

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

CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

Correspondence Address:	Application Number:
Mr Joe Jennings ExtensionsNW Ltd 3 Cribden Street Rawtenstall Rossendale bb4 8hz	23/01368/CPL
Location	Description of Development
Land Off Heald Drive Rochdale Lancashire	Application for a certificate of lawfulness for the proposed erection of 900mm high boundary fence onto Heald Drive

This Authority hereby certifies that on 19 December 2023, the operations described in the First Schedule to this Certificate in respect of the land specified in the Second Schedule and edged in red on the plan attached to this certificate **would be LAWFUL** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s):

Reasons:

- 1 The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

First Schedule

Application for a certificate of lawfulness for the proposed erection of 900mm high boundary fence onto Heald Drive

Second Schedule

Land Off Heald Drive
Rochdale
Lancashire

Melanie Hale
Head of Planning Services

Date: 20 March 2024

For the avoidance of doubt, the decision relates to the following drawings:-

- Location Plan - received 21/02/2024

- Existing Site Plan - received 21/02/2024
- Proposed Site Plan and Elevations - received 15/03/2024

Notes

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990
2. It certifies that the operations specified in the First Schedule to take place on the land described in the Second Schedule would be lawful on the specified date and, therefore, would not be liable to enforcement action under Part 7 on the 1990 Act on that date.
3. This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operations which are materially different from those described or which relate to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, 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 are begun, in any of the matters relevant to determining such lawfulness.

For the avoidance of doubt, the granting of this Lawful Development Certificate relates only to the erection of fencing on the area of land off Heald Drive and east of Heald Top and does not permit an extension to the curtilage of the dwellinghouse. The extension and subsequent use of the land as residential curtilage would require full planning permission.