

The Planning Inspectorate

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT APPEAL FORM (Online Version)

Appeal Reference: APP/R5510/X/21/3270724

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	MR VARUN CHADHA
Address	
Phone number	
Email	
Preferred contact method	Email ☒ Post ☐

B. AGENT DETAILS

Do you have an Agent acting on your behalf?	Yes ☒ No ☐
Name	Mr W Nagi
Address	
Phone number	
Email	
Preferred contact method	Email ☒ Post ☐

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	London Borough of Hillingdon
LPA reference number (if applicable)	75929/APP/2020/3221
Date of the application	22/10/2020
Did the LPA issue a decision?	Yes ☒ No ☐

Date of LPA's decision

14/12/2020

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes

☒ No

☐

Address

2 Divine Way
HAYES
UB3 2FE

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?

Yes

☐ No

☒

E. DETAILS OF THE APPEAL

Please give a precise description of the proposed or existing use, operation or activity as outlined in the application in respect of which a certificate is sought.

Conversion of roof space to habitable use to include 2 front and 2 rear rooflights

Select the section under which the application was made:

Section 191

☐

Section 192

☒

Section 26H

☐

In the case of a proposal, had it been started before the application to the LPA was made?

Yes

☐ No

☒

Please state the actual use of the site at the time of application to the LPA. (if not in use, write "nil" and state last known use).

residential

Is there an effective enforcement notice on the site?

Yes

☐ No

☒

F. REASON FOR THE APPEAL

1. Refused/refused in part to grant a certificate of lawful use or development.

☒

2. Failed to give notice of their decision within the appropriate period on an application for a certificate of lawful use or development.

☐

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations

☒

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land?

Yes

☒ No

☐

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts?

Yes

☐ No

☒

2. Hearing

☐

H. APPEAL STATEMENT

The statement is set out in

☒ the box below

We had Pre Application discussion with Duty Planning Officer for the development. He referred to apply for Certificate of Lawfulness Proposed for the Development as done by 05 Divine Way. He mentioned that PD Right was confiscated at the time of approval for new homes. But there is a precedent of Approvals of CPL in the vicinity, we will approve it.

05 Divine Way applied for similar development for Loft Conversion under Householder Planning Application which was refused. Later 05 Divine Way applied under Certificate of Lawfulness applicaiton and got it approved. The Planning Officer had following comments

Condition 17 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to any dwellinghouses nor any garages, sheds or other outbuildings shall be erected without the grant of further specific permission from the Local Planning Authority.

4.0 ALL CLASSES

Part 1 Policies:

Part 2 Policies:

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Contact Officer: Naim Poptani Telephone No: 01895 250230

Condition 18 - Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990, the garages shall be used only for the accommodation of private motor vehicles incidental to the use of the dwelling house as a residence.

The conditions however prevent the extension of the building and conversion of the integral garage as opposed to the insertion of further windows. The condition is therefore considered not to be applicable to this application.

I. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided?

Yes

☐ No

☒

J. SUPPORTING DOCUMENTS

- 01. The application made to the LPA. ☒
- 02. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. Please number them clearly and list the numbers here or on a separate sheet. ☒
- 02. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA. ☒
- 03. The LPA's decision (if any). ☒
- 04. All other relevant correspondence with the LPA. ☒
- 05. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant ☒

(if any) edged or shaded blue.

06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).

☐

06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.

☐

K. CHECK SIGN AND DATE

(All supporting documents must be received by us within the 8 week time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full grounds of appeal) to the LPA today.

Signature

Mr W Nagi

Date

10/03/2021 17:41:32

Name

Mr W Nagi

On behalf of

MR VARUN CHADHA

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018. Further information about our Data Protection policy can be found on our website under Privacy Statement.

L. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full grounds of the appeal) not previously sent as part of the application to the LPA.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

M. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@pins.gsi.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this form:

Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. The application made to the LPA.
File name:	APP FORM.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	02.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	P-01.pdf
File name:	P-06.pdf
File name:	P-04.pdf
File name:	P-07.pdf
File name:	P-08.pdf
File name:	P-05.pdf
File name:	P-03.pdf
File name:	P-02.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	02.b. Copies of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name:	LIST OF DOCUMENTS.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. The LPA's decision
File name:	DECISION.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. All other relevant correspondence with the LPA.
File name:	OFFICERS REPORT.pdf
File name:	05 DIVINE WAY [OFF REPORT] PLANNING APP.pdf
File name:	05 DIVINE WAY [DECISION] PLANNING APP.pdf
File name:	05 DIVINE WAY [OFF REPORT] CPL APP.pdf
File name:	05 DIVINE WAY [DECISION] CPL APP.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	P-08.pdf
Completed by	MR W NAGI

Date

10/03/2021 17:41:32