

PLANNING STATEMENT

Sections 191 and 192 (as amended by section 10 of the Planning and Compensation Act 1991)
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER
2015 ARTICLE 39 CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Evidence Statement Certificate of Lawfulness for Existing Use as a House in Multiple Occupation — Use Class C4, 8 Lodge Close, Uxbridge UB8 2ES.

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 8 Lodge Close, Uxbridge UB8 2ES. 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 from the date of this application. 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, 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 students 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. This property has not been altered in any way whatsoever since the Council inspection of this property on the 12th December 2008.

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.

As indicated in the attached Statutory Declaration, the 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). The tenancy documentation confirms that multiple unrelated occupiers occupied the property from at least 12th December 2008, the date on which Hillingdon Council inspected it.

The attached Statutory declaration further provides evidence of tenancy agreements which show that the property was let to 4 separate unrelated individuals without interruption for at least the last 10 years.

The current letting agent has also provided an email confirming this property has been let to 4 unrelated individuals as an HMO, with details of the lets provided whilst they have been the letting agent.

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. Basis for Granting the Certificate

The Certificate of Lawfulness should be granted because the evidence demonstrates, on the balance of probability, that the said property 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, and other communal areas. This use is materially distinct from occupation by a single household. The submitted tenancy evidence, together with the supporting Statutory Declaration, 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.

The attached Gas Certificates within the Statutory Declaration confirm that this property, in accordance with the Management of HMOs, has been regularly maintained, with the attached landlord certificate further confirming that the said property was occupied by students & that an insured property which is designed as an HMO must comply with the terms stated in the schedule of cover to be valid. The landlord would not have paid for insurance cover if the terms of cover were not fully complied with. The landlord policy referred to within the attached statutory Declaration is for the prior immediate before & following the change in Council regulation in December 2025. Landlord insurance policies dating back to the last 10 years, together with present policies, can be provided should further evidence be required.

7. Conclusion

The submitted evidence demonstrates that 8 Lodge Close, Uxbridge UB8 2ES has been used continuously as a small House in Multiple Occupation within Use Class C4 for a period exceeding 10 years before this application. 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.