



Paul Butler Associates

Planning, Development & Heritage Consultants

1 August 2025

Mrs Julie Roscoe
Planning
Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

L25.2169

Dear Mrs Roscoe,

Flats 5 and 6, 553 Barlow Moor Road, Chorlton, Manchester, M21 8AN

Application for a Lawful Development Certificate for an Existing Use or Operation or Activity under the Town and County Planning Act 1990: Section 191, as amended by section 10 of the Planning and Compensation Act 1991

I am pleased to submit this application for a Lawful Development Certificate for an Existing Use or Operation or Activity on behalf of our client ANRO Properties Ltd.

The application is submitted to establish the lawful use of flats 5 and 6, 553 Barlow Moor Road, Chorlton as dwellinghouses (use class C3). The application establishes that this use is lawful by virtue of flats 5 and 6 having existed as dwellinghouses (use class C3) for a continuous period of at least 4 years prior to 25 April 2024 and that this has remained the continuous use of the properties up to the present day. The lawful use is demonstrated as a result of the 'Four Year Rule' which continues to apply where the change of use occurred before April 25 2024.

This letter provides an overview of the site and sets out the supporting information that has been submitted as part of the LDC application.

The Application Site

The application site is located at Flats 5 and 6, 553 Barlow Moor Road, Chorlton, Manchester, M21 8AN and is outlined red on the submitted Site Location Plan (provided by the Planning Portal website).

553 Barlow Moor Road is a large semi-detached property that was likely originally a single dwellinghouse, but has been converted into separate flats. The property currently comprises of six flats, and this application relates to flats 5 and 6 which are located on the second floor and basement level of the building respectively.

The subject property is set back from Barlow Moor Road behind a boundary wall, driveway / hardstanding area, and there is an enclosed rear yard / garden.

Supporting Information

The application is supported by a range of evidence to establish that flats 5 and 6 are lawful. This is set out in the table below together with supporting commentary:

	Evidence	PBA comments
1	Bridgfords Rent Statement document (50 pages)	<p>This document includes Statements confirming payments by tenants for Flats 5 and 6 from May 2020.</p> <p>For Flat 5 this confirms occupation and rent payments made by Ms I Barklund and confirms that their tenancy started on 09.16.2018. This is significant as it predates 25 April 2024 by more than four years.</p> <p>For Flat 6 this confirms occupation by Miss K Graham and confirms their tenancy stated on 06.03.2020. This is significant as it predates 25 April 2024 by more than four years.</p>
2	Statement from Bridgfords to Mr T Nassier dated 18 April 2023	This document evidences occupation of Flat 5 by Miss Chirinos Garcia during the period 15.02.2021 to 14.02.2025
3	Tenancy Agreement (partial) for Flat 5 (start date 15.10.2011)	The document evidences occupation of Flat 5 by Mr Paul Furley. This evidence can be cross-referenced to Item 20.
4	Tenancy Agreement for Flat 5 (start date 09.06.2020)	The agreement was for occupation by Ms Inga Felicia Barklund.
5	Tenancy Agreement for Flat 5 (start date 15.02.2021)	The agreement was for occupation by Miss Biankarla Joselyn Chirinos Garcia and Mr Oliver Recio Lawrence.
6	Tenancy Agreement for Flat 5 (start date 15.02.2024)	The agreement was for occupation by Miss Biankarla Joselyn Chirinos Garcia.
7	Tenancy Agreement for Flat 5 (start date 05.07.2024)	The agreement was for occupation by Mr Jack Parker-Weir.
8	Tenancy Agreement for Flat 5 (start date 11.07.2025)	The agreement was for occupation by Miss Chloe Jennifer Forgham.
9	Tenancy Agreement for Flat 6 (start date 06.03.2020)	<p>The agreement was for occupation by Miss Katheryne Mary Graham.</p> <p>This document predates 25 April 2024 by more than four years.</p>
10	Tenancy Agreement for Flat 6 (start date 16.04.2021)	The agreement was for occupation by Mr Adam Bukhari.
11	Tenancy Agreement for Flat 6 (start date 06.06.2022)	The agreement was for occupation by Miss Francesca Alice Webb.
12	Tenancy Agreement for Flat 6 (start date 04.07.2023)	The agreement was for occupation by Miss Katerina Andrysova and Mr Nathaniel James Pollitt.
13	Energy Performance Certificate for Flat 5 dated 28.02.2020	This document identifies Flat 5 as the top-floor flat and is dated 28 February 2020. It therefore predates 25 April

