

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

Applicant

Ms C Byrne
11 Wilbraham Road
Manchester
M14 6JS

Agent

Mr Simon Miles
S R Miles Ltd
28 Parrswood Avenue
Manchester
M20 5ND

Date of Application

20 March 2023

Application No.

136516/LP/2023

First Schedule

Part A - Single storey rear extension and Part B - Hip to gable conversion and addition of dormer to rear roof slope

Second Schedule

34 Mauldeth Road West
Manchester
M20 3EG

Grant of Certificate of Lawful Use of Development

Manchester City Council hereby certify that on 20 March 2023 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):

Part B - Hip to gable and rear dormer

Grant Part B on the basis that the hip to gable roof alterations and rear dormer as shown on drawings 21 259 CLD200 and Location Plan received by the City Council as Local Planning Authority, on 20 March 2023, 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).

Refusal of Certificate of Lawful Use or Development

Manchester City Council are not satisfied that on 20 March 2023 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):

Part A -Single storey rear extension

Refuse Part A on the basis that the single storey rear extension as shown on drawings 21 259 CLD200 and Location Plan received by the City Council as Local Planning Authority, on 20 March 2023, does not constitute permitted development, as it fails to accord with Part 1, Schedule 2, Class A.1(j)(iii) of the Town and Country (General Permitted Development) Order 2015 (as amended), as the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, specifically the side elevations of the two-storey rear bay window and would have a width greater than half the width of the original dwellinghouse.

Date: 18 May 2023

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.

