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Hillingdon Council
Development Management
Residents Services
Hillingdon Council
3 North Civic Centre
High Street
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Our ref: SS/6234

17 September 2026

Dear Christos,

Application reference: 80177/APP/2026/1748

Use of land for parking and storage (Application for a Certificate of Lawful Development for an Existing Use)
Land lying to the north west of Harefield Road, Uxbridge

I refer to your email dated 8 September 2026, which requests some further information with regard to the above application which is under consideration.

Unfortunately, we have not had sight of the formal comments from your Legal Advisor and all we have to go on is your email which outlines:

'.....additional information is required. In particular, please could you provide further evidence demonstrating the 'parking' use over the relevant period'.

Background

We have put forward sufficient information that 'on the balance of probability' provides the relevant proof that the land has been used for a mixed use for parking and storage for over ten years and, therefore, is lawful.

In the case of applications for existing use, the Courts have found (F W Gabbittas -v- SSE and Newham LBC {1985} JPL 630) that the Applicant's own evidence does not need to be corroborated by 'independent' evidence in order to be accepted.

We are fully aware that the burden of proof lies with the Applicant to demonstrate that the use is lawful. The courts have held that the relevant test of the evidence on such matters is 'the balance of probability'. Guidance advises that as this test will accordingly be applied by the Secretary of State in any appeal against



a refusal, a Local Planning Authority (LPA) should not refuse a certificate because the Applicant has failed to discharge the stricter, criminal burden of proof, namely 'beyond reasonable doubt'.

Moreover the court has held that the Applicant's own evidence does not need to be corroborated by 'independent' evidence in order to be accepted. If the LPA have no evidence of their own, of from others, to contradict or otherwise make the Applicant's version of events less than probable, there is no good reason to refuse the application provided the Applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate 'on the balance of probability'.

Nevertheless, in regard to your query, we have provided some further information and clarification on the matter sought which is set out below.

The Mixed Use for Parking and Storage

As demonstrated within our Supporting Statement, the application is seeking to formally confirm that the use of the land for a mixed use for parking and storage has been ongoing for an uninterrupted period of over 10 years.

The application has demonstrated that the Site has been used for the storage of fairground equipment along with a variety of other mixed uses, including storage of scaffolding poles, skips, diggers, vehicles and containers along with the parking of motorised vehicles for a period of more than 10 years.

The parking of vehicles is only one of the many uses that has occurred at the Site for a period of more than 10 years and is in addition to the other uses including storage uses of scaffolding equipment, containers, mobile classrooms etc which are detailed in full in the Planning Statement and which are illustrated and summarised in the table below.

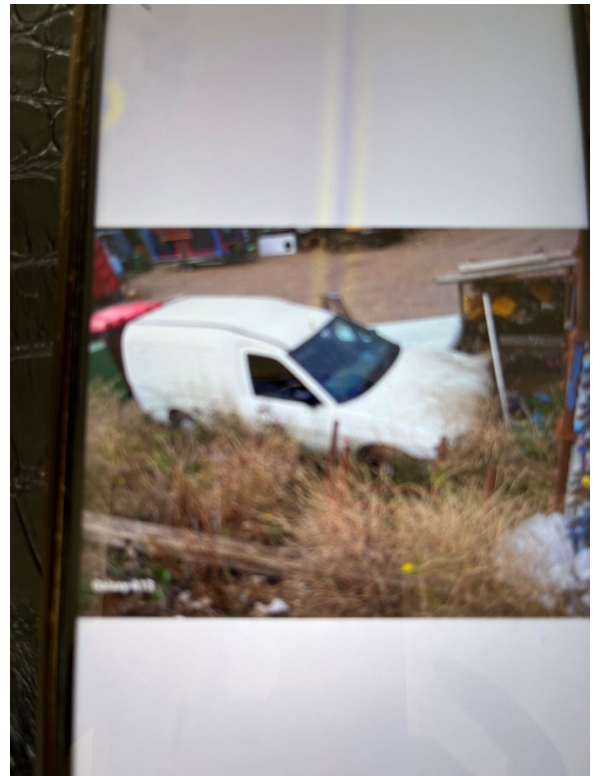
The Use of the Site	By	From
Storage of Fairground equipment and associated vehicles	The Applicant and Clare and Steven Hebborn	2006 onwards
Parking and stationing of containers for the storage of fun castles and other inflatables along with associated scaffolding	Cool Parties and Monkey Play	Since at least 2010 onwards
The storage of Scaffolding equipment and skips	A variety of tenures, including the Applicant	Approximately 2008 onwards
Storage of Containers	A variety of tenures, including the Applicant	2006 onwards
To park vehicles and store equipment associated with the Uxbridge market days throughout those days	Market Street Holders	2011 onwards. The regular use ceased in 2021 _Covid), however vehicles



		associated with the Christmas market continue to use the Site
Park and maintain their minibuses and taxicab cars	Crown Cars	2012 to 2022
Storage of materials for their infrastructure construction and maintenance company, including scaffolding and skips	Castle Kelly Utilities	2017 to 2020
Storage of mobile classrooms	Coram Life Education Hillingdon Ltd	2017 to 2021
Car Mechanic using the Site	Name unknown and Tomasz Marcinkowski	2021 onwards
Storage of Containers and Lorries	Variety of tenants and most recently FJL Recycling and Fleet Fresh	2022 onwards

The application is seeking to specify that the combination of these mixed uses, which includes the parking of motorised vehicles, has been ongoing at the Site for a period of more than 10 years.

Nevertheless, we understand that the van shown in the photographs below, which is owned by Robert Franks, has also been parked on the Site for a period of approximately 14 years and continues to be parked on the Site.



Van parked on Site for a period of approximately 14 years

Ultimately there has been no material change of use from these mixed uses that have been occurring on the Site for a period of over ten years.

The evidence we have provided in the Supporting Statement accompanying the application demonstrates that the Site has been continuously used for a mixed use for parking and storage for a continuous period of over ten years.



The evidence submitted by the Applicant is comprehensive and covers a period of over ten years, which exceeds the relevant 10-year period required by the legislation.

Conclusion

As referenced above, there is a well-established legal authority to say that if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the Applicant's version of events less than probable, there is no good reason to refuse the application, provided the Applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probabilities.

The evidence that has been provided, proves, on the balance of probability, that the mixed uses have been continuously ongoing for a period of over ten years and which are not limited to the parking of vehicles.

The mixed use for parking and storage has been ongoing for more than 10 years and, therefore, is lawful. On this basis, the certificate applied for should be granted.

We trust the above is of assistance and if you need anything further, please do let me know.

Yours sincerely

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