

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 Sam Parker
AT Architectural Services LTD
206 Moor End Road
Halifax
HX2 0RU

On Behalf Of:

Miss Kimberley Alam
Origo Care
15 Sutton Close
Bury
BL8 2EL

Application Number: 72901

Date of Registration: 25/02/2026

First Schedule

Second Schedule

Lawful development certificate for proposed change of use from dwelling (Class C3) to Residential Children's Home (Class C2) for up to 2 no. children, with up to 2 no. full time carers and 1 no. manager present on site, working on a rotational basis

7 Brocklehurst Avenue, Bury, BL9 9AQ

Bury Metropolitan Borough Council hereby certifies that on 25/02/2026 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, described in the First Schedule, is not deemed not to be constitute development within the meaning of Section 55 of the Town & Country Planning Act 1990 as the proposed change of use of 7 Brocklehurst Avenue, Bury, BL9 9AQ to a residential children's home for up to two children with up to three carers working on a rota basis (Class C2) and operating in full accordance with the details set out in the applicants supporting statement dated February 2026 would not represent a material change of use from the existing Class C3 dwellinghouse use, and would therefore be Lawful Development.

Applicant Plan Numbers:

Existing and proposed plan dwg ATP_26008_1A rev A
Supporting statement dated February 2026

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: 16/04/2026