

Planning Support Statement

Supporting Statement – Application for a Lawful Development Certificate under S191(1)(2) to confirm lawful use as an office within use class E.

Application Property: Unit 4, 180 – 190 Stocks Street, Manchester, M8 8QH.

Applicant Gareth White



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Planning Support Statement

Supporting Statement – Application for a Lawful Development Certificate under S191(1)(2) to confirm lawful use as an office within use class E.

Application Property: Unit 4, 180 – 190 Stocks Street, Manchester, M8 8QH.

This statement supports an application for a Lawful Development Certificate; the application being made under Section 191(1)(2) of the Town and Country Planning Act, 1990.

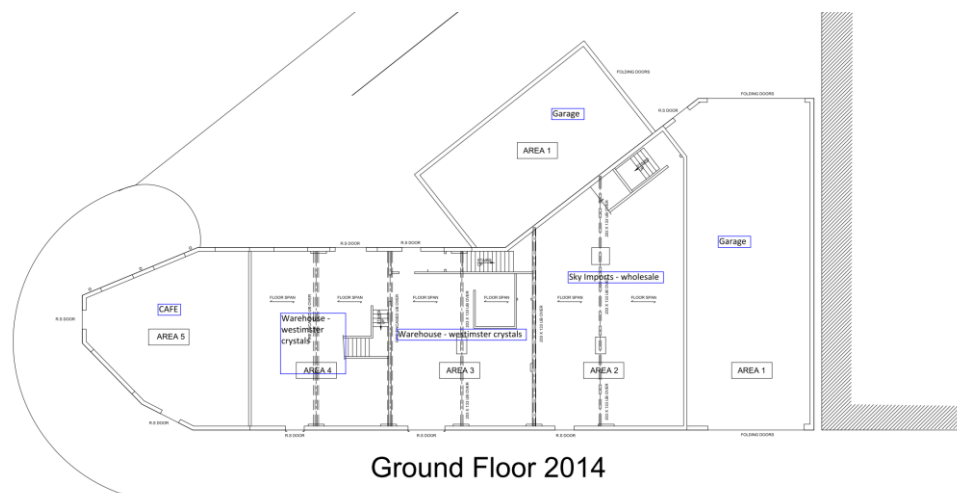
The decision maker must be satisfied that on the balance of probability the use has occurred for ten years or more; or simply that when the use or activity began the use or activity was lawful.

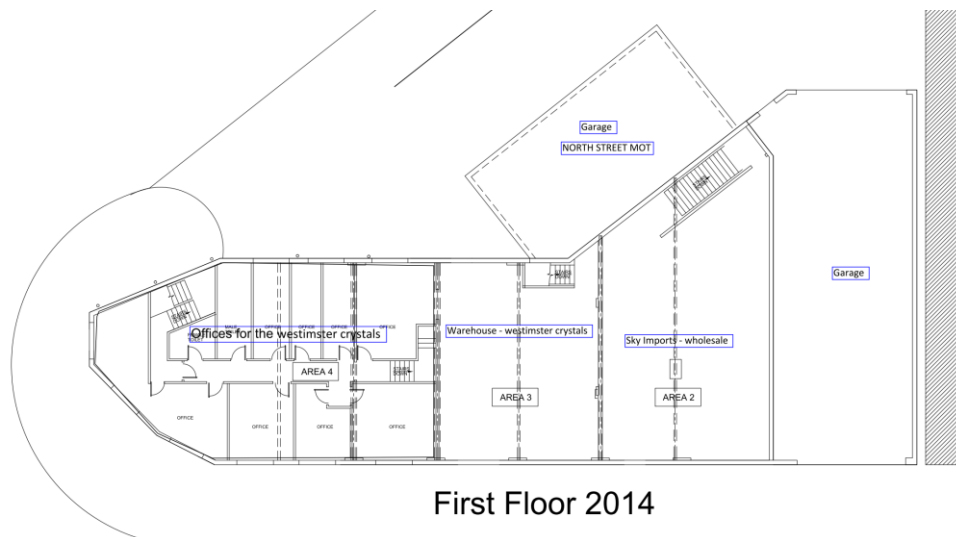
The main evidence provided is the statutory declaration of Gareth White the property owner, a copy of which is enclosed.

