

**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 Robert Opincans<br>DKRO Ltd<br>5 Saint James Avenue<br>Flat 5<br>Leeds<br>LS18 5RA | 22/01411/CPL                                                                                                           |
| Location                                                                              | Description of Development                                                                                             |
| 66 Beaconsfield Road<br>Rochdale<br>OL11 2WE                                          | Application for certificate of lawfulness for the proposed installation of a canopy and timber shed within rear garden |

This Authority has determined to **REFUSE** to issue a certificate of lawful use or development for the 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 (e) of Class E, 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 canopy would have an overall height of 2.81m and be within 2 metres of the boundary.

**First Schedule**

Application for certificate of lawfulness for the proposed installation of a canopy and timber shed within rear garden

**Second Schedule**

66 Beaconsfield Road  
Rochdale  
OL11 2WE

Daniela Ripa  
Interim Head of Planning Services

Date: 18 October 2023

**Date:** 18 October 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).