MANCHESTER CITY COUNCIL

Planning
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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 2010

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. Applicant Name, Address and Contact Details

Title: Mr | First name: Stephen | Surname: Beech

Company name: Beech Properties

Street address: 139 Acomb Street

Rusholme

Town/City: Manchester

County:

Country: United Kingdom

Postcode: M14 4DF

	Country Code	National Number	Extension Number
Telephone number:			
Mobile number:			
Fax number:			

Email address:

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

2. Agent Name, Address and Contact Details

Title: Mr | First Name: Tom | Surname: Flanagan

Company name: Paul Butler Associates

Street address: 31 Blackfriars Road

Salford

Town/City: Manchester

County: Manchester

Country: United Kingdom

Postcode: M3 7AQ

	Country Code	National Number	Extension Number
Telephone number:		0161 835 3530	
Mobile number:			
Fax number:			

Email address: tom@paulbutlerassociates.co.uk

3. Site Address Details

Full postal address of the site (including full postcode where available)

House: 2 Suffix:

House name:

Street address: Hamilton Road

Town/City: Manchester

County:

Postcode: M13 0PB

Description of location or a grid reference
(must be completed if postcode is not known):

Easting: 386697

Northing: 395432

Description:

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? (●) Yes ( ) No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title: Mr First name: Adam Surname: Neil

Reference:

Date (DD/MM/YYYY): 27/11/2012 (Must be pre-application submission)

Details of the pre-application advice received:

Adam has confirmed in writing (see attached email) acceptance of the evidence provided by the applicant confirming the lawful use (Sui Generis) of the property. The applicant was advised to pursue an application for a Certificate of Lawfulness for an Existing Use.

5. Lawful Development Certificate - Interest in Land

Please state the applicant's interest in the land: (●) a) Owner ( ) b) Lessee ( ) c) Occupier ( ) d) Other

6. Authority Employee/Member

With respect to the Authority, I am:

(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

Do any of these statements apply to you? ( ) Yes (●) No

7. Description of Use, Operation or Activity

Which category describes the existing use or operation or development for which the certificate is sought:

(●) An existing use

( ) An existing operation

( ) An existing use, operation or activity in breach of a condition

Being a use, operation or activity in effect on the date of this application.

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please state which one of the Use Classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use relates to:

Use Classes: Other Other: Sui Generis

8. Description of Use, Operation or Activity

Describe the existing uses, building works or activities for which you want a lawful development certificate. Where appropriate, show to which part of the land each use building works or activity relates:

The lawful use of the property is Sui-Generis due to being occupied by 8 residents in excess of 10 years.

9. Grounds For Application For A Lawful Development Certificate

Under what grounds is the certificate being sought:

☒ 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).

If the certificate is sought on 'Other' grounds please give details:

If the certificate is sought for a use, operation, or activity in breach of a condition or limitation, please specify the condition or limitation that has not been complied with:

Reference number: | Condition number: | Date:

Please state why a Lawful Development Certificate should be granted:

The property has been in Sui Generis use for in excess of 10 years. Whilst the applicant has only owned the property for the last 6 years, a letter has been obtained from the previous owner confirming that the property was occupied by more than 6 people from the year 2000 (if not before) to its purchase by the applicant in 2006. This use remains today.

10. Information in Support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed? 01/10/2000

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

10. Information in Support of a Lawful Development Certificate (cont.) - Residential / Dwelling Units

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

11. 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? (Please select only one)

◉ The agent ○ The applicant ○ Other person

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: 30/11/2012

Warning:
The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.