Manchester City Council

PO BOX 532

Town Hall

Manchester

M20 2LA

The Coach House

58 Central Road

Didsbury

Manchester

M20 4ZA

20th July 2026

Re: Application for a Lawful Development Certificate (Existing) – Implementation of Planning Permission - Appeal Reference Number APP/B4215/D/23/3325140

Site: The Coach House, 58 Central Road, Didsbury M20 4ZA

Dear Sir/Madam,

I write in support of the accompanying application for a Lawful Development Certificate under section 191 of the Town and Country Planning Act 1990 in respect of the above site.

Planning permission was granted on **4th October 2023** under appeal reference **APP/B4215/D/23/3325140** for a **two storey extension to provide additional living accommodation** at **The Coach House, 58 Central Road, Didsbury M20 4ZA**.

The decision is subject to a condition which states that *'The development hereby permitted shall begin not later than 3 years from the date of this decision.'*

Prior to the expiry of the three-year time limit a material operation was undertaken and development was lawfully commenced through the undertaking of a material operation within the meaning of section 56(4) of the Town and Country Planning Act 1990.

Specifically, a trench was excavated on the approved footprint of the development to contain part of the foundations of the proposed extension. The excavation was carried out to foundation depth (1000mm) and width (630mm) consistent with the approved planning drawings and foundation design drawings for the approved extension. The trench was excavated with the intention that it would form part of the permanent foundations of the building authorised by the permission

Section 56(4)(b) of the Act provides that a material operation includes:

> *"the digging of a trench which is to contain the foundations, or part of the foundations, of a building."*

The excavation of the foundation trench therefore constitutes a material operation for the purposes of implementing the planning permission. As such, development was lawfully begun within the relevant time period.

In determining this application, the Local Planning Authority is required to assess the evidence on the balance of probabilities. The purpose of the certificate is to confirm the lawfulness of the development as a matter of fact and law rather than planning judgment.

Evidence submitted with this application includes:

- Photographic evidence of the excavation works;
- A copy of the approved plans identifying the location of the excavated foundation trench.
- Proposed Setting Out and Foundation Plan

