MANCHESTER CITY COUNCIL
Planning
Telephone: +44 (0)161 234 4516
planning@manchester.gov.uk
PO Box 532 Town Hall
Manchester M60 2LA

Application for a Lawful Development Certificate for an Existing use or operation or activity including those in breach of a planning condition.

Town and Country Planning Act 1990: Section 191 as amended by section 10 of the Planning and Compensation Act 1991.
Town and Country Planning (Development Management Procedure) (England) Order 2015

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.

1. Site Address

Number	8
Suffix	
Property name	
Address line 1	Exbury Street
Address line 2	
Address line 3	
Town/city	Manchester
Postcode	M14 6RF

Description of site location must be completed if postcode is not known:

Easting (x)	385841
Northing (y)	393340

Description

2. Applicant Details

Title	
First name	
Surname	Cuthbert
Company name	DGD Properties Ltd
Address line 1	208
Address line 2	Wilmslow Road
Address line 3	

2. Applicant Details

Town/city	Manchester
Country	
Postcode	M14 6LF

Are you an agent acting on behalf of the applicant? (•) Yes ( ) No

Primary number	
Secondary number	
Fax number	
Email address	

3. Agent Details

Title	Mr
First name	David
Surname	Busby
Company name	
Address line 1	208
Address line 2	Wilmslow Road
Address line 3	
Town/city	Manchester
Country	
Postcode	M14 6LF
Primary number	
Secondary number	
Fax number	
Email	

4. Description of Use, Building Works or Activity

Please indicate why you are applying for a lawful development certificate

- (•) An existing use
- ( ) Existing building works
- ( ) An existing use, building work or activity in breach of a condition

Being a use, building works or activity which is still going on at the date of this application

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please select the relevant Use Class.

4. Description of Use, Building Works or Activity

Please note that following changes to Use Classes on 1 September 2020, the list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include Use Classes C2A and C4 or the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Other

Other

C4 Dwellinghouse in multiple occupation

5. Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

8 Exbury Street, Fallowfield Manchester is a mid terrace house which has been let to 3 or more unrelated people for more than 10 years so a C4 use has been established.

Where possible I have uploaded a tenancy for each year for the last 10 years as evidence. Where I am unable to find a tenancy I have sourced alternative supporting documents, usually a transaction history for that tenancy.

In the case of this property I found and submitted a joint tenancy for every year except 2013 to 2014, and 2014 to 2015 years.

2013 to 2014, was a rollover tenancy from the 2012 to 2013 group. Whilst I was unable to find a tenancy for the 2013 to 2014 period I have sourced a transactions log evidencing them paying rent.

2014 to 2015 period the property was vacant except for a short temporary let for the period 02/10/2014 to 30/11/14. The tenancy records this as a company let. According to notes, there were 3 tenants during this tenancy. Clause 4.4.3 of this tenancy actually states the names of the three residents.

Around Town Flats Limited have been instructed to manage the property since 2008 and I have asked them to confirm a letting history based on there records. I have uploaded this letter as supporting evidence.

6. Grounds for application of a Lawful Development Certificate

Under what grounds is the certificate being sought

- [x] The use began more than 10 years before the date of this application
- [ ] The use, building works or activity in breach of condition began more than 10 years before the date of this application
- [ ] The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
- [ ] The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- [ ] The use as a single dwelling house began more than four years before the date of this application
- [ ] Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation? ○ Yes ◉ No

Please state why a Lawful Development Certificate should be granted

Established C4 use for more than 10 years

7. Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

01/07/2008

In the case of an existing use or activity in breach of conditions has there been any interruption? ○ Yes ◉ No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought? ○ Yes ◉ No

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed? ○ Yes ◉ No

8. 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

9. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ○ Yes ◉ No

10. Interest in the Land

Please state the applicant's interest in the land

- ◉ Owner
- ○ Lessee
- ○ Occupier
- ○ Other

11. 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. ○ Yes ◉ No

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?

12. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form 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. ☑

Date (cannot be pre-application) 26/04/2021