

MSK

PLANNING STATEMENT

465 High Road, London, N22 8JD

April 2026 Revision – 0

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Applicant	Mr Haci Akdogan	Revision	0
Agent	MSK Design Ltd	Date	April 2026
Application type	Lawful Development Certificate (Existing use)		
Proposal	Use as 8 self-contained flats		

1.0 Executive Summary

This Planning Statement has been prepared in support of an application for a Certificate of Lawfulness for an Existing Use or Development pursuant to Section 191 of the Town and Country Planning Act 1990.

The application seeks to establish the lawfulness of the continued use of 465 High Road, Wood Green, London N22 8JD as eight self-contained residential flats, identified in the submitted evidence as Studios / Flats 1 to 8.

The application is supported by a substantial evidential bundle comprising tenancy agreements for all eight flats; a former managing agent statement from Locus Estate Agency; statutory declarations from occupiers; a statutory declaration from Two Six Estates; EPC certificates for Studios 1 to 8; existing floor plans; internal photographs of the flats; and external/front entrance photographic evidence.

The tenancy agreements provide primary occupation evidence demonstrating separate residential letting of the individual units from December 2021 onwards, covering a period in excess of four years. The EPC certificates provide independent administrative and technical evidence identifying Studios 1 to 8 as separate flats at 465 High Road, with all eight EPCs assessed on 14 December 2021 and dated 15 December 2021.

The submitted existing plans identify the current arrangement of the building as Flats 1 to 8, each with self-contained residential facilities including kitchen, bathroom and living/sleeping accommodation.

The sworn and signed evidence materially corroborates the tenancy and physical evidence. The former managing agent statement from Locus Estate Agency confirms that during the period 2021 to 2023, the building was arranged as eight self-contained studio flats, each let individually. The Two Six Estates statutory declaration confirms that from 1 December 2023, the property was already arranged and in use as eight self-contained flats, with tenants already in occupation.

When the submitted evidence is considered cumulatively and in the round, it demonstrates, on the balance of probability, that the building has operated continuously as eight self-contained residential flats for the relevant immunity period and that the existing use is lawful for the purposes of Section 191.

2.0 The Site

2.1 Location

The application site comprises 465 High Road, Wood Green, London N22 8JD, within the administrative area of the London Borough of Haringey.

The site is located on High Road, Wood Green. The submitted existing floor plan identifies the property within a street frontage context, adjacent to nearby properties including 463 High Road and 461 High Road.

2.2 Existing Building and Layout

The existing floor plans are titled “Existing Floor Plans Showing Setting Out” and relate to 465 High Road, London N22 8JD.

The submitted plans identify the building as being arranged as eight flats across ground, first and second floor levels.

Floor / Location	Units identified	Relevant facilities shown
Ground floor	Flats 1, 2 and 3	Kitchen, bathroom and bedroom/living accommodation
First floor	Flats 4, 5 and 6	Kitchen, bathroom and bedroom/living accommodation
Second floor	Flats 7 and 8	Kitchen, bathroom and bedroom/living accommodation

Each flat is shown as containing self-contained residential accommodation, including kitchen, bathroom and living/sleeping facilities. The existing plans therefore provide physical evidence that the use being certified corresponds with the current configuration of the building.

2.3 Relevant Planning History

No relevant planning history, previous refusal, enforcement notice, planning contravention notice or other enforcement history has been identified or disclosed in relation to the use of the property as eight self-contained flats.

There is therefore no identified contradictory planning record that undermines the evidential position advanced in this application.

3.0 Legal Framework

3.1 Section 191 of the Town and Country Planning Act 1990

Section 191 of the Town and Country Planning Act 1990 enables a person to apply to the Local Planning Authority to ascertain whether an existing use, operation or activity is lawful. A use is lawful for the purposes of Section 191 where no enforcement action may be taken against it.

The purpose of this application is therefore to determine whether, as a matter of fact and planning law, the existing use of the property as eight self-contained residential flats is lawful.

3.2 Enforcement Immunity

Section 171B of the Town and Country Planning Act 1990 sets out statutory time limits for taking enforcement action. The legislative position has been amended in England so that a single ten-year period applies to breaches of planning control. However, the commencement and transitional provisions are relevant where the use commenced before the relevant legislative changes came into force.

On the applicant's case, the use of the property as eight self-contained residential flats commenced no later than December 2021, before the April 2024 commencement of the amended enforcement regime. The relevant evidential issue is therefore whether the submitted evidence demonstrates, on the balance of probability, that the eight-flat use has continued for the relevant immunity period and is now lawful for the purposes of Section 191.

