

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	23/00844/CPL
Location	Description of Development
25A Buckley Hill Lane Milnrow Rochdale OL16 4BT	Certificate of lawfulness for a proposed single storey side extension and alterations to ground floor rear fenestration

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 Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the proposal would constitute development within the meaning of Section 55 of the Town and Country Planning Act 1990 and therefore, without the prior written approval of the Local Planning Authority, would comprise a breach of Condition 8 of planning permission 98/D35101 and thus would not be lawful.

First Schedule

Certificate of lawfulness for a proposed single storey side extension and alterations to ground floor rear fenestration

Second Schedule

25A Buckley Hill Lane
Milnrow
Rochdale
OL16 4BT

Daniela Ripa
Interim Head of Planning Services

Date: 28 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).