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# Planning Statement

for a

Certificate of Lawful Development Application  
To Confirm the Existing Use

at

59 Commonwealth Avenue

Hayes

Middlesex

UB3 2PN

**BMD/1114**

**October 2018 (Rev A)**

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## **Introduction**

59 Commonwealth Avenue is a semi-detached property located at the junction of Commonwealth Avenue and Judge Heath Lane, Hayes.

The property is now in the ownership of a charity and was it gifted to them in the will of the previous owner.

The transfer to the applicants occurred on 07 August 2018 as shown in the HM Land Registry Official Copy of Register Title documents attached.

We understand that the have previous owner had used the ground floor as an office and the first floor as living accommodation.

The applicants have no information on when the use of the ground floor as an office first occurred and whether it was in constant use for a period of 10 years.

There is no separate access to the first floor accommodation and therefore the applicants believe that the previous owner may have lived on the first floor.

The original owner is deceased and therefore it is not possible to provide any evidence.

The property is currently vacant and the applicants wish to let the unit as a single family dwelling.

This Certificate of Lawful Development Application is to establish the existing use of the building as residential.

## **Planning History**

The Local Authority has confirmed that no formal planning application planning application was previously submitted for the change of use of the ground floor to office use.

## **Existing Use**

Due to the applicant's recent receipt of the property and the death of the previous owner, no documentation can be obtained to suitably establish the use of the ground floor as an office for a constant period of 10 years.

Therefore we are of the opinion that no change of use has been established at the property and the formal use of the application site is still that of a single residential dwelling.

The applicants request confirmation of this fact to allow them to let the property.

The area is made up of mainly residential houses of a similar nature and therefore the property will be in keeping with the local character.

## Site Photo





# Official copy of register of title

Title number MX62328

Edition date 03.08.2018

- This official copy shows the entries on the register of title on 07 Aug 2018 at 13:00:08.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 07 Aug 2018.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry Wales Office.

## A: Property Register

This register describes the land and estate comprised in the title.

HILLINGDON

- 1 (01.09.1937) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 59 Commonwealth Avenue, Hayes.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (03.08.2018) PROPRIETOR: INTERNATIONAL BIBLE STUDENTS ASSOCIATION of Ibsa House, The Ridgeway, London NW7 1RN.
- 2 (03.08.2018) RESTRICTION: No disposition by the proprietor of the registered estate to which section 117-121 or section 124 of the Charities Act 2011 applies is to be registered unless the instrument contains a certificate complying with section 122(3) or section 125(2) of that Act as appropriate.

### End of register

# HM Land Registry

## Assent of whole of registered title(s) by personal representative(s)

# AS1

**Any parts of the form that are not typed should be completed in black ink and in block capitals.**

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

Leave blank if not yet registered.

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Remember to date this deed with the day of completion, but not before it has been signed and witnessed.  
Give full name.

Give full name(s) of **all** of the persons assenting the property.

Complete as appropriate where the personal representative is a company.

Give full name(s) of **all** of the persons to be shown as registered proprietors.

Complete as appropriate where the transferee is a company. Also, for an overseas company, unless an arrangement with HM Land Registry exists, lodge either a certificate in Form 7 in Schedule 3 to the Land Registration Rules 2003 or a certified copy of the constitution in English or Welsh, or other evidence permitted by rule 183 of the Land Registration Rules 2003.

Each transferee may give up to three addresses for service, one of which must be a postal address whether or not in the UK (including the postcode, if any). The others can be any combination of a postal address, a UK DX box number or an electronic address.

1	Title number(s) of the property: MX62328
2	Property: 59 Commonwealth Avenue Hayes Middlesex UB3 2PN
3	Date:
4	Name of deceased proprietor: Emmanuel Christodoulos Zervidis also known as Emmanuel Christodoulos Zervides
5	Personal representative of deceased proprietor: Eliou Christou Moushiou  <u>For UK incorporated companies/LLPs</u> Registered number of company or limited liability partnership including any prefix:  <u>For overseas companies</u> (a) Territory of incorporation:  (b) Registered number in the United Kingdom including any prefix:
6	Transferee for entry in the register: International Bible Students Association  <u>For UK incorporated companies/LLPs</u> Registered number of company or limited liability partnership including any prefix: 136726 <u>For overseas companies</u> (a) Territory of incorporation:  (b) Registered number in the United Kingdom including any prefix:
7	Transferee's intended address(es) for service for entry in the register: IBSA House, The Ridgeway, London NW7 1RN
8	The personal representative transfers the property to the transferee

Place 'X' in any box that applies.

Add any modifications.

Where the transferee is more than one person, place 'X' in the appropriate box.

Complete as necessary.

The registrar will enter a Form A restriction in the register *unless*:

- an 'X' is placed:
  - in the first box, or
  - in the third box and the details of the trust or of the trust instrument show that the applicants are to hold the property on trust for themselves alone as joint tenants, *or*
- it is clear from completion of a form JO lodged with this application that the transferees are to hold the property on trust for themselves alone as joint tenants.

Please refer to *Joint property ownership* and *practice guide 24: private trusts of land* for further guidance. These are both available on the GOV.UK website.

Insert here any required or permitted statement, certificate or application and any agreed covenants, declarations and so on. If you are a conveyancer you can also include the following certificate instead of enclosing the documents mentioned:

"I am the applicant's conveyancer and certify that I am holding the original or a certified or office copy of the grant of probate, letters of administration or court order."

**9 The personal representative transfers with**

- ☐ full title guarantee
- ☒ limited title guarantee

**10 Declaration of trust. The transferee is more than one person and**

- ☐ they are to hold the property on trust for themselves as joint tenants
- ☐ they are to hold the property on trust for themselves as tenants in common in equal shares
- ☐ they are to hold the property on trust:

**11 Additional provisions**

The Transferee is a registered charity. The Property transferred will as a result of the Assent be held by the Transferee (a non-exempt charity) and the restrictions on disposition imposed by sections 117-121 of the Charities Act 2011 will apply to the Property (subject to section 117(3) of that Act).

The transferor must execute this transfer using the space opposite. If there is more than one transferor, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If the transfer contains transferee's covenants or declarations or contains an application by the transferee (such as for a restriction), it must also be executed by the transferee.

If there is more than one transferee and panel 10 has been completed, each transferee must also execute this transfer to comply with the requirements in section 53(1)(b) of the Law of Property Act 1925 relating to the declaration of a trust of land. Please refer to Joint property ownership and practice guide 24: private trusts of land for further guidance.

Remember to date this deed in panel 3.

## 12 Execution

Signed as a deed by:  
ELIOU CHRISTOU MOUSHIOU

Signature:

in the presence of:

Signature of witness:

Name (in BLOCK CAPITALS):

Address:

The COMMON SEAL of  
INTERNATIONAL BIBLE  
STUDENTS ASSOCIATION  
was hereunto affixed  
in the presence of:-

Acting by: \_\_\_\_\_

Acting by: \_\_\_\_\_

### WARNING

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.