

S/LDP/18/0114/PEKO



# REFUSAL OF CERTIFICATE OF LAWFUL DEVELOPMENT

**Town & Country Planning Act 1990 (as amended): Section 192  
Town & Country Planning (Development Management Procedure) (England) Order  
2015 Article 35**

**Application**  
**Number:** S/LDP/18/0114/PEKO

**Ward:** Central  
**Parish:** Central Swindon South

**First Schedule:** Certificate of Lawfulness (proposed) for the erection of 1 no.  
rear dormer window.

**Second Schedule:** 117 Manchester Road, Swindon SN1 2AF

**Agent:**  
Mr Chris Merritt  
12 Sorrel Close  
Wootton Bassett  
Swindon, Wilts  
SN4 7JG

**Applicant:**  
Mr G Muzzamal  
117 Manchester Road  
Swindon  
SN1 2AF

Swindon Borough Council as Local Planning Authority, under the provisions of Part III of the Town & Country Planning Act (as amended) **DO HEREBY REFUSE A CERTIFICATE OF LAWFUL USE OR DEVELOPMENT.** This certificate is in respect of the **PROPOSED** development described above in the first schedule in respect of land specified in the second schedule and in respect of drawings detailed in the informatives section below.

## Reason

1. The development is not permitted under the Town and Country Planning (General Permitted Development) Order 2015 (Article 3 and Part I Class B of Schedule 2) by virtue of permission to use the dwelling house as a dwelling house has been granted only by virtue of Class M of Part 3 of this Schedule (changes of use) and hence planning permission would be required.

### **Informatives**

1. This decision shall be in respect of drawings No. 17/47 received by the Local Planning Authority on 16th January 2018.
2. Whilst the development proposed generates a net gain in floor space, the development proposed does not constitute CIL liable development and is exempt from CIL liability as the proposal falls under the definition of minor development for the purposes of calculating CIL liability as the proposed net gain in Gross Internal Area (GIA) of floor space is below 100 sqm.

**Authorised by Richard Bell,  
Head of Planning, Regulatory Services, Heritage  
and Libraries**

**Decision Dated: 8th March 2018**

*Richard Bell*