

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT (PROPOSED)

**Town and Country Planning Act 1990: Section 192
(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 Christopher Ridout
Mott MacDonald
Spring Bank House
Altrincham

On Behalf Of:

Mr Nicholas Soames
Environment Agency
Richard Fairclough House
Knutsford Road
Warrington
WA4 1HT

Application Number: 70457

Date of Registration: 25/01/2024

First Schedule

Lawful development certificate for the
proposed removal of the Hinds Weir

Second Schedule

Hinds Weir, off Wellington Street, Bury, BL8
2AL

Bury Metropolitan Borough Council hereby certifies that on 25/01/2024 the matter described in the First Schedule in respect of the land specified in the Second Schedule and edged red on the plan attached to this certificate is **Lawful Development** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

- 1 The proposal as described in the First Schedule, is deemed to be 'Permitted Development' having regard to Schedule 2, Part 13, Class D(b) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2 Development is permitted by Class D(b) subject to the condition that, on completion of the survey or investigation, or at the expiration of 6 months from the commencement of the development concerned, whichever is the sooner, all such operations cease and all such buildings, plant, machinery and apparatus are removed and the land restored as soon as reasonably practicable to its former condition (or to any other condition which may be agreed with the local planning authority).

Applicant Plan Numbers:

Location Plan (Dwg No. ENV0000389C-BMM-DZ-ZZ-DR-T-0805021 P01)

Notes to Applicant

1. This certificate is issued solely for the purposes of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the matter described in the First Schedule and to the land specified in the Second Schedule was lawful, on the specified date and, thus, was not liable to enforcement action under section 172 of the 1990 Act on that date.

3. This certificate applies only to the extent of the matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any development or use materially different from that described or which relate to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a dotted line.

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On behalf of the Council

Date of Decision: 19/03/2024