MANCHESTER CITY COUNCIL
Planning
Telephone: 0161 234 4516
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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: 4

Suffix:

Property Name:

Address Line 1: Amherst Road

Address Line 2:

Address Line 3: Manchester

Town/city: Manchester

Postcode: M14 6UQ

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

Easting (x): 385502

Northing (y): 393422

Description:

Applicant Details

Name/Company

Title

Ms

First name

Yvette Karen

Surname

Pollock

Company Name

Address

Address line 1

149 Hemingford Rd

Address line 2

Address line 3

London

Town/City

London

County

Country

GB

Postcode

N1 1BZ

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Applicant Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Reason for Lawful Development Certificate

Please indicate why you are applying for a lawful development certificate

- [x] 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.

C4 - Houses 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

C4 Small HMO

Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

Where the use, building works or activity began ***before 25 April 2024***

- [x] 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 change of use to 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).

Where the use, building works or activity began on or after 25 April 2024

- [ ] The use, building works or activity 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.
- [ ] 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

Uninterrupted C4 user for more than 10 years prior to the date of this application.

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)?

01-09-2009

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

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED ******

First Name

***** REDACTED ******

Surname

***** REDACTED ******

Reference

application no 145210/LE/2026

Date (must be pre-application submission)

02/06/2026

Details of the pre-application advice received

..... As Robert set out in his email to you on 14 May, the full assessment of the evidence you provided in the original Certificate of Lawfulness application (145210/LE/2026) is set out in the Officers Report to that application, this can be viewed online. An application for a Certificate of Lawfulness must be accompanied by evidence to support the claim being made, the burden of providing that evidence is on the applicant and not the Council as Local Planning Authority. In this case, the evidence needed to be clear and unambiguous, that at the time of the making of the application, the property was in use as a House in Multiple Occupation and that this position had been maintained for at least the preceding 10 years. I note that you bought the property in 2018, but your application provided no supporting evidence of occupation of the property from this period and to the date of the application. To support your application, copies of tenancy agreements from your purchase of the property in 2018, and throughout the years up to the date of the application would have been a good starting point; you could also, through a solicitor, a notary public, or a commissioner for oaths make a Statutory Declaration stating when you bought the property, how it was so used and how it has been used since you purchased it, as this would be treated as sworn first-hand evidence. Evidence of rental payments by the occupiers would also show the periods of occupation and should tie in with those tenancy agreements. Whilst Council Tax records may offer an insight into the use of the property, it is not for the Planning Officer to source this evidence to fill any gaps in that submitted by any applicant; the guidance is clear that the Council must grant a certificate 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, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability. I understand that copies of HMO Licences were provided, but this only shows that the property is capable (for licensing purposes) of being used in that manner, it is not evidence of the use occurring and that the property was occupied over the relevant 10-year period. In this case, there was simply insufficient evidence to be able to conclude that the property had indeed been in use as a House in Multiple Occupation for the relevant 10-year period. The additional information provided to you by Council Tax under your FOI request can be included in any new application, but you will still need to bridge the gap between 2018 and 2026 and this will need to be up to an include the date of the new application, i.e. that the property is still in the same use at the time of making the application.

Interest in the Land

Please state the applicant's interest in the land

- [x] 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 the questions answered, details provided, and the 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 opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published 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

Yvette Karen Pollock

Date

14/06/2026