



HGY/2026/0566 – Certificate of Lawfulness 258 Archway Road N6 5AX

This is the second attempt to regularise the development of these substandard flats on Archway road. They are very undersized and we consider that they fail to meet the Design standards applied in London, either now or when it is alleged the flats were formed.

The application contains no supporting evidence, but merely appears to argue that the previous application should have been approved. On that basis alone there can be no grounds for granting this Certificate of Lawfulness.

We note that the argument used cites the judgment of *Gravesham Borough Council v Secretary of State for the Environment [1984]*. The current application alleges that as a consequence of this precedent, the applicant does not need to submit evidence that is 'corroborated by independent evidence in order to be accepted'.

However, the ruling did not affect the overall quality of evidence needed for the Certificate of Lawfulness to be granted. Gravesham does not mean that any evidence will suffice. It means that the decision turns on the facts, and that the applicant must assemble evidence that convincingly proves those facts on the balance of probabilities; it has not had the effect of reducing the required standard of evidence. If the evidence is weak, inconsistent, or too general, the application is no more likely to be acceptable than before the judgement .

This application has not, in our view, provided any evidence additional to the inadequate evidence provided in the last attempt; indeed, we consider that it provides no evidence at all.

Lastly, it should be noted that there is evidence that units in No 258 have been let on a temporary basis, rather than as permanent residences. This use directly contradicts the C3 use that is being applied for. The listing can be seen on Trip.com (<https://www.trip.com/hotels/london-borough-of-haringey-hotel-detail-22104572/highgate-station-en-suite/>)

The Highgate Society therefore objects to this application for the reasons set out above.

Sincerely

Michael Hammerson

for and on behalf of the Highgate Society Planning Committee