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)

Application reference:

PLA-2026-000034

Applicant:

Ms L Bradley & Mr D Yankson

Date of application:

08 May 2026

First Schedule

Internal structural work, changes to window and door openings, new raised patio and associated fence.

Second Schedule

6 Limley Grove Manchester M21 8UB

Grant of Certificate of Lawful Use or Development

Manchester City Council hereby certify that on 08 May 2026 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):

1) First Floor Side Window Glazing

   Maintenance, improvement or other alteration works that do not materially affect the external appearance of a building are not development under Section 55(2)(a)(ii) of the Town and Country Planning Act 1990. The first-floor side window is shown on drawings 201 and 230 as new glazing of the same size and opening style as the existing window. On that basis, this element of the proposal would not constitute development and would not require planning permission.

2) Internal Works

   Alterations that affect "only the interior of the building" are not development as set out in Section 55(2)(a) of the Town and Country Planning Act 1990; as the changes to the internal walls and removal of the chimney stack relates to the interior, this element of the proposal would not constitute development and would not require planning permission.

Refusal of Certificate of Lawful Use or Development

Manchester City Council are not satisfied that on 08 May 2026 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):

1) New Window and Door Openings

The proposed first floor rear windows including the vertical timber solar shading, the ground floor rear and side windows, the ground floor and basement doors as shown on drawings 199, 200, 201, 230 Rev C, 231 Rev A and 232 does not constitute permitted development. It fails to meet the conditions of Class A within Part 1 of Schedule 2; specifically, condition A.3(a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposed windows and doors are larger, differ in shape and style when compared to the existing openings.

2) Raised Platform

The proposed raised patio area as shown on drawings 199, 200,230 Rev C, 231 Rev A and 232 does not constitute permitted development. It fails to meet the requirements of sub-paragraph A.1(k)(i) of Part 1, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal would include a raised platform with a height greater than 0.3 metres.

3) Excavation Works

Section 55 of the Town and Country Planning Act 1990 (as amended) defines development as "*the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.*" Whilst there is a lack of a description of what constitutes an "engineering operation" in Section 55 of the Act, in practice it applies to activities altering the profile of land by excavation, embanking or tipping, or alternatively those which change the character of the surface of land. In this instance, the raised patio area and steps to the proposed basement door will require the excavation of significant amounts of material as part of the development, significant volumes of material will need to be excavated from the rear garden, before the construction of raised patio area and steps can be built. There is no class of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), that permits the carrying out of an engineering operation within the curtilage of a dwellinghouse and, as such, the proposed development requires planning permission.

4) Fence height

The proposed timber fence as shown on drawings 199, 200,230 Rev C, 231 Rev A and 232 does not constitute permitted development. It fails to meet the requirements of sub-paragraph A.1(b), of Part 2, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal would result in a fence with a height greater than 2 metres above ground level.

Date: 08 July 2026

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing
Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes – for grant of Certificate

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.

Notes – for refusal of Certificate

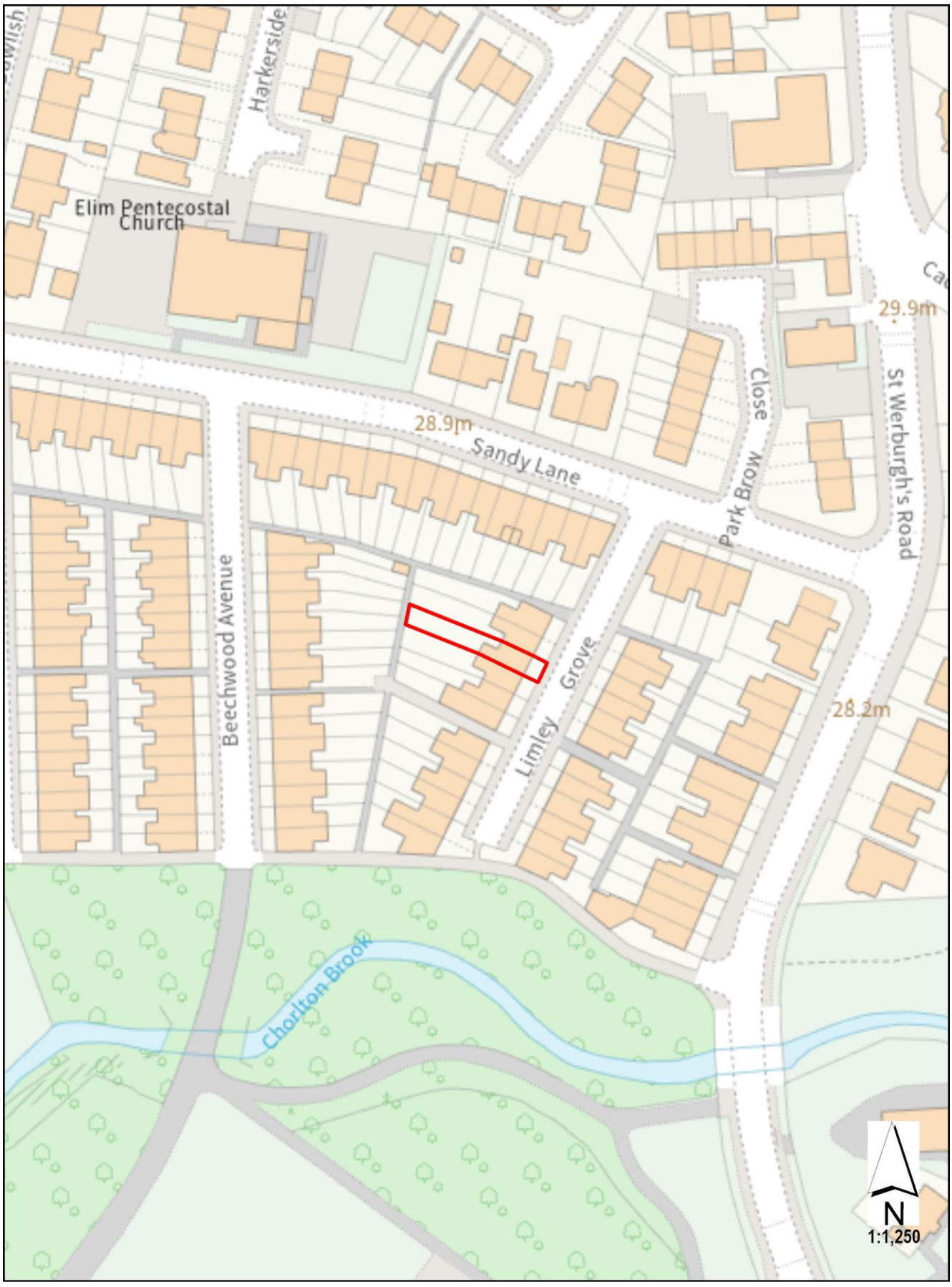
1. If you are aggrieved by the decision of the local planning authority to refuse to grant a certificate of lawfulness for the use/operations described under the heading Refusal of Certificate of Lawful Use or Development, then you may appeal to the Secretary of State under section 195 of the Town and Country Planning Act 1990 (as amended).

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/appeal-lawful-development-certificate-decision.

   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 gov.uk website.

   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



© Crown copyright and database rights 2026. Ordnance Survey AC0000812035