



# Officer Report

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| <b>Application Number:</b> | <b>HGY/2026/0895</b>                                                  |
| <b>Application Type:</b>   | <b>Lawful development: Existing use</b>                               |
| <b>Address:</b>            | 20 Lascotts Road, Wood Green, London, N22 8JN                         |
| <b>Proposal:</b>           | Lawful development: Existing use as seven self-contained studio flats |
| <b>Case Officer:</b>       | Kwaku Bossman-Gyamera                                                 |
| <b>Valid Date:</b>         | 27/03/2026                                                            |
| <b>Applicant:</b>          | Mr Ismet Terziu                                                       |
| <b>Agent:</b>              |                                                                       |

## **RECOMMENDATION**

**Approve**

### **PROPOSAL**

**This is lawful certificate for existing use of the property as seven self-contained studio flats.**

This proposal seeks to establish the lawful use of 20 Lascotts Road as seven self-contained studio flats (two self-contained units at ground floor, two self-contained units at first floor, and one self-contained units at the loft) for a continuous period of 4 years or more.

The Ground Floor Front Studio is referred to Studio 1, Ground Floor Rear Studio is referred to Studio 2, the First Floor Rear Studio is referred to Studio 3, the First Floor front Studio is referred to Studio 4, First Floor middle studio is referred 5 and the two further studios flats to the top floor are referred to as Studios 6 and 7.

### **SITE AND SURROUNDINGS**

The application property comprises a two-storey mid-terrace building situated on the northern side of Lascott's Road, between the junctions with Palmerston Road and Green Lanes. The surrounding area is residential in character.

The site is not located within any conservation area and does not fall within the curtilage of a listed building.

### **PLANNING & ENFORCEMENT HISTORY**

There is no Planning or enforcement history in relation to this site.

### **REPRESENTATIONS**

Planning Practice Guidance (PPG) on Lawful Development Certificates, sets out that:

"There is no statutory requirement to consult third parties. It may, however, be reasonable for a Local Planning Authority to seek evidence from these sources, if there is good reason to believe they may possess relevant information about the content of a specific application. Views expressed by third parties on the planning merits of the case, or on whether the applicant has any private

rights to carry out the operation, use or activity in question, are irrelevant when determining the application.” (Paragraph: 008 Reference ID: 17c-008-2014030).

No representations have been received.

## **RELEVANT PLANNING LEGISLATION**

The application has been made under section 191 of the Town and Country Planning Act 1990 and relevant amendments. This is not a planning application but instead the applicant seeks confirmation that the proposed development is lawful.

### Town and Country Planning Act 1990

Section 191 of the Town and Country Planning Act 1990 (as amended by section 10 of the Planning and Compensation Act 1991) states that:

“If any person wishes to ascertain whether any existing use of buildings or other land is lawful, they may make an application for the purpose to the Local Planning Authority specifying the land and describing the use. For the purposes of this Act uses, they are lawful at any time if –

(a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and

(b) they do not constitute a contravention of any of the requirements of any enforcement notice then in force.

If, on an application under this section, the Local Planning Authority are provided with information satisfying them of the lawfulness at the time of the application of the use, described in the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.”

### National Planning Practice Guidance (PPG)

National Planning Policy Guidance issued by the Government in relation to Lawful Development Certificates explains the process for obtaining a lawful development certificate for existing or proposed use.

In this case, the Local Planning Authority is requested to grant a certificate confirming that: “(a) an existing use of land, or some operational development, or some activity being carried out in breach of a planning condition, is lawful for planning purposes under section 191 of the Town and Country Planning Act 1990” Paragraph 001 Reference ID: 17c-001-20140306.

Paragraph: 009 Reference ID: 17c-009-20140306 of the PPG indicates:

“A Local Planning Authority needs to consider whether, on the facts of the case and relevant planning law, the specific matter is or would be lawful. Planning merits are not relevant at any stage in this particular application or appeal process.”

As such, the impact of the proposed development on the neighbouring amenity or the character of the area cannot be taken into consideration for the purpose of this submission.

