Paul Butler Associates
Planning, Development & Heritage Consultants

15 July 2026

Mrs Julie Roscoe
Planning
Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

L26/2347

Dear Mrs Roscoe,

5 Stockton Road, Chorlton, Manchester, M21 9FB

Application for a Lawful Development Certificate for an Existing Use or Operation or Activity under the Town and County Planning Act 1990: Section 191, as amended by section 10 of the Planning and Compensation Act 1991

I am pleased to submit this application for a Lawful Development Certificate for an Existing Use or Operation or Activity on behalf of our client ANRO Properties Ltd.

The application seeks to establish that the use of the property as four self-contained flats (Use Class C3) is lawful because the use has existed continuously for a period of at least four years before 25 April 2024, and has continued uninterrupted to the present day. Although the general immunity period for unauthorised changes of use has subsequently increased to ten years, the transitional provisions preserve the previous four-year immunity period where the change of use occurred before 25 April 2024. The evidence submitted demonstrates that the four self-contained flats had been created and occupied before that date and had therefore already accrued immunity.

This letter provides an overview of the site and sets out the supporting information that has been submitted as part of the LDC application.

The Application Site

The application site is located at 5 Stockton Road, Chorlton, M21 9FB and is outlined red on the submitted Site Location Plan (provided by the Planning Portal website).

5 Stockton Road is a large semi-detached property that was likely originally a single dwellinghouse, but has been converted into separate flats. The property currently comprises of four flats with one located on each of the ground floor, first floor, second floor and basement.

The subject property is set back from 5 Stockton Road behind a boundary wall, hardstanding area, and there is an enclosed rear yard / garden.

Supporting Information

The application is supported by a range of evidence to establish that the property lawfully comprises of 4 self-contained flats (use class C3). This is set out in the table below together with supporting commentary.

A summary of the chronology relating to conversion of the building to flats is provided below:

- conversion to three flats by at least 2010;
- purchase in 2017 with marketing particulars identifying three flats;
- basement conversion completed during 2019;
- occupation of four flats since 2019;
- continuous occupation evidenced to the present day.

	Evidence	**PBA comments**
1	Building Regulations Final Certificate dated 28/08/2019	This document refers to the formation of a self-contained flat at basement level (5A) and demonstrates completion of physical works.
2	MCC Correspondence confirming registration of street address dated 19/02/2019	This confirms the registration of 5A Stockton Road and identifies this as the basement flat. The plan identifies the access to 5A Stockton Road and the access for Flats 1 – 3, 5 Stockton Road.
3	Email correspondence with Royal Mail confirming registration of 5A Stockton Road.	This correspondence includes confirmation of the property being complete and ready to receive delivery of mail as a separate dwelling.
4	Rightmove particulars for Flat 3, 5 Stockton Road identifying the property as a 1 bedroom flat. The entry was added 04/05/2021.	More details available at: https://www.rightmove.co.uk/properties/102986012
5	Rightmove particulars for 5a Stockton Road identifying the property as a 1 bedroom flat. The entry was added 19/06/2019	The photographs included within this entry clearly show that the property was completed. More details available at: https://www.rightmove.co.uk/properties/82695821
6	Site Inspection Report dated 23.05.2019 relating to Flat 5a.	Photographs within the report show that the works were substantially completed.
7	Assured Shorthold Tenancy Agreement Flat 1 dated 15.12.2016	This confirms that Flat 1 was occupied prior to 25 April 2024.
8	Assured Shorthold Tenancy Agreement Flat 2 dated 7.10.2016	This confirms that Flat 2 was occupied prior to 25 April 2024.
9	Assured Shorthold Tenancy Agreement Flat 3 dated 28.01.2017	This confirms that Flat 3 was occupied prior to 25 April 2024.
10	Electrical Certificate for Flats 1, 2 and 3 dated 29.11.2010	This confirms that three flats were present on 29.11.2010.
11	2017 Marketing Details which refer to three flats.	The property particulars date from 2017 when the current property owner purchased the site. Three flats are identified as well as the potential to convert the basement into a further flat.

