



Officer Report

Application Number:	HGY/2026/0641
Application Type:	Prior approval Part 3 Class MA: Commercial, business and service uses to dwellinghouses
Address:	678-682 High Road, Tottenham, London, N17 0AE
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 (Use Class C3) under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class MA
Case Officer:	Sabelle Adjagboni
Valid Date:	05/03/2026
Applicant:	Mr Kemal Ucur
Agent:	Mrs Valeriya Gribanova, VG ARCA Designs

RECOMMENDATION

Approve with Conditions

1. DESCRIPTION OF APPLICATION

This is an application to determine if prior approval is required for a proposed Change of Use from commercial/business/service (Class E) to a dwellinghouse (Class C3). The application is submitted under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), specifically Schedule 2, Part 3, Class MA.

The proposal is to convert the first floor from a store manager suite/office use to residential. The suite is currently occupied by the store manager at first floor level. As these first-floor offices are now surplus to the needs of the business, their conversion to residential use is proposed.

2. SITE DESCRIPTION

The application site is located towards the northern side of High Road, near its intersection with Argyle Road. The site lies within the North Tottenham High Road Conservation Area but is not a listed building. The area is characterised by 19th century townscape incorporating notable surviving examples of earlier periods such as the 18th centuries including outstanding groups of Georgian houses and mid and late-Victorian shopping parades illustrating the changes to this building type in scale and style. The existing building is a large and bulky 1970s building, with a later upwards extension, which badly disrupts the streetscape and is identified as having a negative impact on the significance of the Conservation Area.

The proposal will be located on the first floor which already accommodates residential units.

3. PLANNING HISTORY

The planning history for this site is as follows:

HGY/2022/1657

Address: 678-682, High Road, London, N17 0AE

Proposal: Change of use of 1st floor retail unit (Class E Use) to two self-contained flats (1 x 1-bedroom & 1 x studio) including the Insertion of new windows in the roof slope and extension of existing ventilation duct.

Decision Date: 7 June 2024

Decision: Approve with Conditions

HGY/2019/1864

Address: Land rear of, 678-682, High Road, London, N17 0AE

Proposal: Approval of details pursuant to conditions 3 (sample materials), 5 (Cycle Parking), 6 (external Lighting), 9 (Landscaping) attached to planning permission HGY/2019/0092.

Decision Date: 10 October 2019

Decision: Approve with Conditions

HGY/2019/0092

Address: Land rear of, 678-682, High Road, London, N17

Proposal: Erection of three storey building to provide 3 x residential units (1 x 1 bed, 1 x 2 bed & 1 x 3 bed self-contained flats).

Decision Date: 10 May 2019

Decision: Approve with Conditions

4. CONSULTATION RESPONSES

The following internal consultation responses were received:

LBH Conservation Officer

- The existing building is a large and bulky 1970s building, with a later upwards extension, which badly disrupts the streetscape and is identified as having a negative impact on the significance of the Conservation Area.
- The area proposed to be converted is effectively a front facing services area, which does little to contribute to the significance of the Conservation Area.
- The part of the building where the application site affects presents a blank and , no alterations are proposed to this front elevation and the change of use would not alter the existing commercial frontage and activity in this instance.
- The principle of the change on the ground floor would therefore be considered to have a neutral impact on the significance of the CA.
- To the rear, the proposed Juliette balcony, overlooking the car park, would be an incongruous feature in both scale and its design compared to the horizontal openings adjacent and above.
- This is the only access to natural light in the flat, and the trees immediately adjacent to the development site form an important frame for the former brewery yard and buildings adjacent (which are GII and locally listed).
- Pressure to lop or remove this vegetation would not be desirable from a conservation area impact perspective.
- It is recommended that any daylight/sunlight levels are considered acceptable with the levels of shading that the existing trees provide.

In accordance with the procedure for applications for prior approval under Part 3 Paragraph W -

- A site notice was displayed in the immediate vicinity of the site;
- Adjoining owners/ occupiers of the neighbouring properties were consulted by letter.

The representation received are as follows:

Councillor Comments

- Concerns as to an acceptable standard of light and single aspect issues that may impact and no provision of amenity space.
- Not convinced the proposal would meet the London Plan required standards and therefore requesting a refusal.

5. ANALYSIS/ASSESSMENT

Relevant Legislation

Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('the GPDO') for changes of use from Commercial, Business and Leisure (Class E) to a dwellinghouse (Class C3).

This application seeks prior approval for a change of use from commercial, business and service use (Class E) to residential use (Class C3) to provide 1x studio flat.

