

**Planning**

Telephone: +44 (0)161 234 4516
planning@manchester.gov.uk
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 (as amended)

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.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

148

Suffix

Property Name

Address Line 1

Braemar Road

Address Line 2

Address Line 3

Manchester

Town/city

Manchester

Postcode

M14 6PW

Description of site location must be completed if postcode is not known:

Easting (x)

386414

Northing (y)

393860

Description

Applicant Details

Name/Company

Title

Miss

First name

Stephanie

Surname

Nash

Company Name

Address

Address line 1

148 Braemar Road

Address line 2

Address line 3

Manchester

Town/City

Manchester

Country

United Kingdom

Postcode

M14 6PW

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

***** REDACTED *****

Fax number

Email address

***** REDACTED *****

Reason for Lawful Development Certificate

Please indicate why you are applying for a lawful development certificate

- ☒ An existing use
☐ Existing building works
☐ An existing use, building work or activity in breach of a condition

Being a use, building works or activity which is still going on at the date of this application.

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please select the relevant Use Class.

Other

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. [View more details on Use Classes.](#)

Other (please specify)

C4 small HMO. Dwelling house in multiple occupation

Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

Since before 8 October 2011, the date of the Council's Article 4 direction, 148 Braemar Road Fallowfield, Manchester M14 6PW has been used as a Class 4 small HMO. This is a mid terrace two storey house which has been occupied by groups of 3 or 4 unrelated people for more than 10 years so a C4 use has been established.

I acquired the property on 10 March 2017 from Northmain Properties Limited. I have uploaded the lease for the period 20 April 2016 to 19 April 2017 provided to me by the vendor. The vendor also issued a declaration indicating that the property had been used as an HMO throughout the vendor's ownership of the property from 26 October 2001 to 10 March 2017. I have uploaded this declaration as signed by Mr Conor Slattery a director of Northmain Properties Limited.

Subsequent to my acquisition of the property it was empty for the period April to June 2017. During this time extensive redecoration work was carried out to put the property into a good state of repair (plastering, flooring, new windows and doors, rewiring etc.). From 1 July 2017 I have lived in the property and rented out 3 rooms to unrelated friends or acquaintances. I have uploaded the leases for each tenant for each year for the period from 1 July 2017 to 30 June 2022.

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).

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

- ☐ Yes
- ☒ No

Please state why a Lawful Development Certificate should be granted

The property has been occupied on a shared basis by 3 or 4 unrelated tenants since at least October 2001 and preceding the Article 4 Directive of October 2011. The use as a C4 small HMO property has been continuous aside from brief voids when the property was being marketed for rent or during the period of redecoration in 2017. Tenancy Agreements for the period 2016-2022 and a statutory declaration from the previous owner are supplied as evidence to illustrate how the property has been used and that C4 use has been established.

Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

26-10-2001

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

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?

- ☐ Yes
- ☒ No

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?

- ☐ The agent
- ☒ The applicant
- ☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes
- ☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
- ☐ Lessee
- ☐ Occupier
- ☐ Other

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

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

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
- ☒ No

Declaration

I / We hereby apply for Lawful development: Existing use as described in this form and 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 options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Stephanie Nash

Date

29/06/2022