Paragraph: 006 Reference ID: 17c-006-20140306 of the PPG indicates:

“The applicant is responsible for providing sufficient information to support an application, although a local planning authority always needs to co-operate with an applicant who is seeking information that the authority may hold about the planning status of the land. A local planning authority is entitled to canvass evidence if it so wishes before determining an application. If a local planning authority obtains evidence, this needs to be shared with the applicant who needs to have the opportunity to comment on it and possibly produce counterevidence.

In the case of applications for existing use, 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 probability.”

## **EVALUATION**

Section 191 of the Act indicates that the burden of proof lies with the applicant, but the relevant test is ‘the balance of probability’. Local Planning Authorities (LPAs) are advised that (unless the applicant's evidence is imprecise or ambiguous, or the LPA has evidence of its own which contradicts or undermines the applicant's version of events), a certificate should be issued.

In this case, a Certificate is sought on the grounds that the building outlined in red on the submitted plan has been in use as seven self-contained studio flats for a continuous period of 4 or more years.

### **Applicant's evidence**

The application form accompanying this application asserts that:

- the use of property as seven self-contained studio flats commenced at least in 2017.

The application is accompanied by the following evidence:

- **Statutory Declarations**

- A statutory declaration has been submitted from the owner/agent of the property in front of Nick Populum Solicitors dated 3 March 2026. The agent of the property declares that the property has been in use as seven self-contained flats since 2019. The owner declares that during this period he has maintained the separate occupation of each of these seven flats, with individual tenants residing in each self-contained flat.

- **Letter from Haringey council** to Landlord about complaint regarding.

- suspected roof leak affecting the second-floor hallway and unit 6

- some of the fire extinguishers in the hallway are mounted incorrectly -this latter dated January 2027.

- Haringey Licensing – Letter dated September 2015 which indicates that the property is HMO within a household.

- Valuation Report for loan security dated 23 May 2022 indicates that there are seven flats prepared by Alexandra Lawson Chartered Surveyors.

- **Ground Floor Studio 1,**

- AST (Tenant) Benjamin Hay from 13 Jan 2022 – 14 Oct 2023

- AST (Tenant) Fatmira Duka from 15 Oct 2023 – Current in situ

- Energy performance certificate (EPC) dated April 2022

- Haringey Summons for non-payment of Council Tax dated 2021.

- Domestic Electrical installation condition Report dated 2022.

*\*It is noted that the tenancy agreement continues on a rolling basis in the case of surpassing the end date.*

- **Ground Floor Studio 2,**

- AST (Tenant) Marian Wysocki from 24 February 2021 – 24 Feb 2022
- AST (Tenant) David Morrison from 21 May 2022 – 3 Sept 2024
- AST (Tenant) Katerina Tola from 4 September 2024 – 3 July 2025
- AST (Tenant) Denisa Panalt from 4 July 2025 – Current in situ
- Energy performance certificate (EPC) dated 22 November 2021
- British Gas Bill statement dated 2008.

*- In the contract it is also stated that the rent payment must be paid in advance by equal payments on the 1st day of each month.*

- **First Floor Studio Flat 3**

- AST (Tenant) Marwa Salim from 24 January 2022 – 22 May 2024
- AST (Tenant) Olsjan Mukaj from 23 May 2024 – Current in situ
- Energy performance certificate (EPC) dated 22 November 2018 valid until 2028.
- British Gas Bill statement dated 2007 and 2008.
- Council Tax Bill dated 2021- 2022.

- **First Floor Studio Flat 4**

- AST (Tenant) Anab Mahamud from 25 Nov 2021 – 28 March 2024
- AST (Tenant) Orgest Shkurti from 1 April 2024 – Current in situ
- Energy performance certificate (EPC) dated April 2022
- Haringey Summons for non-payment of Council Tax dated 2021.
- Letter from Past due Credit solution for the occupant of flat 4 -reducing settlement offer.