		2024 by more than four years and demonstrates that Flat 5 existed at this time.
14	Energy Performance Certificate for Flat 6 dated 28.02.2020	This document identifies Flat 6 as the basement flat and is dated 28 February 2020. It therefore predates 25 April 2024 by more than four years and demonstrates that Flat 6 existed at this time.
15	Domestic Landlord Gas Safety Record for Flat 5 dated 28 February 2020	The gas safety record is a requirement of renting out the property as a dwellinghouse. The document predates 25 April 2024 by more than four years and demonstrates that Flat 5 existed at this time.
16	Domestic Landlord Gas Safety Record for Flat 6 dated 3 March 2020	The gas safety record is a requirement of renting out the property as a dwellinghouse. The document predates 25 April 2024 by more than four years and demonstrates that Flat 6 existed at this time.
17	Domestic Landlord Gas Safety Record for Flat 5 dated 24 March 2025	The gas safety record is a requirement of renting out the property as a dwellinghouse.
18	Domestic Electrical Installation Condition Report for Flat 5 dated 12.02.2021	-
19	Deposit Protection Certificate for Flat 5 (2025)	This confirms a start date of the AST from 11 July 2025 with the tenant being Miss Chloe Jennifer Forgham.
20	Deposit Protection Certificate for Flat 5 (2011)	This confirms a deposit was collected from the tenant on 20 October 2011. The document predates 25 April 2024 by more than four years.
21	Deposit Protection Certificate for Flat 6 (2022)	This confirms a deposit was collected from the tenant on 4 July 2022.
22	Building Regulations Regularisation Certificate relating to Flat 5.	This Manchester City Council document confirms that a Regularisation application was deposited on 5 April 2017. The document predates 25 April 2024 by more than four years.

Assessment

When considering an application for a Lawful Development Certificate, National Planning Practice Guidance advises *'In the case of applications for existing use, if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability'*(Paragraph: 006 Reference ID: 17c-006-20140306). It goes on to state *'A local*

planning authority needs to consider whether, on the facts of the case and relevant planning law, the specific matter is or would be lawful. Planning merits are not relevant at any stage in this particular application or appeal process’ (Paragraph: 009 Reference ID: 17c-009-20140306).

Based on the evidence submitted it is demonstrated that the balance of probabilities threshold is passed, with evidence demonstrating that Flat 5 and 6 were occupied as dwellinghouses for a 4 year period before 24 April 2024 and that this use has continued to the present day.

The evidence is corroborating and consistent, whilst no subsequent change to the use of the property has taken place. It is precise and unambiguous and on this basis a Certificate of Lawfulness should be duly issued to confirm that the lawful use of Flats 5 and 6 as dwellinghouses (use class C3).

Submission

In addition to the evidence previously referred to in this letter, the following information has also been submitted:

- Application forms for a ‘Lawful Development Certificate for an Existing Use or Operation or Activity’
- Drawing 03 A ‘Proposed Plans’ (the Lower Ground Floor Plan is Flat 6).
- Bridgfords Property Details for the top-floor flat (Flat 5) including floor plan.

The Site Location Plan has been prepared via the Planning Portal.

The application fee (£1,261.00) will be paid by the applicant during the submission of the application via the Planning Portal.

We trust that this information is sufficient to enable approval of this application.

If you require any further information please do not hesitate to get in touch. We look forward to working with you.

Yours sincerely

