



**Town and Country Planning Act 1990: Section 192
Town and Country Planning (Development Management Procedure)
(England) Order 2015: Article 39**

**REFUSAL OF CERTIFICATE OF
LAWFULNESS OF PROPOSED USE OR
DEVELOPMENT**

Correspondence Address:	Application Number:
mr Mark Jones Mark Jones Planning Consultancy 4 Sykes Close Greenfield OLDHAM OL3 7PT	22/01584/CPL
Location	Description of Development
27 Turbary Walk Milnrow Rochdale OL16 4JN	Certificate of lawfulness for a proposed rear dormer extension

This Authority has determined to **REFUSE** to issue a certificate of lawful use or development for the use/operations*described in the First Schedule in respect of the land specified in the Second Schedule and edged red on the plan attached to this decision.

The operations are **NOT CONSIDERED TO BE LAWFUL** within the meaning of Section 192 of the Town and Country Planning Act 1990 for the following reasons:

Reasons:

- 1 The proposal does not constitute permitted development by virtue of non-compliance with the requirements of Criterion (c) and (d) of Class B, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the plans indicate that the proposed dormer projects beyond the roof slope which forms the principal elevation of the dwellinghouse and front a highway. In addition, the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 40 cubic metres.

First Schedule

Certificate of lawfulness for a proposed rear dormer extension

Second Schedule

27 Turbary Walk
Milnrow
Rochdale

OL16 4JN

Daniela Ripa
Interim Head of Planning Services

Date: 13 February 2023

Date: 13 February 2023

Your attention is drawn to the attached notes:

If the applicant is aggrieved by the decision the applicant may appeal to the Secretary of State under section 195 of the 1990 Act (appeals against refusal or failure to give decision on application).