Evidence

1.1. Photographic evidence of the excavation works;

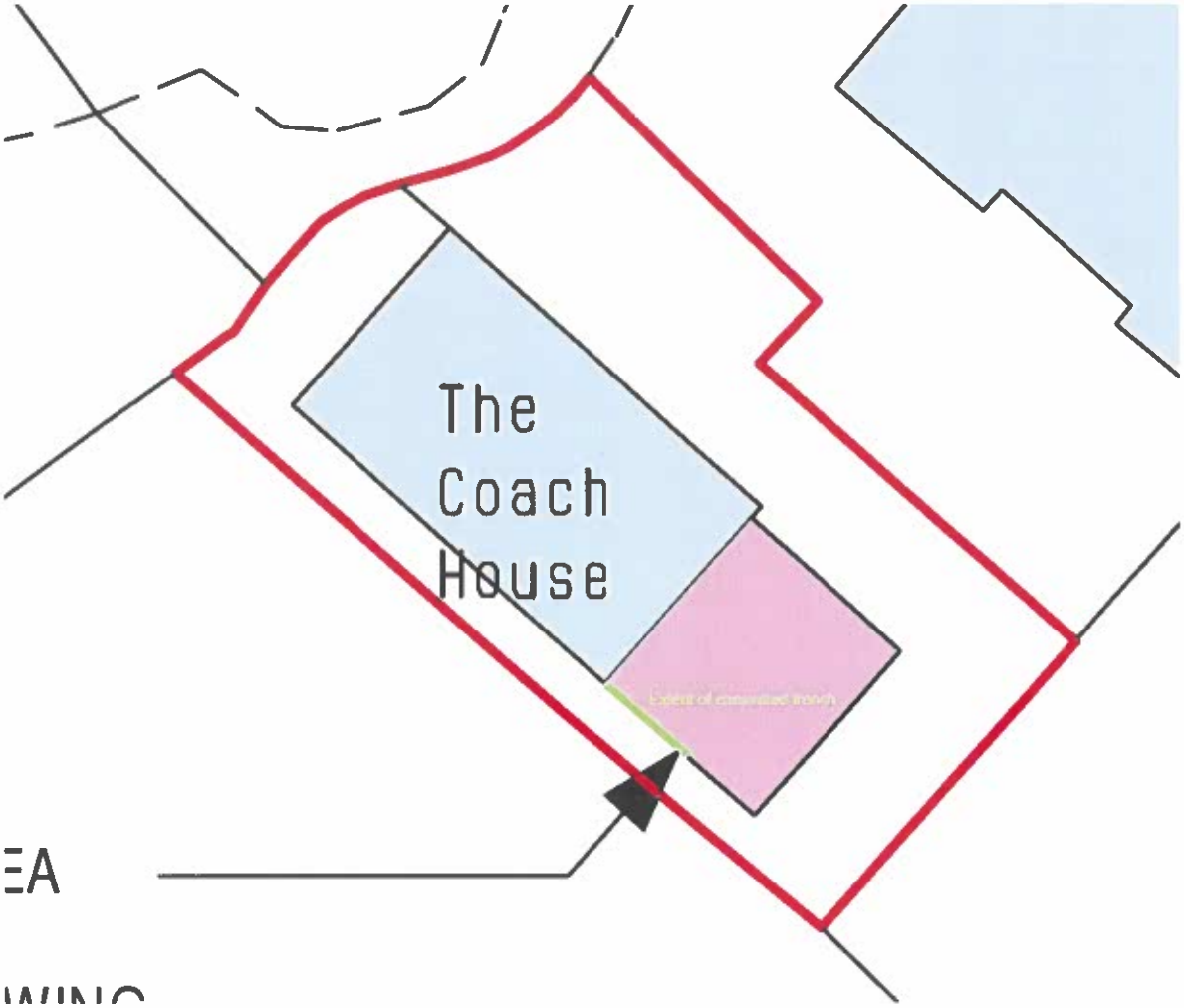


Photo 1 – Excavated foundation trench showing its length and position adjacent to the existing dwelling.



Photo 2 – Close-up of the excavated foundation trench showing its depth (1,000 mm) and width (630 mm).

1.2. A copy of the approved plans identifying the location of the excavated foundation trench;



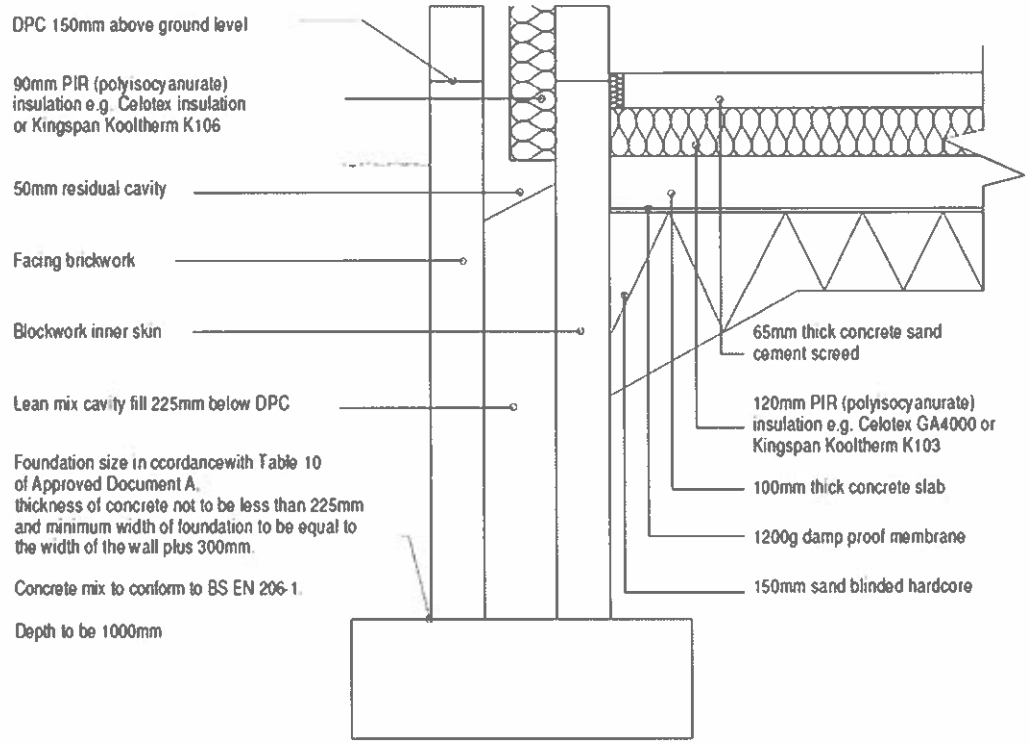
Extract from approved Proposed Site Plan Drawing Number SHA35A/01



Extract from approved floorplans drawing no. SHA35A/03

1.3. Proposed Setting Out and Foundation Plan

The excavated trench was excavated to contain the proposed concrete strip foundations in accordance with Table 10 of Approved Document A. The excavation was carried out to a width equal to the width of the wall plus 300 mm (630 mm) and to a depth of 1,000 mm below existing ground level, in accordance with the foundation design.



*Extract from **Proposed Setting Out and Foundation Plan** SHA35A/BR04*

Taken together, this evidence demonstrates, on the balance of probabilities, that a material operation within the meaning of section 56(4)(b) was undertaken prior to the expiry of the planning permission and that the development authorised by permission **APP/B4215/D/23/3325140** was therefore lawfully commenced.

Following excavation, the trench was temporarily backfilled as part of normal site management pending the continuation of the development. The subsequent backfilling of the trench does not affect the fact that a material operation had already occurred for the purposes of section 56(4)(b).

Accordingly, I respectfully request that the Local Planning Authority issue a Lawful Development Certificate confirming that the development authorised by planning permission **APP/B4215/D/23/3325140** has been lawfully implemented and may be completed in accordance with that permission.

Should you require any additional information, please do not hesitate to contact me.

