



Dear HP Borough Council,

 wish to formally object to the granting of this Certificate of Lawfulness.

I understand that an application for a Certificate of Lawfulness is determined on the basis of factual evidence and legal tests rather than the planning merits of the use itself. The burden of proof rests with the applicant to demonstrate, on the balance of probabilities, that the existing use as an 8-bedroom House in Multiple Occupation is lawful.

I submit that the evidence/documentation provided does not adequately establish that the property has continuously operated as an 8-bedroom HMO for the period required by the legislation, nor that the intensity of occupation claimed has existed without interruption.

 I request that the Council carefully scrutinise all evidence submitted, including tenancy records, council tax records, utility bills, electoral register information, HMO licensing records, and any other documentary evidence relied upon.

Where there is conflicting evidence or uncertainty regarding the lawful status of the use, I respectfully submit that the Council should not grant the certificate unless it is satisfied that the legal test has been fully met. A Certificate of Lawfulness should only be issued where the facts are proven on the balance of probabilities and supported by clear and convincing evidence.

Best wishes,

