

## **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:**

Ms Shazia Karim  
2 The Chase  
Bolton  
BL1 5HL

**On Behalf Of:**

Mr Ghazan Mahmood  
2 The Chase  
Bolton  
BL1 5HL

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**Application Number:** 64557

**Date of Registration:** 27/08/2019

**First Schedule**

**Second Schedule**

Lawful development certificate for proposed  
residential childrens home (C2)

33 Parliament Street, Bury, BL9 0TE

Bury Metropolitan Borough Council hereby certifies that on 27/08/2019 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, described in the First Schedule, is not deemed to constitute development within the meaning of Section 55 of the Town & Country Planning Act 1990 (as amended) as the proposed change of use of 33 Parliament Street, Bury BL9 0TE, to a children's residential home (Class C2) for up to 3 persons between the ages of 11-18 years with a maximum of 2 additional staff members staying overnight on a rota basis and operating in full accordance with the details set out within the applicant's Supporting Statement (Dated 11th August 2019), would not represent a material change of use from the existing C3 dwellinghouse use, and is therefore Lawful Development.

**Applicant Plan Numbers:**

17017-11 and Supporting Statement dated 11th August 2019

**Notes to Applicant**

1. This certificate is issued solely for the purposes of Section 191/192 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 be 'R. M. J.', written over a horizontal dotted line.

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On behalf of the Council

**Date of Decision:** 24/10/2019