3.3 Burden and Standard of Proof

The burden of proof rests with the applicant.

The relevant test is the civil standard of proof, namely the balance of probability. The applicant is not required to demonstrate absolute certainty.

Government guidance confirms that the onus of proof in a lawful development certificate application rests with the applicant and that the relevant test is the balance of probability. It also confirms that, where the Local Planning Authority has no evidence to contradict or otherwise make the applicant's version of events less probable, there is no good reason to refuse a certificate provided the applicant's evidence is sufficiently precise and unambiguous.

3.4 Relevant Case Law Principles

The Courts and appeal decisions have consistently confirmed that the applicant must discharge the burden of proof; the relevant standard is the balance of probability; evidence should be assessed cumulatively and in the round; sworn evidence should be afforded substantial weight unless directly contradicted; and minor administrative inconsistencies do not necessarily defeat an otherwise coherent evidential case.

Relevant authorities include *Gabriel v Secretary of State for the Environment* [1987]; *Fasbender v Secretary of State for the Environment* [1987]; *Hughes v Secretary of State for the Environment, Transport and the Regions* [2000]; and *Allen v Secretary of State for the Environment, Transport and the Regions* [1992].

4.0 Chronology of Existing Use

Date / Period	Evidence	Relevance
1 July 2015	Statutory declaration from occupier of Flat 7	Confirms long-term occupation of Flat 7 and direct knowledge of the building as comprising eight self-contained flats.
1 December 2015	Statutory declaration from occupier of Flat 2	Confirms long-term occupation of Flat 2 and direct knowledge of the property as self-contained accommodation.
1 December 2020	Statutory declarations relating to Flat 6 and later Flat 3	Confirms occupation and direct knowledge of the building prior to the December 2021 documentary baseline.
1 December 2021 onwards	Tenancy agreements for Studios / Flats 1 to 8	Primary occupation evidence demonstrating separate letting of the individual units for a period in excess of four years.
14 December 2021	EPC assessments for Studios 1 to 8	Independent administrative and technical evidence identifying eight separate studios/flats at the property.
2021–2023	Former managing agent statement from Locus Estate Agency	Confirms that the building was arranged and managed as eight self-contained studio flats during Locus' involvement.
1 December 2023 onwards	Two Six Estates statutory declaration	Confirms that when Two Six Estates took over management, the property was already arranged and in use as eight self-contained flats with tenants already in situ.
Existing position	Existing floor plans	Physical evidence of the current eight-flat layout.
Existing position	Internal photographs and front entrance photograph	Physical and photographic evidence showing numbered flat doors, self-contained accommodation, kitchens, bathrooms and multiple-entry arrangements.

5.0 Evidence Review

5.1 Tenancy Agreements – Primary Occupation Evidence

The submitted tenancy agreement bundle provides primary evidence of separate residential occupation of the property as eight flats.

The agreements identify individual studios/flats within 465 High Road and demonstrate letting of the units to separate occupiers. The agreements establish a documentary baseline from 1 December 2021, with later agreements and rental documentation demonstrating continued occupation and letting thereafter. The bundle should be read as a whole and includes fixed-term agreements, including longer terms where applicable, covering a period in excess of four years.

Unit(s)	Evidence	Period	Evidential relevance
Flats / Studios 1–8	Separate tenancy agreements within the submitted bundle	December 2021 onwards	Primary evidence that each flat was separately let and occupied as an individual residential unit.
Flats / Studios 1–8	Later agreements and management documentation	2023 onwards	Confirms continuation of the eight-flat letting arrangement following the Locus management period.
Flats / Studios 1–8	Agreements read with sworn management and occupier evidence	2021–2026	Supports continuity of the overall eight-flat use and the absence of any reversion to single dwellinghouse use.

The tenancy agreements provide primary occupation evidence for all eight flats. In several instances, the agreements run consecutively or overlap. Where the AST documents alone do not provide a complete day-by-day sequence for every unit, the application is supported by sworn management and occupier evidence confirming the continued operation of the building as eight self-contained flats. No evidence has been identified of the building reverting to single dwellinghouse use, being abandoned, or ceasing to operate as eight flats.

