

Planning Statement

85 St Ann's Road,
London,
N15 6NJ

20/04/2026

1. Introduction

This application seeks prior approval under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use from Commercial, Business and Service (Use Class E) to residential use (Use Class C3).

The proposal comprises the creation of 2 self-contained studio flats at ground floor level.

This is a resubmission following refusal of application ref. HGY/2025/3606.

2. Reason for Refusal and Response

The previous application was refused on a single basis:

- The proposal relied on operational development (rear extension and associated alterations), which falls outside the scope of Class MA.

Response

This resubmission fully addresses that issue.

The extension and associated works have now been completed separately. The current application relates solely to the change of use of the building as it presently exists.

Accordingly:

- The proposal no longer relies on operational development
- The scheme now falls fully within the scope of Class MA

The previous reason for refusal is therefore fully resolved.

3. Compliance with Class MA

Under Class MA, the scope of assessment is strictly limited by the GPDO. The Local Planning Authority must assess only the matters expressly set out within the legislation and cannot extend the assessment beyond these.

The relevant provisions of the GPDO are as follows:

Class MA permits: “Development consisting of a change of use of a building... from a use falling within Class E... to a use falling within Class C3...”

The proposal clearly complies with this requirement, comprising solely the change of use of an existing Class E unit to residential use.

Limitations (MA.1)

The proposal complies with all limitations under MA.1:

- The building has been in lawful Class E use for a continuous period exceeding 2 years
- The site is not:
 - a listed building
 - within a conservation area or designated land
 - within a safety hazard or protected designation
- The site is not subject to an agricultural tenancy
- The site is not subject to an Article 4 Direction

Accordingly, there are no restrictions preventing the application of Class MA.

Conditions (MA.2)

The GPDO confirms that prior approval is limited to the following matters:

“Before beginning development... prior approval... will be required as to— (a) transport impacts; (b) contamination risks; (c) flooding risks; (d) noise impacts; (e) conservation areas (where applicable); (f) the provision of adequate natural

light; (g) impact from industrial uses; (h) loss of services; (i) fire safety (where applicable)."

Crucially, the legislation does **not** include any requirement relating to:

- Outlook
- Aspect
- Quality of accommodation beyond natural light

The assessment must therefore be confined strictly to these matters.

4. Daylight and Natural Light

A detailed daylight assessment has been submitted in support of this application.

The assessment has been undertaken in accordance with:

- BRE Guidelines (2022)
- BS EN 17037

Summary of Findings

The report confirms:

- All habitable rooms receive adequate natural light
- Target illuminance levels are achieved across the required proportion of each room
- Both proposed units meet the relevant daylight standards

The internal daylight modelling demonstrates compliance with the requirements of MA.2(f).

5. Outlook – Scope of Assessment

It is important to clarify the scope of Class MA.

The GPDO requires assessment of:

- Adequate natural light only

There is no requirement within Class MA for:

- Outlook
- Aspect
- Quality of view

As such, the presence of skylights and courtyard-facing windows is acceptable and fully consistent with the scope of assessment under the GPDO.

The Local Planning Authority cannot introduce additional tests beyond those set out in the legislation.

6. Other Prior Approval Matters

The Council previously confirmed that the proposal is acceptable in respect of the following:

- Transport impacts
- Noise
- Flood risk
- Contamination
- Cycle and refuse storage

These matters remain unchanged and compliant.

7. Conclusion

This resubmission directly addresses the previous refusal.

- The proposal no longer relies on operational development
- The scheme now falls entirely within Class MA
- Adequate natural light is fully demonstrated through a detailed assessment
- All other prior approval matters are acceptable

The proposal therefore represents a compliant form of permitted development.