

Planning Statement in Support of Application for Certificate
of Lawful Development (Existing Use) – Class C4 HMO

64 East Road, West Drayton, UB7 9HA



This statement is submitted in support of an application for a Certificate of Lawful Development (Existing Use) under Section 191 of the Town and Country Planning Act 1990, in respect of the use of the property as a Class C4 House in Multiple Occupation (HMO).

The purpose of this application is to demonstrate that the use of the property as a 3-person HMO commenced on 20.11.2025, prior to the introduction of the Article 4 Direction on 11.12.2025, and is therefore lawful.

This submission also addresses the reasons for refusal of the previous application and provides further clarification and supporting evidence.

1. Lawful Use Prior to Article 4 Direction

The key consideration is whether the HMO use was established prior to 11.12.2025.

The following evidence has been submitted:

- Three tenancy agreements dated 20.11.2025
- Rental payment records for three tenants
- Statutory declarations from occupants

this evidence clearly demonstrates that the property was occupied by three separate individuals as an HMO from 20.11.2025.

2. Response to Previous Refusal – Evidence of Occupation

The previous decision suggested that tenancy agreements alone were insufficient to demonstrate lawful use.

However, evidence must be considered collectively rather than in isolation. The tenancy agreements are supported by rental payment records and statutory declarations, forming a clear and credible body of evidence.

3. Clarification Regarding Tenant Identity

It is confirmed that Aaron Fried is a separate individual and not the agent, Victor Fried. The shared surname is coincidental and does not undermine the validity of the evidence.



4. Statutory Declarations

There is no statutory requirement for declarations from every occupant. Additional statutory declarations have been provided to further support the application.

5. Property Condition at Time of Site Visit

The Council's site visit on 15.01.2026 identified the property as vacant and in a damaged condition.

This reflects the condition after the tenants vacated in early January 2026 following vandalism. This does not affect the established lawful use.

Conclusion

The evidence clearly demonstrates that:

- The property was occupied by three tenants from 20.11.2025
- The use as a Class C4 HMO was established prior to 11.12.2025
- The use was lawful at the time it commenced

Together this evidence clearly demonstrates that the property was occupied by three separate individuals as an HMO from 20.11.2025. The evidence supplied regarding this application is sufficiently and unambiguous to justify an approval.

Accordingly, the Certificate of Lawful Development should be granted.