- **First Floor Studio Flat 5**

- AST (Tenant) Prince Henry from 23 September 2020 – 31 July 2024
- AST (Tenant) Anxhela Mecja from 01 August 2024 – Current in situ
- E. ON (utility company) letter for first electricity prepayment dated 1 July 2009, 2013, 2015
- British Gas Bill statement dated 2007.
- Domestic Electrical installation condition Report dated 2022.
- Energy performance certificate (EPC) dated 22 November 2018

*\*It is noted that the contract was renewed with the same tenant with a rent increase; the tenancy agreement continues on a rolling basis in the case of surpassing the end date. 1st day of each month.*

- **Top Floor studio – flat 6, 20 Lascotts Road**

- AST between Bespoke Property bureau Ltd (Owner/agent) and Leon Rossi, dated 1st March 2021, for the terms of 12 months commencing on March 2021 end date 19 March 2024 for £900.00 (including all bills). In the contract the address is noted as top floor studio, 20 Lascotts Road, In the contract it is also stated that the rent payment must be paid in advance by equal payments on the 1st day of each month.
- AST Leonard Mandri dated 10 March 2024 – 18 December 2024
- AST Fatjon Gjura dated 19 December current in situ.
- Evidence from HSBC bank statements: 02 September 2021 from Azzaria
- British Gas bill dated January 2024
- British Gas electricity bill showing bill for flat 6 dated July 2021
- Letter of summons for non-payment of Council Tax dated Nov 2024

- Council Tax Bill dated 2021/22 and 2024 - 2025.
- Council tax letter with instalment plan from Jan 2015 to 28 Mar 2025
- Domestic Electrical installation condition Report dated 2022.
- British Gas Bill statement dated 2007.
- Energy performance certificate (EPC) dated 22 November 2020

*\*It is noted that the tenancy agreement continues a rolling basis in the case of surpassing the end date.*

- **First Floor Studio Flat 7**

- AST (Tenant) Nathan Ahmed from 13 December 2019 – 20 July 2023
- AST (Tenant) Mario Caca from 21 July 2023 – Current in situ
- E. ON letter making request for payment dated 1 July 2009
- Energy performance certificate (EPC) dated 22 November 2018 valid until 2028.
- Domestic Electrical installation condition Report dated 2022.

- **Bank Statements evidence.**

HSBC Bank Statement showing occupier of flat 6 making payment dated September 2021;

Evidence from Starling bank statements: 2022-2023 showing tenant making consistency payment for rent.

Evidence from Starling bank statements: 2023-2024 showing tenant making consistency payment for rent.

Evidence from Starling bank statements: 31 July 2025 showing tenant making consistency payment for rent.

Starling Bank statement showing Tenant making payment for rent in relation to flat 3, 4 and 5 dated 2025-2026.

The evidence presented to substantiate the statement of case is considered comprehensive in nature. The application proves consistent with the evidence and is supported by sufficient documentary evidence provided. On the balance of probability therefore it is considered that the evidence submitted by the applicant precisely and unambiguously demonstrates that the use of the property at 20 Lascotts Road, London, N22 8JN has been used as seven self-contained studio flats for a continuous period of four years before the date of this application.

It is noted that the tenancy agreements align with the bank statements submitted. This along with the electrical installation certificates and the statutory declarations provided, shows the landlord's commitment into providing good living conditions to the tenants of each self-contained units, and is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.

The council's own council tax records shows that the property at 20 Lascotts Road has been used as seven self-contained studio flats for more than four years.

The LPA consider that the application is supported by conclusive documentary evidence with respect to the use described and within the requirements of Section 171 B of the Act Lawful Deelopment.

## **RECOMMENDATION**

**Grant** the requested Certificate of Lawfulness under section 191 of Town and Country Planning Act 1990.

From the documentation and evidence provided, the Local Planning Authority is satisfied that, on the balance of probabilities the use of 20 Lascotts Road, Wood Green, London, N22 8JN has been

used as seven self-contained studio flats for a continuous period of four years before the date of this application. Therefore, the sought use is considered to be lawful.