

# 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:**  
Herring  
Clear Architectural Services  
50 Rectory Street  
Middleton  
Manchester  
M24 5TY

**On Behalf Of:**  
Hope  
59 Holthouse Road  
Tottington  
Bury  
BL8 3LA

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**Application Number:** 72063

**Date of Registration:** 16/06/2025

**First Schedule**

**Second Schedule**

Lawful development certificate for proposed rear dormer and rooflights at front

59 Holthouse Road, Tottington, Bury, BL8 3LA

Bury Metropolitan Borough Council hereby certifies that on 16/06/2025 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 deemed to be 'Permitted Development' having regard to Article 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 in that it falls within the limitations Part 1 Classes B and C.
- 2 The materials used in any exterior work shall be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse as required by condition B.2(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015.

**Applicant Plan Numbers:**

CM365 EX 01, CM365 EX 02, CM365 PL 01a, CM365 PL 02b, CM365 PL 03

**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 'Paul Harris', written in a cursive style.

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On behalf of the Council

**Date of Decision:** 19/08/2025