

# **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 Joseph Holden  
Mott MacDonald  
Spring Bank House  
33 Stamford Street  
Altrincham  
WA14 1ES

**On Behalf Of:**

Mr Rob Van  
Environment Agency  
Richard Fairclough House  
Knutsford Road  
Warrington  
WA14 1HT

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**Application Number:** 67775**Date of Registration:** 09/11/2021**First Schedule**

Lawful development certificate for proposed modifications to the existing bridge parapets (both sides), including localised, partial removal of existing masonry and reinstatement of the current edge protection with metal safety railings. Localised strengthening of the upper bridge spandrel walls directly below the bridge parapets (internal vertical steel dowels). Modifications to the footway surfacing in the south west corner to accommodate fixings for a 3m length of demountable flood defence.

**Second Schedule**

Hardys Gate Bridge, Dumers Lane, Bury

Bury Metropolitan Borough Council hereby certifies that on 09/11/2021 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 1 Class A and Part 13 Class D (b) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

**Applicant Plan Numbers:****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 'J. H. H.', is written over a dotted line.

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On behalf of the Council

**Date of Decision:** 17/12/2021