



Officer Report

Application Number:	HGY/2026/1793
Application Type:	Lawful development: Proposed use
Address:	65 Ladysmith Road, Tottenham, London, N17 9AP
Proposal:	Certificate of Lawfulness: Proposed conversion within Use Class C3 from C3a (single dwellinghouse) to C3b (dwellinghouse occupied by up to six people living together as a single household where care is provided for residents).
Case Officer:	Ciara Ward
Valid Date:	06/07/2026
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Applicant:	Mr Jonathan Hunter
Agent:	Mustafa Bashkal

RECOMMENDATION

Permitted Development

SITE DESCRIPTION

The application site relates to a two-storey terraced property located on Ladysmith Road. The site is not a listed building, nor is it located within a Conservation Area.

A site visit was undertaken on 28th July 2026. At the time of the visit, the property was vacant. The layout and accommodation observed were consistent with the submitted floor plans.

DETAILS OF PROPOSAL

Certificate of lawfulness for the proposed use of the property as a dwellinghouse within the C3(b) Use Class, providing care for four adults with one resident carer/ support worker.

RELEVANT PLANNING AND ENFORCEMENT HISTORY

ENF/2026/0020 – Change of Use – House in Multiple Occupation – Case closed, use ceased.

HMO/2020/00741 – Change of Use – House in Multiple Occupation – Notice Served (subsequent appeal dismissed ref. APP/Y5420/C/21/3288541).

HMO/2018/00773 – Change of Use – House in Multiple Occupation – Case closed.

RELEVANT PLANNING LEGISLATION

The application has been made under Section 192 of the Town and Country Planning Act 1990 and relevant amendments. This is not a planning application but instead the application seeks confirmation that the proposed development is lawful. As such, the impact of the proposed development on the neighbour's amenities or the character of the area cannot be taken into consideration for this submission.

CONSIDERATIONS RELEVANT TO THE USE OF A PROPERTY AS C3(b)

Use Class C3 Dwellinghouses, is formed of three parts – C3(b) reads:

Use as a dwelling house (whether or not as a sole or main residence) by – (b) not more than six residents living together as a single household where care is provided for residents.

Several interpretations of Use Class C3(b) have been heard at appeal since the division of the C3 Use Class however, it is generally held that whether a change of use is material or not, is a matter of fact and degree for the assessing planning authority to determine, having considered the individual facts of a case.

On this basis, the assertion of the Council is that in order to be considered as falling within the definition of Use Class C3(b), any such proposal should meet the following criteria:

- i. The carrying out of operations in order to facilitate C3(b) use, must not amount to a material change of use;
- ii. The operation of the premises should offer and afford to occupiers, the functionality of the council's definition of a 'single household';
- iii. The proposed use would include care provision (for not more than six residents), within this criterion.

ASSESSMENT

i. The carrying out of operations in order to facilitate C3(b) use, must not amount to a material change of use.

No external or internal alterations to the property are being proposed as part of this application.

The property will provide care to four adults and one permanent live-in carer/support worker. The care being provided is for adults in need of personal care support by reason of mental health conditions and/or past or present dependency on alcohol or drugs.

The additional information is considered sufficient to demonstrate that comings and goings and general level of activity resulting from the proposed change of use would not be considered a material change in use.

ii. The operation of the premises should offer and afford to occupiers, the functionality of the council's definition of a 'single household'.

In UK planning law, a single household generally refers to a group of people living together in one dwelling, either as a single person, a family, or a group that functions like a family.

The application states that the property will operate as a supported living facility accommodating four adult residents together with one resident carer/ support worker. The property contains the facilities normally associated with a single household, including a shared kitchen, and dining/ living

area. There are also four individual bedrooms for residents and a separate bedroom for the resident carer/ support worker.

Residents would share the communal facilities and live collectively as a single household, rather than occupying the property as separate and independent households.

Based on the information and evidence provided, officers are satisfied that the proposed use would fall within the definition of a 'single household'.

iii. The proposed use would include care provision (for not more than six residents).

Article 2 of the Use Classes Order defines "care" as personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs, or past or present mental disorder.

The application confirms that the property will accommodate four adult residents together with one resident carer/ support worker. The property will operate as a supported living scheme where care and support are provided to residents on site.

The supporting information confirms that the residents require support by reason of mental health conditions and/or past or present dependency on alcohol or drugs. The care provided would therefore fall within the definition of "care" set out in the Use Classes Order.

As the proposal involves the provision of care for no more than six residents, officers are satisfied that this element of the Class C3(b) definition is met.

CONCLUSION

On the information and evidence submitted, the Council is satisfied that the use proposed in the application falls within Class C3(b): being not more than 6 residents living together as a single household where care is provided for residents.

RECOMMENDATION

Grant Certificate for the following reason(s):

From the information submitted, the Council is persuaded that the use proposed in the application would fall within Class C3(b): being not more than 6 residents living together as a single household where care is provided for residents. As such the proposal would not constitute a MATERIAL CHANGE OF USE and is therefore LAWFUL.

Informatives:

INFORMATIVE: Use of the property

The permission hereby granted does not authorise the use of the property for any purpose other than Use Class C3(b) (up to six residents living together as a single household and receiving care). Any use of the property as a House in Multiple

Occupation (Use Class C4) would constitute a material change of use and would require express planning permission.

The site lies within an area subject to an Article 4 Direction confirmed by the London Borough of Haringey in 2013, which removes permitted development rights for changes of use from Use Class C3 to Use Class C4. The use of the property as a C4 HMO without planning permission may result in enforcement action being taken by the Local Planning Authority.

INFORMATIVE: Care Use and Registration

Where the property is occupied as Use Class C3(b) (up to six residents living together as a single household and receiving care), the applicant is advised that the use may be subject to registration with the Care Quality Commission (CQC) under separate legislation. It is the responsibility of the operator to ensure that any required registration, certification or compliance with other statutory bodies is in place prior to occupation.