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Manchester City Council
Planning Department
PO Box 532
Manchester M60 2LA

5th July 2023

Dear Sir/Madam,

Application for Lawful Development Certificate for an Existing HMO (Use Class C4) 35 Derby Road, Manchester M14 6UX

I enclose an application for a Lawful Development Certificate for an existing use as a small HMO.

The property is lawfully occupied as a small HMO having been in continuous occupation for over 10 years by between 3 and 6 unrelated individuals which is continuing with the tenancy agreement in place for the current letting year.

Attached is a summary of the history of the occupation of the property, as well as the supporting documents for the qualifying period.

As the available tenancy agreements do not cover the full 10 year period, the evidence includes a statutory declaration by DWF, a legal firm, in its capacity as professional deputy for the property's previous owner (who died in 2016). The property was inherited by the previous owner's daughter, who is now a joint and equal shareholder of Cheshire Cat Investments Limited (current owner of the property).

The evidence also includes the available ASTs, confirmation of the occupancy from the Council's Revenue and Benefits Accounts Officer, an extract from the HMO register (entry 236118 highlighted) and the tenancy offer for the letting year 2023-24.

The evidence provided clearly demonstrates that on a balance of probabilities the property has been continuously occupied as a small HMO, with no intervening alternative use for the last 10 years.

The property therefore has a lawful use as a small HMO (class C4) for which a certificate should be granted.

Should you require any further information, please do not hesitate to contact me; otherwise I look forward to your determination.

Yours sincerely

Stephen Lamb DipTP MRTPI
Planning Consultant