

Officer Report

Application Number:	HGY/2026/1655
Application Type:	Lawful development: Proposed use
Address:	153 Dowsett Road, Tottenham, London, N17 9DN
Proposal:	Certificate of Lawfulness for proposed use: Change of use of dwellinghouse (Use Class C3(a)) to supported living accommodation for 3no. adults within Use Class C3(b), with ancillary staff facilities within the rear outbuilding, and loft conversion with erection of a rear L-shaped dormer roof extension and insertion 2no. front rooflights. (AMENDED DESCRIPTION)
Case Officer:	Daniel Boama
Valid Date:	11/06/2026
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Applicant:	Mr . Baz
Agent:	Mr Shahid Ali

RECOMMENDATION

Permitted Development

SITE DESCRIPTION

The site is a two-storey mid-terraced dwellinghouse on the north side of Dowsett Road. The site is not in a Conservation Area nor is it within the curtilage of listed building.

DETAILS OF PROPOSAL

Certificate of Lawfulness for proposed use: Change of use of dwellinghouse (Use Class C3(a)) to supported living accommodation for 3no. adults within Use Class C3(b), with ancillary staff facilities within the rear outbuilding, and loft conversion with erection of a rear L-shaped dormer roof extension and insertion 2no. front rooflights. (AMENDED DESCRIPTION)

RELEVANT PLANNING AND ENFORCEMENT HISTORY

ENF/2026/0745

Type: Unauthorised Works - Roof additions

Description: Loft Conversion and outbuilding

HGY/2026/2130

Description: Erection of double storey rear extension

Decision Date: 08 September 2026

Decision: Refused

RELEVANT LEGISLATION

The application has been made under section 192 of the Town and Country Planning Act 1990 and relevant amendments. This not a planning application but instead the applicant seeks confirmation that the proposed development is lawful.

The Town and Country Planning (Use Classes) (Amendment) Order 2005 (amended further in 2010) distinguishes a range of uses of buildings and specifically permits changes of use from one use to another within individual classes.

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

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

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.

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

The proposal will include physical alterations to the property whereby there will be a loft conversion with the erection of a rear L-shaped dormer and insertion of 2no. rooflights to the front roof slope. The volume of this addition to the roof will be 39.7 cubic metres; the rear L-shaped dormer will be setback from the eaves by more than 0.20m when measured perpendicularly along the plane of the roof; and the rooflights will not project more than 150mm above the plane of the roof, as shown in the proposed drawings. This addition would not change the number of bedrooms that currently exist at the property, which is 3no. bedrooms, but will rather add 1no. additional bathroom.

The other physical alteration will be the erection of an outbuilding with a flat roof and parapets adjacent to the rear boundary, which will have a height that is lower than 2.5m, and a floor area less than 20 square metres. Considering the information stated in this section and amongst other criteria, these physical alterations comply with Schedule 2, Part 1, Classes A, B and C of the Town & Country Planning (General Permitted Development) Order 2015 as amended, therefore, will 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'.

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 proposed description mentions that the property will not accommodate more than 3no. adults aged 18 and over that will receive care and support from staff on 24-hour rotation system, whereby no staff will consider the site to be their home as there will be no staff residential accommodation on site.

The 3no. residents will share 1no. communal kitchen on the ground floor and 2no. bathrooms on the first and loft floor levels. They will live together as a single household, rather than occupying the property as separate and independent households.

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

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 proposal states that there will be no more than six residents, because it will propose no more than 3no. adults.

The supporting information confirms that residents with sensory impairment, mental health needs and complex care need will receive support from staff on a 24-hour rotation system, who will not reside on the site. The outbuilding will not be used for staff to reside in but rather be used as a staff office, and remain incidental to the main building. 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

Based 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 Lawful Development certificate

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.