Prior approval is an application to discharge the conditions pertaining to the permitted development right (PDR) so the scope of the issues which are material to the prior approval application are fixed and fixed exclusively by the terms of the order. Therefore, no consideration can be given to the statutory development plan or the National Planning Policy Framework (NPPF) unless the GPDO specifically provides for this. The relevant limitations and conditions are assessed as set out below.

Limitations

(a) Unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval.

Comment: This paragraph has been omitted by the Statutory Instrument 2024 No.141 which came into force on 5th March 2024, and is therefore no longer relevant.

(b) Unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval.

Comment: Complies –the building is understood to have been under Class E use for a continuous period of at least 2 years.

(c) If the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres.

Comment: This paragraph has been omitted by the Statutory Instrument 2024 No.141 which came into force on 5th March 2024 and is therefore no longer relevant.

(d) If land covered by, or within the curtilage of, the building—

- (i) is or forms part of a site of special scientific interest;**
- (ii) is or forms part of a listed building or land within its curtilage;**
- (iii) is or forms part of a scheduled monument or land within its curtilage;**

- (iv) is or forms part of a safety hazard area; or**
- (v) is or forms part of a military explosives storage area.**

Comment: Complies - The site does not form part of any of the above areas.

(e) If the building is within—

- (i) an area of outstanding natural beauty;**
- (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981;**
- (iii) the Broads;**
- (iv) a National Park; or**
- (v) a World Heritage Site.**

Comment: N/A

(f) If the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained.

Comment: N/A

(g) Before 1 August 2022, if—

- (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and**
- (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.**

Comment: The site does not fall within an area covered by an Article 4 direction.

Other Limitations

In assessing this application consideration also needs to be given as to whether the application site/ building/ the part of the building is subject to a condition of planning consent limiting it to purposes falling within Class C3.

Comment: The application site/ building is subject to no such restriction.

Conditions of Prior Approval

Class MA development is permitted subject to the condition that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport impacts of the development, particularly to ensure safe site access;**
- (b) contamination risks in relation to the building;**
- (c) flooding risks in relation to the building;**
- (d) impacts of noise from commercial premises on the intended occupiers of the development;**
- (e) where the building is located in a conservation area, and the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;**
- (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;**

(g) 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; and
(h) where the development involves the loss of services provided by a registered nursery, or a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost.
(i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

(a) Transport impacts of the development

The transport impacts of the development, particularly to ensure safe site access have been considered.

The TfL WebCAT calculator tool shows the PTAL rating of the centre of the site as 4 indicating that the site has a good level of accessibility to public transport. The site is within walking distance of White Hart Lane and Bruce Grove Tube Stations, and for the less mobile there are bus stops within minutes' walk of the site, linking to the tube station and further afield.

The latest version of the NPPF was published in December 2024 and sets out the Government's planning policies for England and how these are expected to be applied. Chapter 9 – 'Promoting Sustainable Transport', states at paragraph 116 that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Refuse and recycling storage will be located at the rear of the property where the existing arrangement is located. There are no objections to the refuse and recycling being to the rear of the site as proposed.

Secure cycle storage would equally be provided at communal front entrance on the ground floor leading the upper flats. There appears to be ample space in the entrance hall for the single secure bike store provided, thus meeting the relevant London Plan standard.

Given the sites high PTAL rating and the low level of car ownership amongst Haringey residents, it is not anticipated that the conversion of the existing first floor manager's suite into a residential 1-bedroom flat would result in a materially significant increase in on-street parking.

Given the site's decent accessible location and the capacity within the site to accommodate an appropriate level of secure bicycle storage, it is considered that the proposed change of use complies with the objectives of the NPPF in achieving sustainable residential development.

Overall, the new unit would comply with Condition (a) given that there would be no material increase or material change in the character of traffic in the vicinity of the site, nor would it have any detrimental impact upon highway safety.

(b) Contamination risks

There are no contamination risks in relation to the building.

(c) Flood risk

The site is located close to the River Lee and its tributaries and therefore falls under Flood Risk Zone 2 with a medium risk of fluvial flooding. According to the LPA's SFRA and the Environment Agency, there are no records of flooding events at the site. The Environment Agency's Flood Zone

2 fluvial outline shows a land having between a 1 in 100 and 1 in 1,000 annual probabilities of river flooding. The Environment Agency's flood risk map also indicates that the site will remain within the Flood Zone 2 (i.e. medium probability flooding), when climate change is considered for the future 2070–2125-time frame.

A site-specific Flood Evacuation Plan has been provided for the property outlining a clear, structured, and effective response during flood events. As such, it is considered that the site will be safe in terms of flood risk and will not increase flood risk elsewhere.

