



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)

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Contact Details

Primary number

***** REDACTED *****

Secondary number

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

Does the proposal consist of, or include, a change of use of the land or building(s)?

- ☐ Yes
- ☒ No

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

Lawful development certificate for change of use from residential (Class C3) to childrens residential care for two children aged 7-17 with up to two staff working on a rota basis (Class C2).

Applications for lawful development must be determined by planning law, fact and any other relevant judicial authority. In this case the planning law is the Town and Country Planning Act 1990 and the Use Classes Order 1987. The relevant judicial authority in this case is the judgement in North Devon District Council v. First Secretary of State [2003] EWHC 157 (Admin).

Therefore whilst the proposal would result in a change of use from Use Class C3 to Use Class C2, it is considered that there would be no material change of use in this case for the reasons detailed above and as such planning permission is not required.

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

1998-101-Site and Site Location Plans
1998-102-Existing Floor Plans and Elevations
1998-103-Proposed Floor Plans and Elevations
Planning Statement - 25 Downham Crescent, Prestwich, Manchester M25 0EH

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

C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C2 - Residential institutions

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

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

Please see attached planning statement
Previous similar applications have been approved by the council

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

If Other, please give the names and addresses of anyone who has an interest in the land and state the nature of their interest (if known)

***** REDACTED *****

Have they been informed of the application?

- ☒ Yes
☐ No

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the 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 opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published 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

- Dirawu

Date

24/03/2025