



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

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

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

Easting (x)	Northing (y)
380305	410714

Description

Applicant Details

Name/Company

Title

Mr

First name

David

Surname

Stross

Company Name

Tamid Zivah LLP

Address

Address line 1

24 Silver Street

Address line 2

Address line 3

Town/City

Bury

County

Bury

Country

Israel

Postcode

BL9 0DH

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

***** REDACTED *****

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

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

The proposed planning application requires no external changes to the front of the building or the side of the building and is to clarify the law change of use of the building to its intended use as providing accomodation of Hotel Rooms.

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

The proposed Use Class is C1 for the building to be able to re-operate as a hotel. The premises will be converted from office suites to provide guest suites with ensuite facilities of varying sizes in the upper floors.
The hotel will provide approximately 15 rooms in total and so the size of the premises do not merit a reception to be manned outside of normal trading hours of the lower floor premises.
The premises are converting from existing office space which has greater capacity for occupation, meaning the equipment proposed of air conditioning and gas boiler re-instatement for hot water facilities or similar is within existing building requirements and or capacities.

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

The Old Royal Hotel we believe was originally built as a hotel around 1870 and converted to office space which completed in 2015. Planning permission was granted for office conversion in 2005 and for lift and extensions on to all roof terraces in 2007. This work started confirmed by a planning officer who inspected and confirmed sufficient work had been undertaken for the planning permission to be retained, this was in 2014. The Use as Offices or similar Business premises in current Use Class E started with the first occupier around March 2015 and continued until recently. prior to 2015 there was no known use in the upper floors other than that of a hotel. The lower floors have always been a lounge bar for the hotel although more recently was called a nightclub and since the pandemic has had seating and kitchen facilities installed.
We consider the use of the upper floors and of the buildings intended purpose and as built as a hotel was varied upon completion of the refurbishment works when businesses started moving in to occupy however was such until 2015. It appears this proposed converting to original built use with less than 10 years of trade in an other Use class qualifies for Lawful Development.

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 accommodation has been used as office space since 2015, which had planning granted and confirmed, it is still less than 10 years since the buildings built purpose of being a hotel changed. Lawful Development permits the return of a use with less than 10 years since its change. the change of use and proposals require no external changes from street level and no material change or any change to the front elevation.

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

Email from planning office November 2013

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

E - Commercial, Business and Service

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C1 - Hotels

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

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

The proposal is to return the premises to their intended use and to its built purpose. The current use has been conducted less than 10 years. The change in Use should be welcomed by neighbouring businesses and services and accommodation providers and should be a benefit to the area, community, local night time security, weekday nightlife services in the town and a benefit creating employment and welcoming guests to the Town.

Site Visit

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

- ☒ Yes
☐ No

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

- ☐ The agent
☒ 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 this form and 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 options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available 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

David Stross

Date

11/04/2023