The application property is an existing office located within 180 – 190 Stocks Street. The building, 180 – 190 Stocks Street is a two storey property located at the junction of Stocks Street and North Street. Unit 4 is located on the first floor the location is shown within the extract of floor plans in the enclosures. Unit 4 measures 164 sq.m.

Having regard to the evidence presented the use has been in place since May 2015 and has continued since May 2015.

Prior to May 2015 unit 4 was used as part of a storage and warehouse use as shown within the extract below:

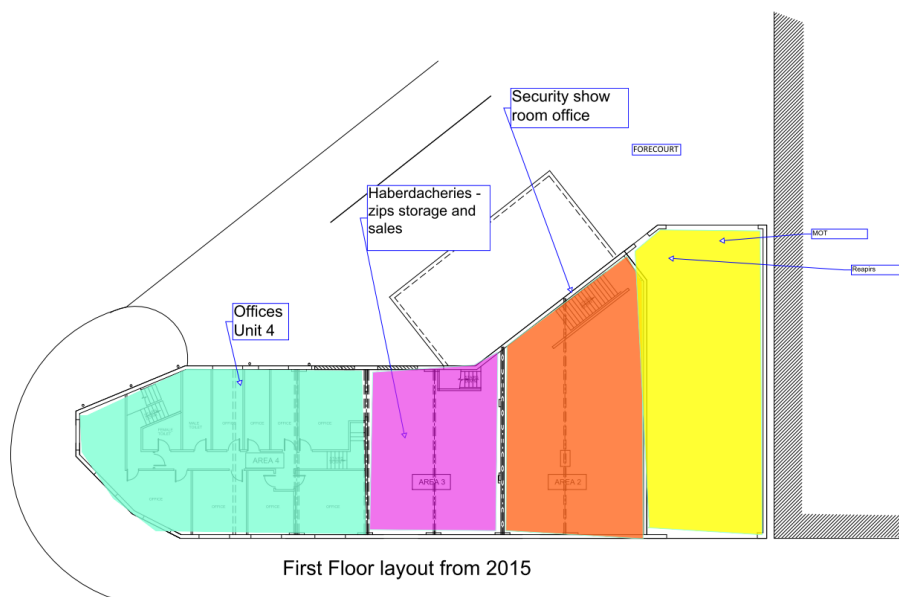


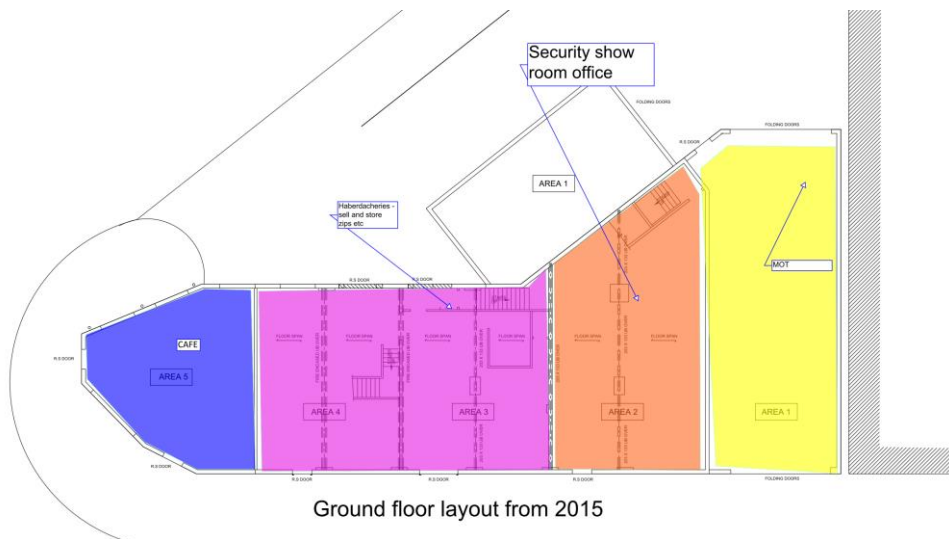


Unit 4 was used in conjunction with the warehouse use at ground and first floor; with unit 4 being used as offices for the warehouse.

