

Planning Statement / Evidence Statement
Certificate of Lawfulness for Existing Use

Existing Use as a House in Multiple Occupation — Use Class C4

42 St Peters Road, Uxbridge, UB8 3SA

1. Introduction

This statement has been prepared in support of an application for a Certificate of Lawfulness for Existing Use in respect of the property known as 42 St Peters Road, Uxbridge, UB8 3SA.

The application seeks formal confirmation that the existing use of the property as a House in Multiple Occupation within Use Class C4 is lawful. The property has been used continuously as shared rented accommodation / HMO accommodation for a period exceeding 10 years.

The property is occupied by unrelated persons as their main residence, with occupiers renting individual rooms and sharing communal facilities including the kitchen, bathroom/WC facilities, circulation areas and other shared parts of the dwelling.

The existing HMO use relates to the residential accommodation within the property as a whole.

2. Description of Existing Use

The existing use is as a small House in Multiple Occupation within Use Class C4.

The property is used as shared residential accommodation by unrelated occupiers who live within the property as separate households and share basic amenities. The use is materially distinct from occupation by a single household and has the established planning character of a small HMO/shared rented house.

No operational development is proposed as part of this application. The application relates solely to the confirmation of the existing lawful use.

3. Relevant Planning Position

The relevant test for a Certificate of Lawfulness for Existing Use is whether the submitted evidence demonstrates, on the balance of probability, that the use has continued for the required lawful period.

The application is not a planning merits assessment. Matters such as parking, amenity, design, housing need or local planning policy are not determinative where the existing use has become lawful through the passage of time.

The applicant's case is that the property has been continuously used, managed and occupied as a small HMO/shared rented house for more than 10 years. The use has not been abandoned, and the property has not reverted to use as a single dwellinghouse occupied by one household.

4. Summary of Evidence

The submitted evidence demonstrates a clear and longstanding pattern of use as shared rented accommodation / HMO accommodation.

The tenancy documentation confirms that the property was occupied by multiple unrelated occupiers from 2016. The evidence from 2017 further confirms occupation by four named tenants at 42 St Peters Road, with the property being let and occupied as shared rented accommodation.

The evidence from 2021 confirms the continuation of residential letting at 42 St Peters Road. The later tenancy documentation from 2022, 2023, 2024, 2025 and 2026 further demonstrates the continued use of the property as shared rented accommodation / HMO accommodation.

The more recent tenancy documentation is expressly consistent with room-by-room/shared-house occupation and confirms the continuing character of the property as a shared rented house. The evidence should be read as a whole and demonstrates a continuous pattern of HMO use across the relevant period.

5. Continuity of HMO Use

The property has remained in continuous use as shared rented accommodation / HMO accommodation throughout the relevant period.

The use has continued as a small HMO within Use Class C4, with unrelated occupiers occupying the property and sharing communal facilities. The property has continued to be held out, managed, let and occupied as shared rented accommodation.

There is no evidence that the HMO use has been abandoned. There is no evidence that the property has reverted to single household occupation. There is no evidence of any intervening material change of use.

Any changes in individual occupiers over time are consistent with the normal operation and management of a rented HMO. Tenant turnover does not alter the planning character of the use. The material planning use has remained the same throughout.

6. Established Planning Character

The planning character of the property is, and has remained, that of a small HMO/shared rented house.

The submitted evidence demonstrates:

- occupation by multiple unrelated occupiers;
- shared use of communal facilities;
- continued management and letting as shared residential accommodation;
- a consistent pattern of HMO occupation from 2016 through to 2026;
- no reversion to single household occupation;
- no abandonment of the HMO use;
- no intervening material change of use.

The use is therefore materially established as a small HMO within Use Class C4.

7. Basis for Granting the Certificate

The Certificate of Lawfulness should be granted because the evidence demonstrates, on the balance of probability, that 42 St Peters Road has been in continuous use as a small House in Multiple Occupation for the relevant lawful period.

The property has been used by unrelated occupiers as shared rented accommodation, with shared use of facilities including the kitchen, bathroom/WC facilities, circulation areas and other communal areas. This use is materially distinct from occupation by a single household.

The submitted tenancy evidence, together with supporting declaration evidence, confirms the continuous nature of the use and establishes that the property has retained its HMO character throughout the relevant period.

The existing use is therefore lawful through the passage of time.

8. Conclusion

The submitted evidence demonstrates that 42 St Peters Road, Uxbridge, UB8 3SA has been used continuously as a small House in Multiple Occupation within Use Class C4 for a period exceeding 10 years.

The property has remained in HMO/shared-house use throughout the relevant period. The use has not been abandoned, the property has not reverted to single household occupation, and there has been no intervening material change of use.

On the balance of probability, the existing use is lawful and the Council is respectfully requested to issue a Certificate of Lawfulness confirming the existing use of the property as a small House in Multiple Occupation within Use Class C4.