

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 Van Der Merwe
66 Tarka Way
Credton
Devon
EX17 3FG

On Behalf Of:

Mr Khan
Secure asset management ltd
90 Turks Road
Radcliffe
Bury
M26 4QB

Application Number: 73494**Date of Registration:** 30/07/2026**First Schedule****Second Schedule**

Lawful Development Certificate for proposed use of a dwellinghouse (Use Class C3) as a small children's home (Use Class C2), providing residential care accommodation for one child aged 7–18 years, with care provided by three non-resident staff working on a rota basis.

25 Heathfield Road, Bury, BL9 8HB

Bury Metropolitan Borough Council hereby certifies that on 30/07/2026 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 constitute development within the meaning of Section 55 of the Town & Country Planning Act 1990 as the proposed change of use of 25 Heathfield Road, Bury, BL9 8HB to a residential children's home for one child with three carers working on a rota basis (Class C2) and operating in full accordance with the details set out in the applicants Operational Summary, Good Neighbour Policy and Travel and Vehicle Movement Management Statement received 31st July 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:

Location plan
Revised site plan 24 Aug 2026
Existing ground floor plan A105 rev 4
Proposed ground floor plan A105 rev 4
Existing first floor plan A106a rev 4
Proposed first floor plan A106 rev 4

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

- . The applicant should ensure that any proposed driveways/paved areas (in excess of 5m²) situated at the front of properties are constructed of permeable or porous materials. The applicant should refer to Dept. of Communities & Local Government publication "Guidance on the Permeable Surfacing of Front Gardens" for design & construction details.

Signed:



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On behalf of the Council

Date of Decision: 09/09/2026