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

5th January 2023

Dear Sir/Madam,

Application for Lawful Development Certificate for an Existing HMO (Use Class C4) 26 Haydn Avenue, Manchester M14 4DL

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 and this 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. The tenancy agreements for the years 2015/16 and 2016/17 are not available, however the bank statements for those years have been provided which demonstrate that the rental payments which are highlighted (based on £300.00 per bedroom/tenant giving a total of £1,200 per month) were made by the lead tenant.

The lead tenant for both 2015/16 and 2016/17 was shown on the bank statement as N Binti Mohammad Zu. It is assumed that this is the same student who also occupied the property in 2016/17 and is shown on the attached passport images as Binti Mohamad Zulkipeli Nurul Azila.

The 2019/20 letting year is covered by two tenancy agreements, as two of the students signed early to allow them to stay over the summer (which is usually a vacant holiday period) in advance of the arrival of the other tenants. This was a minor adjustment to the usual letting arrangements which does not amount to a break the continuity of the HMO use.

In addition, the response from the Council's Revenues and Benefits Officer confirms that the property has been in continuous multiple occupation from 2012 to 2020. The tenancy agreement shows that the multiple occupancy actually commenced on 1st January 2011.

For unknown reasons the Council's records do not show the multiple occupation for 2020/21, however this is confirmed by the tenancy agreement for that year which shows occupation by three students.

The evidence provided clearly demonstrates that on a balance of probabilities the property 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