



Chartered Town Planners & Architectural Technicians

**CERTIFICATE OF LAWFUL USE
(EXISTING) APPLICATION UNDER
SECTION 191 OF THE TOWN & COUNTRY
PLANNING ACT 1990 (AS AMENDED)**

Use of property as two self contained residential units.

Property Address: 112 Sylvan Avenue,
Haringey, London, N22 5JB.

May 2026

1.0 INTRODUCTION

1.1 The applicant has retained the services of **4D Planning** to make this submission. Please address all correspondence to 4D Planning at the contact details set out on the application form.

1.2 The property is a two-storey end of terrace building on the south side of Sylvan Avenue. It is hereafter referred to as ‘the property’.

1.3 This application seeks to demonstrate that the property has been used as two self-contained residential units for a continuous period of more than 4 years and that this use was substantially complete before 25th April 2024¹.

2.0 LAWFUL DEVELOPMENT

2.1 There is a multitude of evidence pointing to the fact that the property has been in existence as two residential unit for a long period of time (since 1999). Evidence submitted in support of the application includes:

- Selection of Tenancy Agreements covering years 2008, 2023, and 2025. Refer to ‘**EVIDENCE DOC. A**’.
- Flat inventory lists from 2008 and 2023. Refer to ‘**EVIDENCE DOC. B**’.
- Selection of installation / safety certificates relating to flats from years 2024, 2025, and 2026. Refer to ‘**EVIDENCE DOC. C**’.
- Selection of licensing documents relating to flats from years 2025 and 2026. Refer to ‘**EVIDENCE DOC. D**’.
- Fire Assessment Documents referring to two flats from 2025 and 2026. Refer to ‘**EVIDENCE DOC. E**’.
- Selection of services statements from years 2021, 2023, and 2025. Refer to ‘**EVIDENCE DOC. F**’.
- Selection of Council tax correspondence from years 2020, 2021, 2024, and 2025. Refer to ‘**EVIDENCE DOC. G**’.
- Selection of EPC documents from years 2010, 2021, and 2025. Refer to ‘**EVIDENCE DOC. H**’.

¹ This is in reference to Transitional Arrangements due to change in planning legislation in 2024.

2.2 We would request that The Planning Authority liaise with the Council Tax section of the Local Authority as their records will no doubt indicate that the properties have long been registered for council tax. Records available online are included as ‘**EVIDENCE DOC. I**’. These records state that council tax on both flats took effect from July 2000.

3.0 CONCLUSION

3.1 Planning Practice Guidance (www.gov.uk, March 2014) states:

“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”.

It is submitted that the ‘test’ of balance of probability is met in this instance. There is objective and comprehensive evidence pointing to the fact that the properties have continuously and solely used as self contained flats for a significant number of years.

3.2 We also refer to the case law of Sage v Secretary of State for the Environment, Transport and the Regions [2003] UKHL 22; [2003] 1 WLR 983 wherein it is noted that “*The character and purpose of a structure falls to be assessed by examining its physical and design features*”. ***The character and purpose of the premises in question is undoubtedly that of solely self contained flats.***

3.3 Having regard to the information as set out in this application, it is contended that there is no reason why a certificate of lawful use cannot be granted.