

APPLICATION FOR CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

**Town and Country Planning Act 1990: Section 191
(as amended by Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) Order
2010: Article 35**

To:

Mr Yoni Mechlowitz
Debtal Architecture Ltd
72 Bury New Road
Prestwich
Manchester
M25 0JU

On Behalf Of:

Mr Samuel Kahn
85 Albert Avenue
Prestwich
Manchester
M25 0LU

Application Number: 68599

Date of Registration: 24/06/2022

First Schedule

Second Schedule

Lawful development certificate for existing loft conversion and ground floor rear extension 85 Albert Avenue, Prestwich, Manchester, M25 0LU

Bury Metropolitan Borough Council hereby gives notice that the application for a certificate of lawfulness for an existing use or operation or activity in breach of a planning condition for the matter described in the First Schedule and in respect of the land specified in the Second Schedule and outlined in red on the plan attached to the application has been **Refused** for the following reason(s):

- 1 The height to the eaves of the existing single storey rear extension as a flat roofed extension would exceed the 3 metre height limit at a height of 3.20 metres within 2 metres of the boundary of the curtilage as laid out under Part 1 Class A, A1(i) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and as such the existing single storey rear extension is not lawful.

The Local Planning Authority does not have the power to issue a split decision. As such, as part of the existing development for which a lawful development certificate has been applied for is not lawful a lawful development certificate cannot be granted.

Applicant Plan Numbers:

DA1016. 001, 002, 003 Revision 1

Signed:



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On behalf of the Council

Date of Decision: 22/03/2023