

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT (EXISTING)

**Town and Country Planning Act 1990: Section 191
(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 Rachael Evans
ABL Planning & Development
34 Shelley Avenue
Northwich
CW9 6PH

On Behalf Of:

Mr A Hall
Dearden Fold Farm Cottage
Bury Old Road
Ainsworth
Bury
BL2 5PL

Application Number: 71390

Date of Registration: 10/12/2024

First Schedule

Certificate of existing lawful use to confirm the extent of lawful garden land associated with the dwelling known as Dearden Fold Farm Cottage

Second Schedule

Dearden Fold Cottage, Bury Old Road, Ainsworth, Radcliffe, Bolton, BL2 5PL

Bury Metropolitan Borough Council hereby certifies that on 10/12/2024 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 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

- 1 The use described in First Schedule is deemed to be established and not liable to enforcement action under Section 172 of the Town & Country Planning Act 1990 (as amended) by reason of it existing on site on a continuing basis for ten years or more.

Applicant Plan Numbers:

Location Plan & Planning Statement (submitted 27/11/2024)

Notes to Applicant

1. This certificate is issued solely for the purposes of Section 191 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 dark 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: 03/03/2025