

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:
MARTIN ASHWORTH JAMES CAMPBELL ASSOCIATES LTD CAMPBELL HOUSE 173 ROCHDALE RD FIRGROVE, MILNROW Rochdale OL16 3BN United Kingdom	23/00913/CPL
Location	Description of Development
9 Cairn Drive Rochdale OL11 5PG	Application for a certificate of lawfulness for a proposed rear dormer

This Authority has determined to **REFUSE** to issue a certificate of lawful development for the operation 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 operation is **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 (d) and Conditions (a) 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 volume of the dormer would exceed the permitted volume allowance for detached dwellings under PD and the external materials would not give a similar appearance to that on the existing roof.

First Schedule

Application for a certificate of lawfulness for a proposed rear dormer

Second Schedule

9 Cairn Drive
Rochdale
OL11 5PG

Daniela Ripa
Interim Head of Planning Services

Date: 13 October 2023

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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).