

YA-PL-008

Statement of Existing Lawful Use & Existing Occupation

1. Introduction

This Statement of Existing Lawful Use & Existing Occupation has been prepared by Yallahs Architecture on behalf of Fairfield Property Investments Ltd in support of the retrospective planning application relating to 63–65 High Road, Wood Green, London N22 6BH.

The purpose of this document is to distinguish between:

- the historic use of the property;
- the existing occupation of the upper floors; and
- the planning permission now being sought.

This Statement should be read alongside:

- **Document Reference YA-PL-001 – Planning Statement**
- **Document Reference YA-PL-002 – Planning History & Regularisation Statement**

2. The Property

The application site comprises a mixed-use building located within the Wood Green Metropolitan Town Centre.

The ground floor remains in commercial use.

The application relates solely to the first and second floors.

The upper floors are accessed independently from the commercial premises.

3. Position Prior to the Current HMO Occupation

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At the time planning application **HGY/2023/3411** was prepared and submitted, the upper floors comprised a combination of accommodation ancillary to the commercial use together with areas identified on the submitted drawings as vacant.

The accommodation included:

- offices;
- toilets;
- storage areas;
- circulation space; and
- vacant areas.

The upper floors were not occupied as a House in Multiple Occupation.

The current HMO occupation had not commenced.

The planning application submitted in 2023 was therefore prepared on the basis of a materially different arrangement from that which exists today.

4. Existing Occupation

The upper floors are currently occupied as a Large House in Multiple Occupation (Sui Generis).

The existing accommodation comprises:

Existing Accommodation	Provision
Residential Floors	2
Letting Rooms	9
Maximum Recorded Occupancy	15 Persons
Kitchen Sets	1
Toilets	4
Wash Hand Basins	4
Showers	3

The existing occupation forms the basis of the current retrospective planning application.

The purpose of the application is to regularise the planning position and secure improvements to the accommodation and its management.

5. Existing Use and Planning Position

The upper floors are currently occupied as a Large House in Multiple Occupation (Sui Generis).

The applicant acknowledges that the current occupation requires planning regularisation and has therefore submitted the present retrospective planning application.

The purpose of the application is to enable the Local Planning Authority to assess the current occupation together with the proposed improvements to the accommodation, management arrangements and fire safety measures.

The application should be considered on the basis of the circumstances that currently exist at the property rather than the circumstances that existed when planning application HGY/2023/3411 was submitted.

The current occupation and the proposal contained within planning application HGY/2023/3411 represent materially different arrangements.

6. Proposed Regularisation

The application seeks retrospective planning permission for the continued use of the upper floors as a Large House in Multiple Occupation (Sui Generis).

The proposal includes a coordinated programme of improvements to the accommodation and its management.

The proposed accommodation will comprise:

Proposed Accommodation	Provision
Residential Floors	2
Letting Rooms	11
Maximum Occupancy	14 Persons
Kitchen Sets	4
Toilets	4
Wash Hand Basins	4
Showers	4

The proposal therefore provides:

- a reduction in recorded maximum occupancy from 15 persons to 14 persons;
- an increase in kitchen provision from 1 kitchen set to 4 kitchen sets;
- an increase in shower provision from 3 to 4;
- improved accommodation standards;
- enhanced fire safety measures; and
- formal management arrangements.

The applicant considers that regularisation through the planning process represents the most appropriate means of addressing the current circumstances and establishing a framework for the future occupation and management of the property.

7. Conclusion

This Statement explains the distinction between the historic use of the upper floors, the current occupation and the planning permission now being sought.

The evidence demonstrates that:

- the upper floors were not occupied as a House in Multiple Occupation when planning application HGY/2023/3411 was submitted;
- the current HMO occupation emerged subsequently;
- the current occupation is materially different from the proposal contained within planning application HGY/2023/3411; and
- the present application seeks to regularise the current position and secure a programme of improvements to the accommodation.

The applicant therefore respectfully requests that the proposal be assessed on its own merits having regard to the circumstances that currently exist at the property and the improvements proposed as part of the regularisation strategy.