5.2 Flat-by-Flat Occupation Continuity Summary

Unit	Tenancy / occupation evidence reviewed	Vacancy position	Commentary
Flat 1	Tenancy evidence from December 2021 onwards	No vacant period identified in the overall evidence	Separate letting is evidenced in the tenancy bundle and corroborated by management evidence and EPC certificate.
Flat 2	Tenancy evidence from December 2021 onwards; occupier declaration from 2015	No vacant period identified	The occupier statutory declaration confirms long-term continuous occupation and knowledge of the eight-flat arrangement.
Flat 3	Tenancy evidence from December 2021 onwards; occupier declarations from 2020/2023	No vacant period identified	Occupier evidence confirms occupation and direct knowledge of the building as eight self-contained flats.
Flat 4	Tenancy evidence from December 2021 onwards	No vacant period identified in the overall evidence	The AST evidence is supported by Locus and Two Six Estates management declarations.
Flat 5	Tenancy evidence from December 2021 onwards	No vacant period identified in the overall evidence	The unit forms part of the consistent eight-flat arrangement corroborated by EPC and photographic evidence.
Flat 6	Tenancy evidence from December 2021 onwards; occupier declarations from 2020/2023	No vacant period identified in the overall evidence	Occupier declarations assist, together with sworn management evidence.
Flat 7	Tenancy evidence from December 2021 onwards; occupier declaration from 2015	No vacant period identified	The occupier statutory declaration confirms continuous occupation since 1 July 2015.
Flat 8	Tenancy evidence from December 2021 onwards	No vacant period identified in the overall evidence	The unit is corroborated by tenancy evidence, EPC evidence, plans and photographs.

The key evidential issue is not whether every individual flat has a day-by-day tenancy document for every period, but whether the building continued to be used as eight self-contained flats. The submitted evidence, considered cumulatively, supports that position.

5.3 Sworn and Signed Evidence

Former Managing Agent Statement – Locus Estate Agency

The statement from Locus Estate Agency is dated 13 April 2026 and relates to 465 High Road, Wood Green, London N22 8JD.

The statement confirms that Locus Estate Agency acted as the letting and/or managing agent for the property during the period 2021 to 2023. It confirms that during that period, the building was arranged as eight self-contained studio flats.

The statement further confirms that each flat comprised its own private kitchen, bathroom and living/sleeping area, and that the flats were let on an individual basis with separate occupiers residing in each unit. It also confirms that throughout Locus' period of management, the flats were consistently occupied and in residential use, and that the agent was not aware of any period during which the property was vacant as a whole.

This evidence is significant because it provides direct professional management evidence covering the early part of the relevant period, including the December 2021 baseline.

Statutory Declaration – Two Six Estates

The statutory declaration of Mustafa Dervish of Two Six Estates confirms that Two Six Estates was formally instructed by the landlord to manage 465 High Road from 1 December 2023.

The declaration confirms that at the point of instruction, the property was already arranged and in use as eight self-contained flats. It also confirms that each of the eight flats was set out as a separate and independent residential unit comprising its own bathroom, kitchen and living/sleeping facilities.

The declaration further confirms that when Two Six Estates took over management, the flats were occupied with tenants already in situ and that since instruction, the property has continued to be managed on the basis of it comprising eight self-contained residential flats. This evidence bridges the position from December 2023 onwards and materially supports the absence of any material interruption.

Occupier Statutory Declarations

The occupier statutory declarations provide direct first-hand evidence from residents with knowledge of the internal occupation and use of the property.

The declaration from Sasho Diyanov Borisov of Flat 2 confirms that he has lived at Flat 2 since 1 December 2015, that the property has been fully self-contained during his occupation, and that the building has comprised eight self-contained flats throughout the duration of his occupation.

The declaration from Nasan Bozkurt of Flat 7 confirms continuous occupation from 1 July 2015 and similarly confirms that the building has comprised eight self-contained flats throughout his occupation.

The declarations from Elena Iskrenova Koynareva and Ventsislav Rumenov Koynarev confirm occupation from 1 December 2020, movement from Flat 6 to Flat 3 on 1 December 2023, and continued knowledge of the building as comprising eight self-contained flats. The occupier declarations are important because they provide sworn first-hand evidence from individuals with direct knowledge of the property over a number of years. They corroborate both the occupation evidence and the physical arrangement of the building.

5.4 EPC Certificates – Administrative and Technical Evidence

Separate EPC certificates have been submitted for Studios 1 to 8 at 465 High Road. Each certificate identifies the relevant unit as a separate studio/flat and records the property type and floor area.

