

Planning Statement

Site: Ground Floor, 173 Philip Lane, London N15 4HQ.

Proposal: Application to determine if prior approval is required for a proposed change of use from commercial, business and service use (Class E) to dwellinghouses (Class C3) comprising the conversion of the existing ground floor shop unit into two residential units (Class C3).

1.0 Proposal

The proposal is for a change of use of the ground floor retail use (vacant) to two residential units.

The proposed dwelling at the front (Flat 1) is a studio flat and provides 38sqm of floor space.

The proposed dwelling at the rear (flat 2) is a studio flat and provides 43sqm of floor space.

2.0 Relevant Planning History

Prior approval was refused 27th September 2022 (planning ref: HGY/2022/0996), for: *“Application to determine if prior approval is required for a proposed change of use from commercial, business and service use (Class E) to dwellinghouses (Class C3) comprising the conversion of part of the existing ground floor shop unit into residential use (Class C3) accommodation. Application under Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class MA.”*

The Councils delegated report confirmed all the limitations were met.

3.0 Relevant Legislation

The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019, amended the Town and Country Planning (General Permitted Development) (England) Order 2015.

The relevant part of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), is part M.

4.0 Planning Assessment

The application seeks prior approval under Part M of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The proposal meets all limitations and conditions stipulated in the Order.

Transport impacts of the development.

The previous refusal had no objection on highway grounds.

No off street car parking is proposed. Whilst not a requirement under prior approval applications, cycle storage for each dwelling will be provided internally. Details of the provision can be imposed by a planning condition.

Contamination risks

The previous refusal confirmed there were no contamination risks.

Flooding risks

The previous refusal confirmed there were no flooding risks.

Impacts of noise from commercial premises on the intended occupiers of the development

The previous refusal confirmed there are no identified impacts of noise from commercial premises, so as to negatively affect the intended occupation of the proposed residential units.

Where the building is located in a conservation area, the impact of the change of use on the character or sustainability of the conservation area.

The property is located within the Clyde Circus Conservation Area. However, the proposal seeks no external alterations, and the change of use would not have a negative impact on the character and appearance of the conservation area.

The provision of adequate natural light in all habitable rooms of the dwellinghouses.

Flat 1 is served by large glazed windows at the front which would provide adequate natural light to meet minimum British standards.

Flat 2 is south facing and has three glazed windows at the rear (one within the rear door) and a large Perspex roof. This would provide a significant amount of light to the proposed flat.

The impact, on intended occupiers of the development, of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses.

The previous refusal confirmed this criterion is not relevant for this property.

