

# 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 Richard Shuttleworth  
Equilibrium Architects Ltd  
Bank Chambers  
Bank Street  
Bury  
BL9 0DL

**On Behalf Of:**

Mr John Reeves  
23 Heapworth Avenue  
Ramsbottom  
Bury  
BL0 9EH

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**Application Number:** 69264

**Date of Registration:** 20/01/2023

**First Schedule**

Lawful development certificate for proposed dormer to rear of 23 Heapworth Avenue, Ramsbottom, BL0 9EH, with changes to existing openings in rear elevation.

**Second Schedule**

23 Heapworth Avenue, Ramsbottom, Bury, BL0 9EH

Bury Metropolitan Borough Council hereby certifies that on 20/01/2023 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 deemed to be 'Permitted Development' having regard to Article 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in that it falls within the limitations Part 1 Classes A and B.
- 2 The materials used in any exterior work shall be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse as required by condition B.2(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 3 Other than in a hip-to-gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 200mm from the eaves of the original roof. As required by condition B.2(b) of Part 1 Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

**Applicant Plan Numbers:**

R-0756\_SLP, R-0756-01, R-0756-02

**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 read 'Paul Harris', is written over a dotted line.

On behalf of the Council

**Date of Decision:** 17/03/2023