All eight certificates were assessed on 14 December 2021 and dated 15 December 2021, with validity until 14 December 2031.

Unit	Property type	Rating	Floor area	Assessment date	Valid until
Studio 1	Ground-floor flat	D	18 sq m	14 Dec 2021	14 Dec 2031
Studio 2	Ground-floor flat	D	19 sq m	14 Dec 2021	14 Dec 2031
Studio 3	Ground-floor flat	D	13 sq m	14 Dec 2021	14 Dec 2031
Studio 4	Top-floor flat	D	19 sq m	14 Dec 2021	14 Dec 2031
Studio 5	Mid-floor flat	D	15 sq m	14 Dec 2021	14 Dec 2031
Studio 6	Mid-floor flat	D	19 sq m	14 Dec 2021	14 Dec 2031
Studio 7	Top-floor flat	D	15 sq m	14 Dec 2021	14 Dec 2031
Studio 8	Top-floor flat	D	16 sq m	14 Dec 2021	14 Dec 2031

The EPC certificates are particularly important because they provide independent administrative and technical evidence that by December 2021 the property was identified as eight separate residential units. They are not dependent on the applicant's own recollection and strongly corroborate the tenancy and sworn evidence.

5.5 Existing Plans and Photographic Evidence

The submitted existing floor plans identify the current internal arrangement of the building as eight flats. The plans show separate accommodation for Flats 1 to 8, including kitchen, bathroom and living/sleeping facilities.

The internal photographs provide physical evidence of the current layout and occupation of the building. The photographs show separately numbered flat entrance doors and internal accommodation comprising kitchens, bathrooms and living/sleeping areas.

Photograph set	Observed features	Evidential relevance
Flat 1 photographs	Door marked 1; bathroom; kitchen/living/sleeping accommodation.	Supports separate occupation and self-contained facilities.
Flat 2 photographs	Door marked 2; bathroom; kitchen; bedroom/living accommodation.	Supports separate occupation and self-contained facilities.
Flat 3 photographs	Bedroom/living accommodation and kitchen facilities.	Supports separate occupation and self-contained facilities.
Flat 4 photographs	Door marked 4; bathroom; kitchen; bedroom/living accommodation.	Supports separate occupation and self-contained facilities.
Flat 5 photographs	Door marked 5; bathroom; kitchen/living/sleeping accommodation.	Supports separate occupation and self-contained facilities.
Flat 6 photographs	Door marked 6; bathroom; kitchen; bedroom/living accommodation.	Supports separate occupation and self-contained facilities.
Flat 7 photographs	Door marked 7; kitchen/living accommodation.	Supports separate occupation and self-contained facilities.
Flat 8 photographs	Door marked 8; bathroom; kitchen/living/sleeping accommodation.	Supports separate occupation and self-contained facilities.
Front door photograph	Door marked 465 and multi-button entry/intercom panel.	Supports the external physical arrangement associated with multiple units.

The physical evidence is consistent with the tenancy agreements, EPC certificates and sworn declarations. It demonstrates that the lawful use being certified corresponds with the present layout and condition of the building on site.

6.0 Assessment of Lawfulness

The submitted evidence should be considered cumulatively and in the round. The question is not whether each individual document proves the case in isolation, but whether the overall evidential picture demonstrates, on the balance of probability, that the building has been used continuously as eight self-contained residential flats for the relevant immunity period.

The evidence is mutually corroborative and comprises several categories: primary occupation evidence through tenancy agreements; sworn management evidence; sworn occupier evidence; administrative and technical evidence through EPC certificates; physical evidence through existing plans; and photographic evidence of numbered doors and self-contained facilities.

The tenancy agreements identify individual studios/flats within 465 High Road and demonstrate separate letting from December 2021 onwards. The Locus Estate Agency statement confirms the position during the period 2021 to 2023, stating that the property was arranged as eight self-contained studio flats and that the flats were let individually.

The Two Six Estates statutory declaration confirms that from 1 December 2023, the property was already arranged and in use as eight self-contained flats, with tenants already in situ. This declaration is important because it confirms continuity of the same use after the Locus management period.

The occupier declarations provide additional sworn first-hand evidence from persons with direct knowledge of the building. In particular, the declarations relating to Flats 2 and 7 provide long-term evidence dating from 2015, while the declarations relating to Flat 3 / Flat 6 provide supporting evidence from 2020 onwards.

The EPC certificates provide strong independent corroboration. All eight studios were separately assessed on 14 December 2021, which supports the position that the property was already physically and administratively recognised as comprising eight separate residential units by that date.

