

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:

Miss Yupha Jantho
82 Holme Avenue
Bury
BL8 1HW

On Behalf Of:

Yupha Jantho
Krung Theph Thai Kitchen
83 Holme Avenue
Bury
BL8 1HW

Application Number: 69419

Date of Registration: 04/04/2023

First Schedule

Second Schedule

Lawful development certificate for proposed
change of use from Hot food takeaway to
Restaurant at ground floor

169 Bolton Road, Bury, BL8 2NW

Bury Metropolitan Borough Council hereby certifies that on 04/04/2023 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 as described in the First Schedule, is deemed to be 'Permitted Development' having regard Article 3, Schedule 2, Part 3, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2 Before beginning the development, the developer must provide written notification to the local planning authority of the date on which the use of the building will change.

Applicant Plan Numbers:

Block Plan and Floor plan (submitted 08/03/2023) Planning statement and Location Plan
(Submitted 27/03/2023) Proposed floor plan (submitted 11/04/2023)

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 'Paul Harris', written in a cursive style.

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On behalf of the Council

Date of Decision: 01/06/2023