12	Council tax information for GF, Middle flat and flat 5a	This information shows these flats as self-contained flats with associated Council tax payable.
13	Council Tax Bill – Flat 5a (2023)	This and other Council Tax Bills evidence the use of the property as four self-contained flats.
14	Council Tax Bill – Flat 5a (2025)	This and other Council Tax Bills evidence the use of the property as four self-contained flats.
15	Council Tax Bill – Flat 5a (2026)	This and other Council Tax Bills evidence the use of the property as four self-contained flats.
16	Council Tax Bill – Flat 1 (2021)	This and other Council Tax Bills evidence the use of the property as four self-contained flats.
17	Council Tax Bill – Flat 1 (2023)	This and other Council Tax Bills evidence the use of the property as four self-contained flats.
18	Council Tax Bill – Flat 1 (2025)	This and other Council Tax Bills evidence the use of the property as four self-contained flats.
19	Council Tax Bill – Flat 2 (2017)	This and other Council Tax Bills evidence the use of the property as four self-contained flats.
20	Council Tax Bill – Flat 2 (2020)	This and other Council Tax Bills evidence the use of the property as four self-contained flats.
21	Council Tax Bill – Flat 2 (2026)	This and other Council Tax Bills evidence the use of the property as four self-contained flats.
22	Council Tax Bill – Flat 3 (2021)	This and other Council Tax Bills evidence the use of the property as four self-contained flats.
23	Council Tax Bill – Flat 3 (2022)	This and other Council Tax Bills evidence the use of the property as four self-contained flats.
24	Council Tax Bill – Flat 3 (2024)	This and other Council Tax Bills evidence the use of the property as four self-contained flats.
25	Tenancy agreement Flat 1 (2020)	This and other Tenancy agreements evidence occupation of the property as four self-contained flats.
26	Tenancy agreement Flat 1 (2021)	This and other Tenancy agreements evidence occupation of the property as four self-contained flats.
27	Tenancy agreement Flat 1 (2023)	This and other Tenancy agreements evidence occupation of the property as four self-contained flats.
28	Tenancy agreement Flat 1 (2025)	This and other Tenancy agreements evidence occupation of the property as four self-contained flats.
29	Tenancy agreement Flat 2 (2020)	This and other Tenancy agreements evidence occupation of the property as four self-contained flats.
30	Tenancy agreement Flat 3 (2020)	This and other Tenancy agreements evidence occupation of the property as four self-contained flats.
31	Tenancy agreement Flat 3 (2021)	This and other Tenancy agreements evidence occupation of the property as four self-contained flats.

32	Tenancy agreement Flat 3 (2023)	This and other Tenancy agreements evidence occupation of the property as four self-contained flats.
33	Tenancy agreement Flat 3 (2024)	This and other Tenancy agreements evidence occupation of the property as four self-contained flats.
34	Tenancy agreement Flat 3 (2025)	This and other Tenancy agreements evidence occupation of the property as four self-contained flats.
35	Tenancy agreement Flat 5A (2019)	This and other Tenancy agreements evidence occupation of the property as four self-contained flats.
36	Tenancy agreement Flat 5A (2021)	This and other Tenancy agreements evidence occupation of the property as four self-contained flats.
37	Tenancy agreement Flat 5A (2021)	This and other Tenancy agreements evidence occupation of the property as four self-contained flats.
38	EPC for Flat 1, 5 Stockton Road (2016)	This and other EPCs demonstrate that conversion to three flats had taken place by at least 2016. They clearly show three separate dwellinghouses.
39	EPC for Flat 2, 5 Stockton Road (2016)	This and other EPCs demonstrate that conversion to three flats had taken place by at least 2016. They clearly show three separate dwellinghouses.
40	EPC for Flat 3, 5 Stockton Road (2016)	This and other EPCs demonstrate that conversion to three flats had taken place by at least 2016. They clearly show three separate dwellinghouses.
41	Electrical Installation Certificate (2016)	This is dated 14 June 2016 and refers to the completion of electrical installations made to the converted basement flat.

The evidence demonstrates that the building had already been converted into three self-contained dwellings by at least 2010. The basement was subsequently converted into a fourth dwelling during 2019, with completion evidenced by Building Regulations approval, Royal Mail registration, Council Tax registration and tenancy documentation. Accordingly, the use of the building as four self-contained dwellings has existed continuously for well in excess of four years before 25 April 2024.

Assessment

When considering an application for a Lawful Development Certificate, National Planning Practice Guidance advises *'In the case of applications for existing use, 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, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability'* (Paragraph: 006 Reference ID: 17c-006-20140306). It goes on to state *'A local planning authority needs to consider whether, on the facts of the case and relevant planning law, the specific matter is or would be lawful. Planning merits are not*

relevant at any stage in this particular application or appeal process' (Paragraph: 009 Reference ID: 17c-009-20140306).

Collectively the evidence is mutually corroborative, consistent and spans the entire relevant immunity period. There is no material gap in the documentary evidence and no evidence capable of contradicting the applicant's case. On the balance of probability, the use of the property as four self-contained dwellings had become lawful before 25 April 2024 and has continued to the present day. The statutory test under section 191 of the Town and Country Planning Act 1990 is therefore satisfied and a Certificate of Lawfulness should be issued.

Submission

In addition to the evidence previously referred to in this letter, the following information has also been submitted:

- Application forms for a 'Lawful Development Certificate for an Existing Use or Operation or Activity'

The Site Location Plan has been prepared via the Planning Portal.

The application fee (£2,440.00) will be paid by the applicant during the submission of the application via the Planning Portal.

We trust that this information is sufficient to enable approval of this application.

If you require any further information please do not hesitate to get in touch. We look forward to working with you.

Yours sincerely

[redacted]

Ralph Taylor BSc. MPLAN MRTPI
Director