In May 2015 the applicant confirms in his statutory declaration that he converted unit 4 from offices as an ancillary part of a warehouse use, to a use as offices within use class E (at that time within use class B1 Office use). To do this he undertook internal alterations.

The applicant confirms that the layout of the building from May 2015 is as per the extract below.





In May 2015 the Town and County Planning (General Permitted Development) Order confirmed that the change of use of a building, or part of a building, from warehouse use to office use did not require express planning permission; permission to change the use was granted by Section 57 of the Town and country Planning Act and the Order. The applicant did not require planning permission to subdivide the building to create an office.

The applicant has explained to us that since 2015 the use of unit 4 has continued as an office. The applicant confirms in his declaration that from 2017 to 2021 he rented the office to K2 Management Bizz Ltd. He also confirms that he rented the office to Things With Flair Ltd from 2021 and that they still rent the office to date. The applicant has provided a copy of the lease with Things With Flair Ltd, this is provided within the enclosures. The applicant has also provided a copy of an email from K2 Management Bizz Ltd confirming their use of the office between 2017 and 2021.

The Statutory Declaration by Gareth White is attached this statement, this declarations make clear the timeline of events.

In addition unit 4 has been registered to pay business rates as an office since at least 2018 as the extract below shows:

Property
Unit 4 1st Flr At 182-190, Stocks
Street, Manchester, M8 8QH

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Valuation

Current rateable value (1 April 2023 to present)
£7,000

This is the rateable value for the property. It is not what you pay in business rates or rent. Your local council uses the rateable value to calculate the business rates bill.
[Estimate your business rates bill](#)

Valuations for this property

Valuations	Effective date	Rateable value
CURRENT 1 April 2023 to present	1 April 2023	£7,000
PREVIOUS 19 June 2018 to 31 March 2023	1 April 2017	£5,700

[Hide all sections](#)

Valuation details

[Hide](#)

Description	Offices and premises
Local council	Manchester
Local council reference	3029400
Rating list	2023
Effective date	1 April 2023
Valuation scheme reference	589564
Base rate	£61.00
Measurement method	Gross internal area
Transitional relief certificate issued	No
Special category code	096G

The applicant has supplied a statutory declaration confirming that the current use as an office began in 2015. The timeline of events shows that the necessary planning permission was in place (being permitted development) for the use of the premises as an office. This ties in with the evidence provided in the Statutory Declarations.

The submitted evidence to support this application includes:

- Statutory Declaration
- Lease with Things With Flair Limited
- Email from K2 Management Bizz Ltd
- Extract from Business Rates valuation

We consider the submitted evidence is sufficient to prove beyond doubt that the application property, Unit 4, has since 2015 been used as an office. We also consider that the lawful use of unit 4 should be conferred as being an office.

We believe that the proposal does comply with the meaning of Section 191 of the Town and Country Planning Act advises:

“If any person wishes to ascertain ... any existing use of buildings or other land is lawful.....he may make an application for the purpose to the local planning authority specifying the land and describing the use, operations or other matter.”

The main concerns of this application are therefore whether there has been a lawful change of unit 4 to an office. The submitted declaration from Gareth White contains significant evidence. Furthermore, it is clear that upon first using the building for office use this was undertaken as permitted development given the size of unit is 164sq.m. The lawful use of the building was within office use class E remains in use today. In such circumstances, section 191 and 171 of the Planning Acts, dictates that an applicant can expect to be granted a Lawful Development Certificate confirming the exemption from enforcement action.

The relevant test of the evidence is the balance of probability; it can be seen from the submitted evidence that the use of Unit 4 is as an office. We consider that the change of use that occurred in 2015 was lawful. The applicant respectfully requests that a positive Certificate is issued by Manchester City Council Planning Authority.

Prepared by Simon Plowman MA MRTPI on behalf of Plan:8 Town Planning Ltd
At the request Gareth White

List of enclosures attached separately:

- Statutory Declaration of Gareth White
- Site location Plan copy enclosed
- Extract of Business Rates
- A copy of the floor plans of the property as they were in 2014.
- A copy of the floor plans of the property from 2015.