

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 Subhan Saleem
Saleem Architects
64 Heaton Street
Prestwich
Manchester
M25 1HH

On Behalf Of:

Mr Shafqat
109 Windsor Road
Prestwich
Manchester
M25 0DF

Application Number: 72930

Date of Registration: 06/03/2026

First Schedule

Lawful development certificate for proposed use of dwellinghouse (Use Class C3) to provide residential care accommodation (Use Class C2) for 2 young people (aged 8-18 years)

Second Schedule

109 Windsor Road, Prestwich, Manchester, M25 0DF

Bury Metropolitan Borough Council hereby certifies that on 06/03/2026 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 propsoed change of use of 109 Windsor Road, Prestwich M25 0DF to a residential children's home for up to two children with up to two carers working on a rota basis (Class C2) and operating in full accordance with the details set out in the applicants supporting statement submitted 06/03/2026 and further details submitted 19/03/2026 would not represent a material change of use from the existing Class C3 dwellinghouse use, and would therefore be Lawful Development.

Applicant Plan Numbers:

Proposed Plans, Sheet 3, dated March 2026
Statement of Purpose and Function, dated 11/02/2025
Supporting Statement, scanned 06/03/2026
Management Plan, scanned 06/03/2026

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: 20/03/2026