works or activity which is still going on at the date of this application.

Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

The existing residential property at 16 Westen Circle was and is a three-bedroom semi-detached dwelling. Following discussions between ourselves, the client and Manchester City Council Planning Department on the 7th of June 2023, the client constructed a single-storey rear elevation extension with matching materials to that of the existing property, to house a new kitchen and downstairs office, along with creating a new living space downstairs within the property. The extension has been constructed within the limits of the permitted development rights, as laid out within the Technical Guidance dated September 2019 and has been through the council Building Control inspections and approvals.

Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

- ☐ The use began more than 10 years before the date of this application
- ☐ The use, building works or activity in breach of condition began more than 10 years before the date of this application
- ☐ The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
- ☐ The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- ☒ The use as a single dwelling house began more than four years before the date of this application
- ☐ Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

- ☐ Yes
- ☒ No

We have reviewed the conservation areas and from the plans on your webpages, the property in question is outside the Councils' stated Conservation Areas, so shouldn't be subject to the associated additional requirements.

From our review of the Permitted Development Rights for Householders Technical Guidance dated September 2019, we have concluded that the following aspects are met and in no way breached: -

Class A – Enlargement, Improvement or Alteration

Sub Clause (a) – Not relevant as the property is already a fully habitable dwellinghouse.

Sub Clause (b) – The existing Boundary area of the Property is 213m² and the footprint of the existing house is 52m². Thus, the allowable increase to the property in terms of plan area is 50% of (213m² – 52m²) = 80m². With the 3m rear extension, the increased area is (5.8m x 3m) = 17.4m². Thus, the constructed extensions are within this clause's limitations.

Sub Clause (c) – The height of the rear extension is a single storey and below the existing property roof ridgeline and thus complies with this clause.

Sub Clause (d) – The eaves of the constructed single storey rear extension are no higher than the existing dwellinghouse, and thus comply with this clause.

Sub Clause (e) – The constructed single-story rear extension doesn't affect the front elevation and thus complies with this clause.

Sub Clause (f) and (g) – The constructed single-storey rear extension is 3m from the existing rear property wall. As the property is not on article 2(3) land, these dimensions comply with the clause.

Sub Clause (h) – The constructed single rear extension is limited to 3m and is more than 7m from the rear curtilage and thus complies with this Clause.

Sub Clause (i) and (j) – The constructed single storey rear extension is within 2m of the curtilage of the property in terms of the adjacent side property fencing. However, for the single storey extension, this complies with the dimensional constraints of these sub-clauses.

Sub Clause (k) – The constructed rear extension doesn't have create such features as listed by this clause and complies.

Class A.2 – Not relevant as the existing property is not on article 2(3) land or a site of special scientific interest.

Class A.3 (a) – The materials used for the constructed rear extension match the existing property construction.

Class A.3 (b) – There are no side windows present in the constructed rear extension to comply with this clause.

Class A.3 (c) – The constructed rear single-storey extension has a flat roof and complies with this clause. This was changed by the client during construction from the originally proposed pitched roof arrangement and is seen as not having a detrimental effect on this application, as the flat roof arrangement is considered less intrusive.

Class B, C, D, E, F, G and H are not considered relevant to the constructed rear extension.

Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

30-08-2023

In the case of an existing use or activity in breach of conditions has there been any interruption?

☐ Yes

☒ No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought?

☐ Yes

☒ No

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?

☐ Yes

☒ No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☐ Yes

☒ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

☐ The agent

☒ The applicant

☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☒ Yes

☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

RE: 16 Western Circle, Manchester M19 1HH

Date (must be pre-application submission)

06/06/2023

Details of the pre-application advice received

Nicholson AssociatesUK nicholson.assocuk@gmail.com

21 Jun 2023, 14:22

to Katie, kleanthiskasaras@gmail.com

Good Afternoon Katie,

Further to our recent conversations, please find attached a copy of the existing and proposed floor plans, elevations and site plan for the proposed single-storey rear extension at 16 Western Circle, Burnage, Manchester M19 1HH.

As per our recent discussions, we believe that the proposal shown on the attached drawings would comply with the permitted development guidelines set out within the Permitted development rights for householders - Technical Guidance dated September 2019 and supplemented by the Manchester City Council guidance.

We would be grateful if you could review the plans and provide confirmation that they comply with the permitted development guidance, please.

Regards,

Andrew.

Andrew Nicholson BEng(Hons) CEng FICE PGCert

Co-Founder & Director

Nicholson Associates

nicholson.assocuk@gmail.com

(07776207303)

Katie Raw Katie.Raw@manchester.gov.uk

22 Jun 2023, 17:28

to me, kleanthiskasaras@gmail.com

Good afternoon,

Having considered the plans in relation to the GPDO, it would appear as though the plans could be considered Permitted Development. If your client wants formal and legal confirmation of this, I suggest an application for a Certificate of Proposed Lawful Development is submitted.

Thank you,

This advice is given in good faith and on the basis of the information available. The advice is not binding on the City Council and may be subject to change should further information become available, or the proposal becomes the subject of the statutory planning process.

Katie Raw (she/her)

Assistant Planning Officer

Area Team

Planning Building Control and Licensing - Growth and Development Directorate.

Manchester City Council

Tel: 0161 234 4164/ 07970 684150

Email: katie.raw@manchester.gov.uk

www.manchester.gov.uk

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
- ☐ Lessee
- ☐ Occupier
- ☐ Other

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
- ☒ No

Declaration

I/We hereby apply for Lawful development: Existing use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Andrew Nicholson

Date

17/05/2024