For assistance with completing this form contact:
The Planning Service
3 Knowsley Place, Duke Street, Bury BL9 0EJ
Phone: 0161 253 5432 **Email:** development.control@bury.gov.uk

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number: 25

Suffix:

Property Name:

Address Line 1: Heathfield Road

Address Line 2:

Address Line 3: Bury

Town/city: Bury

Postcode: BL9 8HB

Description of site location must be completed if postcode is not known:

Easting (x): 380834

Northing (y): 407189

Description:

3 Bed semi detatched C3 dwelling

Applicant Details

Name/Company

Title

Mr

First name

Abdul

Surname

Khan

Company Name

Secure asset management ltd

Address

Address line 1

90 Turks Road

Address line 2

Address line 3

Town/City

Radcliffe

County

Bury

Country

Postcode

M26 4QB

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Applicant Contact Details

Primary number

Secondary number

Fax number

Email address

***** REDACTED ******

Agent Details

Name/Company

Title

Mr

First name

Darren

Surname

Van Der Merwe

Company Name

Address

Address line 1

66 Tarka Way

Address line 2

Address line 3

Town/City

Crediton

County

Devon

Country

United Kingdom

Postcode

EX17 3FG

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

◯ Yes
⊘ No

Does the proposal consist of, or include, a change of use of the land or building(s)?

⊘ Yes
◯ No

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

Application for a Certificate of Lawfulness of Proposed Use to increase the existing lawful C2 children's home use from accommodation for one child or young person to a maximum of two children or young people aged 7–18 years.

The property would continue to operate as a small family-style children's home falling within Use Class C2, with care provided by non-resident staff working on a rota basis.

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

The existing lawful use of the property is as a small family-style children's home falling within Use Class C2, providing residential care accommodation for one child or young person aged 7–18 years, with care provided by non-resident staff working on a rota basis.

Has the proposal been started?

◯ Yes
⊘ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The existing lawful use of the property is as a small family-style children's home falling within Use Class C2, providing residential care accommodation for one child or young person aged 7–18 years, with care provided by non-resident staff working on a rota basis.

The lawfulness of this use has already been confirmed by Bury Metropolitan Borough Council through the grant of a Certificate of Lawfulness of Proposed Use for the property.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Planning Statement, Operational Summary, Good Neighbour Policy, Materiality Position Statement. Location Plan Site / Block Plan, Existing Floor Plans Proposed Floor Plans, Cover Letter

Select the use class that relates to the existing or last use.

C2 - Residential institutions

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C2 - Residential institutions

Is the proposed operation or use

- [x] Permanent
- [ ] Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

The existing lawful use of the property is as a small family-style children's home falling within Use Class C2, providing residential care accommodation for one child or young person.

This application seeks confirmation that increasing the maximum occupancy from one child or young person to a maximum of two children or young people would remain lawful and would not result in a material change in the character or intensity of the existing C2 use.

The application is made under Section 192 of the Town and Country Planning Act 1990. The relevant question is therefore one of fact and degree, namely whether the proposed increase in occupancy would amount to "development" within the meaning of Section 55 of the Act.

The proposed use would remain small-scale, residential and family-style in character. The property would continue to operate as a single planning unit, with planned placements only, no emergency or crisis placements, non-resident care staff working on a rota basis, no public-facing activity, no institutional use and no external alterations associated with the proposed increase in occupancy.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- [x] Yes
- [ ] No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- [ ] The agent
- [x] The applicant
- [ ] Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

◯ Yes
⊘ No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:
(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

◯ Yes
⊘ No

Interest in the Land

Please state the applicant's interest in the land

⊘ Owner
◯ Lessee
◯ Occupier
◯ Other

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Darren Van Der Merwe

Date

12/11/2026