

**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 Yaqoob Malik Footprint Design Ltd Innovation centre Brunswick Street Nelson Nelson BB9 0PQ United Kingdom	23/00161/CPL
Location	Description of Development
87 Kingsway Rochdale Rochdale OL16 5HR	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 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 materials used in the construction of the proposed rear dormer walls would not be of a similar appearance to the existing roof. In addition, the plans indicate the proposed rear dormer to extend beyond the external rear wall of the original dwelling.

First Schedule

Certificate of lawfulness for a proposed rear dormer extension

Second Schedule

87 Kingsway
Rochdale

Rochdale
OL16 5HR

Daniela Ripa
Interim Head of Planning Services

Date: 13 September 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).