

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

Grant of Certificate of Lawful Use or Development

Applicant

136 Holdings LLP
81 Ashley Lane
Manchester
M9 4NU

Agent

Mr Harry Johnson
Mialex
Work.Life
Core
Brown Street
Manchester
M2 1DH

Date of Application

18 January 2024

Application No.

139036/LP/2024

First Schedule

Use of property as a dwellinghouse (Use Class C3b), including enlarging the roof space with a hip to gable roof alteration and installation of a rear dormer.

Second Schedule

81 Ashley Lane
Manchester
M9 4NU

Manchester City Council hereby certify that on 18 January 2024 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) Grant on the basis that section 55(2)(f) of the Town and Country Planning Act 1990 explains that the use of a building for any purpose within the same class shall not be taken, for the purpose of the Act, as amounting to 'development'.

The existing use of the property falls within Class C3(a) of the Town and Country Planning (Use Classes) Order 1987 (as amended), and the proposed use as detailed on the submitted application form, documents and drawings constitutes a Class C3(b), a use for occupation by up to six people living together as a single household and receiving care; accordingly the proposed use falls within the same class and is therefore excluded from the definition of development and no planning permission would be required.

2) Grant on the basis that the hip to gable roof alterations and rear dormer as shown on drawing 0022_B1-05_2200_PDR constitutes permitted development in accordance with Part 1, Schedule 2, Class B of the Town and Country Planning (General Permitted

Development) (England) Order 2015 (as amended), subject to compliance with condition B.2(a) of that Part.

Date: 29 February 2024

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. 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 in the First Schedule 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.

