

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:

Adrian Rose
Rose Consulting
16 Rhodesia Avenue
Halifax
HX30PB

On Behalf Of:

Mohammed Sajjad
Aspire Children Services
63-66 Hatton Garden
London
EC1N 8LE

Application Number: 72395

Date of Registration: 19/09/2025

First Schedule

Lawful development certificate for proposed use of a (C3a) dwelling as a children's home for a single child, with a manager and two carers who would stay overnight, working on a rota basis (C2)

Second Schedule

74 Bury Road, Radcliffe, Manchester, M26 2UU

Bury Metropolitan Borough Council hereby certifies that on 19/09/2025 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 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 74 Bury Road, Radcliffe, M26 2UU to a residential children's home for up to two children with up to 3 carers working on a rota basis (Class C2) and operating in full accordance with the details set out in the following documents and plans:
 - Drawing no. A201: Location & Site Plan;
 - Drawing no. A101: Existing Elevations;
 - Drawing no. A200 Rev. A: Proposed Plans; and,
 - Document: Rose Consulting Planning and Regeneration, Planning Statement, dated 17/09/2025,would not represent a material change of use from the existing Class C3 dwellinghouse use, and would therefore be Lawful Development.

Applicant Plan Numbers:

Drawing no. A201: Location & Site Plan;
Drawing no. A101: Existing Elevations;
Drawing no. A200 Rev. A: Proposed Plans; and,
Document: Rose Consulting Planning and Regeneration, Planning Statement, dated 17/09/2025,

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:



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On behalf of the Council

Date of Decision: 12/11/2025