The submitted existing floor plans and photographs further demonstrate that the property is currently arranged as eight self-contained flats, each with its own residential facilities. The front entrance photograph also shows the address 465 and a multi-button entry/intercom panel, consistent with multiple separate units.

No material interruption, abandonment, vacancy of the building as a whole, or reversion to use as a single dwellinghouse has been identified. To the extent that the tenancy agreement bundle contains any documentary intervals for particular flats, those intervals are addressed by the sworn management and occupier evidence confirming ongoing eight-flat operation.

Accordingly, on the balance of probability, the submitted evidence demonstrates that the property was in use as eight self-contained residential flats no later than December 2021, and that this use has continued without material interruption to the present day. The existing use is therefore lawful for the purposes of Section 191.

7.0 Conclusion

This application seeks a Certificate of Lawfulness for the existing use of 465 High Road, Wood Green, London N22 8JD as eight self-contained residential flats.

The submitted evidence demonstrates that the property has been arranged and used as eight self-contained residential flats since at least December 2021; tenancy agreements have been reviewed for all eight flats; the tenancy agreements show separate letting and occupation of the individual units; the former managing agent evidence confirms that the building was arranged and let as eight self-contained studio flats during the period 2021 to 2023; and the Two Six Estates statutory declaration confirms continued management of the property as eight self-contained flats from 1 December 2023 onwards.

The evidence further demonstrates that occupier statutory declarations provide direct first-hand evidence of long-term occupation and the eight-flat arrangement; EPC certificates separately identify Studios 1 to 8 as residential flats from December 2021; each unit contains self-contained residential facilities, including kitchen, bathroom and living/sleeping accommodation; the existing floor plans and photographs corroborate the eight-flat configuration; and no material interruption or reversion to single dwellinghouse use has been identified.

When considered cumulatively and in the round, the evidence is sufficiently precise, consistent and corroborative to demonstrate the lawfulness of the use on the balance of probability.

The evidence does not rely on any single document in isolation. Rather, the tenancy agreements, sworn declarations, EPC certificates, existing plans and photographs are mutually corroborative and together demonstrate the continuation of the eight-flat use. Accordingly, the applicant respectfully requests that the London Borough of Haringey grants a Certificate of Lawfulness under Section 191 of the Town and Country Planning Act 1990 confirming the existing use of 465 High Road, Wood Green, London N22 8JD as eight self-contained residential flats.

Appendix Schedule

Appendix	Document	Evidential role
Appendix A	Tenancy agreements	Primary occupation evidence showing separate letting of all eight flats.
Appendix B	Affidavits / statutory declarations	Sworn and signed evidence confirming management, occupation, continuity and the eight-flat arrangement.
Appendix C	Existing floor plans	Physical evidence of the current eight-flat layout.
Appendix D	EPC certificates	Administrative and technical evidence identifying Studios 1 to 8 separately.
Appendix E	Flat 1 photographs	Physical/photographic evidence of self-contained Flat 1 accommodation.
Appendix F	Flat 2 photographs	Physical/photographic evidence of self-contained Flat 2 accommodation.
Appendix G	Flat 3 photographs	Physical/photographic evidence of self-contained Flat 3 accommodation.
Appendix H	Flat 4 photographs	Physical/photographic evidence of self-contained Flat 4 accommodation.
Appendix I	Flat 5 photographs	Physical/photographic evidence of self-contained Flat 5 accommodation.
Appendix J	Flat 6 photographs	Physical/photographic evidence of self-contained Flat 6 accommodation.
Appendix K	Flat 7 photographs	Physical/photographic evidence of self-contained Flat 7 accommodation.
Appendix L	Flat 8 photographs	Physical/photographic evidence of self-contained Flat 8 accommodation.
Appendix M	Front door photograph	External physical evidence showing address and multi-unit entry/intercom arrangement.

APPENDIX A - Tenancy agreements

APPENDIX B - Affidavits/statutory declarations

APPENDIX C - Existing floor plans

APPENDIX D - EPC certificates

APPENDIX E - Flat 1 photographs

APPENDIX F - Flat 2 photographs

APPENDIX G - Flat 3 photographs

APPENDIX H - Flat 4 photographs

APPENDIX I - Flat 5 photographs

APPENDIX J - Flat 6 photographs

APPENDIX K - Flat 7 photographs

APPENDIX L - Flat 8 photographs

APPENDIX M – Front door photograph