(d) Impacts of noise from commercial premises on the intended occupiers of the development

There are no identified impacts of noise from commercial premises so as to negatively affect the intended occupation of the residential units created by this change of use.

(e) Impact of change of use on character or sustainability of the conservation area

There are no proposed external alterations to the building in relation to this application. However, an informative will be added that any necessary external changes as the ground floor would be retained as office space.

(f) The provision of adequate natural light in all habitable rooms of the dwellinghouses

Paragraph W.-(2A) of Part 3 of the GPDO 2015 states that "Where the application relates to prior approval as to adequate natural light, the local planning authority must refuse prior approval if adequate natural light is not provided in all the habitable rooms of the dwellinghouses"

The BRE Guide recognises the importance of receiving adequate daylight within new residential accommodation; it states that "Daylight provision in new rooms may be checked using either of the methods in BS EN 17037 Daylight in Buildings: direct prediction of illuminance levels using hourly climate data, or the use of the daylight factor (D). Both are measures of the overall amount of daylight in a space. The daylight factor (D) addresses daylight provision as a ratio of unobstructed external illuminance under overcast sky conditions." (para 2.1.8).

The habitable room will benefit from an existing window and Juliette balcony. Whilst there is a large tree located at the rear in front of the window, its distance from the building would still allow a satisfactory level of daylight to be provided.

(g) Impact in relation to nearby general or heavy industry, waste management, storage and distribution uses.

This criterion is not relevant in relation to the assessment of this application.

(h) Impact in relation to loss of services provided by a registered nursery, or a health centre

This criterion is not relevant in relation to the assessment of this application.

(i) Where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building

The building is not more than 18 metres in height and does not contain 7 or more storeys. The proposal therefore does not meet the fire risk condition, and the fire safety impacts are not required to be considered.

Other conditions

Space Standards

A floorplan showing the total floorspace in square metres in relation to the dwelling unit has been submitted with this application and complies with the nationally described space standards.

Fire safety

There is a requirement for fire risk to be considered in relation to certain building types. The size of the building here does not require fire safety impacts on the intended occupants of the building to be considered at planning application stage; Building Regulations and other statutory fire safety requirements still however will apply.

Building operations

Class MA permits only a change of use and as such it is being brought to the attention of the application/ agent that building operations involving external alterations will require separate planning consent.

An informative will be attached to the decision notice advising the applicant of the need to obtain separate planning permission for external alterations materially affecting the appearance of the building.

Conclusion

The proposed change of use is considered acceptable in relation to the conditions and limitations detailed and discussed above.

6. CIL LIABILITY

No new floorspace is being created and the building is understood to have been occupied for a lawful use for at least six months continuously in the last three years, as such the proposal is not liable for CIL.

7. RECOMMENDATION

GRANT PRIOR APPROVAL subject to the following conditions:

Prior approval is granted under the provisions of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) England) Order 2015 (GPDO) for the change of use from commercial/business/service (Class E) to a dwellinghouse (Class C3) subject to the following conditions:

Conditions:

- 1 The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed below, other than where those details are altered pursuant to the conditions of this planning permission.

Approved drawings list: JAN/KU/26-001, JAN/KU/26-004, JAN/KU/26-005, JAN/KU/26-006, JAN/KU/26-007

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The accommodation hereby approved shall be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.

Reason: To comply with Article 3, Schedule 2, Part 3, Class MA of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- 4 The proposed 1 secure and covered cycle parking facilities as set out on plan number reference: JAN/KU/26-004 shall be provided prior to the occupation of the use hereby permitted and such spaces shall be retained thereafter for this use only.

Reason: To promote sustainable modes of transport in accordance with Policy T5 of the London Plan 2021 and Policy SP7 of the Haringey Local Plan 2017.

Informatives:

INFORMATIVE: Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

INFORMATIVE: Party Wall Act

The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

INFORMATIVE: Hours of Construction Work

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00am - 6.00pm Monday to Friday

8.00am - 1.00pm Saturday

and not at all on Sundays and Bank Holidays.

INFORMATIVE: The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (street.naming@haringey.gov.uk) to arrange for the allocation of a suitable address. In order to proceed with 'Street Naming and Numbering', please use the following web link: <https://www.haringey.gov.uk/streets-roads-travel/street-licences-applications/streetbuilding-naming-numbering>

INFORMATIVE: External alterations

The consent hereby approved relates only to the change of use, any external alterations to the building to facilitate the change of use which as 'operational development' require express permission.