



Town and Country Planning Act 1990
Section 195 Planning Appeal

London Borough of Hillingdon Appeal Statement

Appeal By: Jinderpal Hayer

**Proposal: Existing use as a flat (Application for a Certificate of Lawful Development
for an Existing Use)**

Appeal Site: 20 CENTRAL AVENUE, HAYES, UB3 2BX

Our Ref:
Your Ref:

58347/APP/2023/2568
APP/R5510/X/24/3342495

1. Introduction

- 1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeal against its refusal to grant a certificate of lawful existing development for the use as a flat at 20 Central Avenue, Hayes.
- 1.2 The LPA refused planning permission on 22 January 2024 for the following reason (as stated on the decision notice):
 1. The existing development does not constitute Lawful Development under Section 191 of Town and Country Planning Act 1990, as amended by Section 10 of the Planning and Compensation Act 1991 as the Applicant has not demonstrated that, on the balance of probability, the use has existed and been continuous for at least a period of four years, prior to the date of this application.

2. LPA Comments on Appellant's Statement of Case

- 2.1 The Council considers that the arguments highlighted by the appellant have been addressed in the Planning Officer's Delegated Report attached as Appendix 1. This statement will not repeat the delegated report and will focus on addressing matters raised in the Appellant's statement of case. The Council would need confirmation that the use claimed has been continually carried out without interruption for a continuous period of 4 years prior to the application, which means the date starts to run from 31.08 2019. The Council considers that the evidence provided is not sufficiently precise and unambiguous to demonstrate that the property has been in continuous and uninterrupted use (as a flat) for at least a period of four years prior to the date of this application.

3. Conclusion

- 3.1 No additional evidence has been submitted in support of this appeal by the appellant and as such, the Council remains of the view that the evidence provided is not sufficiently precise and unambiguous to demonstrate that the property has been in continuous and uninterrupted use (as a flat) for at least a period of four years prior to the date of this application.

Appendices

Appendix 1 – Planning Officer's Delegated Report