

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

Refusal of Certificate of Lawful Use or Development

Applicant

Mr A Mahmood
38 Bankfield Avenue
Manchester
M13 0ZP

Agent

Younus Khan
6 Longton Street
Blackburn
BB1 1UF

Date of Application

17 May 2022

Application No.

133728/LP/2022

First Schedule

Enlargement of the dwellinghouse by the addition of dormer extension atop of the rear outrigger

Second Schedule

38 Bankfield Avenue
Manchester
M13 0ZP

Manchester City Council are not satisfied that on 17 May 2022 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) Whilst it may satisfy the requirements of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), it would not satisfy Class A, in that the proposed extension is to be attached to the rear wall of the house and has more than a single-storey that extends beyond the rear wall by more than 3m; it would also lie within 7 metres of the boundary opposite the rear wall and the eaves height of the enlarged part would exceed 3 metres and be within 2 metres of the boundary of the curtilage of the property. The proposal would therefore fail the limitations of sub-paragraph (h) and (i) of Class A and on that basis that the proposed extension shown on drawings numbered 3582 01 rev A and 3582 02 rev A, is not considered to be lawful.

Date: 4 August 2022

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. If you are aggrieved by the decision of the local planning authority to refuse to grant a certificate of lawfulness, then you may appeal to the Secretary of State under section 195 of the Town and Country Planning Act 1990 (as amended).

2. 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.

