

18/06/2026

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10 Station Rd  
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Dear Sir or Madam,

**Aztec House, 397-405 Archway Rd, London N6 4ER**  
**Change of use from commercial use to residential use via Permitted Development Rights**

On behalf of our client, Stolitsa Limited, I write to submit details pursuant to the 'prior approval' for the change of use of the upper floors of Aztec House from office use (Class E) to residential use (Class C3) under Class MA of the Town and Country Planning (General Permitted Development) Order (GDPO) 2015 (as amended).

As such, the proposed description of development is as follows:

*"Change of use of the upper floors from Office (Use Class E) to Residential dwellings (Use Class C3) with associated cycle and car parking."*

The application comprises the documents set out below:

- Covering Letter (this Letter), prepared by Allsop Planning;
- Application Form;
- CIL Form;
- Architect Drawings (Space Agent)
- Noise Impact Assessment,.
- Internal Daylight Assessment, prepared by T16 Design;
- Fire Statement, prepared by Accendo;
- Transport Assessment, prepared by RGP.

The following drawings have been submitted to support this application:

- Site Location Plan - ARC - site plan
- Existing Basement plan - ARC\_E01
- Existing Ground floor plan - ARC\_E02
- Existing First floor plan – ARC\_E03
- Existing Second floor plan – ARC\_E04
- Existing Third floor plan – ARC\_E05
- Existing Roof Plan – ARC\_E06

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- Proposed North Elevation – ARC\_E07
- Existing East Elevation – ARC\_E08
- Existing South Elevation – ARC\_E09
- Existing Section A-A – ARC\_E10
- Existing Section B-B – ARC\_E11
- Proposed Lower ground floor plan - ARC\_C01a6
- Proposed Ground floor plan - ARC\_C02a6
- Proposed First – Second floor plan - ARC\_C03a6
- Proposed Third floor plan – ARC\_C05a6
- Proposed Roof Plan – ARC\_C06a6
- Proposed North Elevation – ARC\_C07a6
- Proposed East Elevation – ARC\_C08a6
- Proposed South Elevation – ARC\_C09a6
- Proposed Section A-A – ARC\_C10a6
- Proposed Section B-B – ARC\_C11a6

The planning application fee of £4,771 (including service charge), has been paid via the Planning Portal.

### **The Site**

The site is located in the London Borough of Haringey. The building currently comprises retail use at ground floor level and office space (Class E use) above, across the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floor.

The site has a PTAL score of 4, which reflects good public transport accessibility.

Haringey's Local policies map highlights the designations which the site falls into:

- Highgate Conservation Area, with the nearest listed site being a Cattle Trough on Archway Road.
- Family Housing Protection Zone
- Neighbourhood Plan Area
- Adjacent to a local centre

The Environment Agency's flood risk map identifies the site as within Flood Zone 1, with a low chance of all types of flooding

There are no Article 4 directions applied at the site which restrict the ability to use Class MA under the GDPO (as amended).

### **The Proposed Development**

The proposed development comprises the change of use of existing office floorspace on the first, second and third floors (Use Class E) into residential dwellings (Use Class C3).

There are 18 residential units proposed. The unit mix is outlined in the table below.

| <b>Beds</b>    | <b>Number</b> |
|----------------|---------------|
| 1 bed 1 person | 10            |
| 1 bed 2 person | 8             |

There will be 22 long-stay cycle parking spaces located on-site and 4 short stay spaces. There are 2 disabled car parking spaces proposed, with 5 car parking spaces overall, 2 of which are proposed as part of this residential scheme and 3 of which are associated with the commercial aspect of the building.

There are also dedicated bin stores located at ground floor level.

Full details of the bin and bicycle storage to be reserved by condition.

### Relevant Planning History

The Council's online records have been reviewed, with the majority of applications relating to installation of signs, poles and equipment. However, the applications related to land use changes have been highlighted below:

| LPA Reference | Description                                                | Decision/ Date      |
|---------------|------------------------------------------------------------|---------------------|
| HGY/2005/0538 | Change of use of car showroom to retail (Class A1).        | Approved 12/5/2005  |
| OLD/1988/0046 | Change of use of ground floor from office to car showroom. | Approved 29/11/1988 |
| OLD/1984/0037 | Erection of 4 storey office building with 16 car spaces.   | Approved 20/3/1984  |

### Class MA Permitted Development Rights

"Class MA" rights came into being on 1<sup>st</sup> August 2021 and allow for development consisting of the change of use of a building and any land within its curtilage from a use falling within Class E (Commercial, business and service) of Schedule 2 of the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 of that Order. The new right is introduced following changes to the Use Class Order, in September 2020, which created a new Class E which include a number of uses that previously fell under Class A1, Class A3, Class B1 and part of Class D1 and Class D2.

Class MA states:

#### *"Permitted Development"*

*MA. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.*

#### *Development not permitted*

*MA.1.—(1)Development is not permitted by Class MA—*

- (a) unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;*
- (b) 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;*
- (c) 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 198155;
- iii) the Broads;
- iv) a National Park; or
- v) a World Heritage Site;
- (d) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or
- (e) 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.

(2) The classes mentioned in sub-paragraph (1)(b) are the following classes of the Use Classes Order—

- (a) the following classes of the Schedule as it had effect before 1st September 2020—
  - i) Class A1 (shops);
  - ii) Class A2 (financial and professional services);
  - iii) Class A3 (food and drink);
  - iv) Class B1 (business);
  - v) Class D1(a) (non-residential institutions – medical or health services);
  - vi) Class D1(b) (non-residential institutions – crèche, day nursery or day centre);
  - vii) Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink;
- (b) on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2.

## Conditions

MA.2.—(1) Development under Class MA is permitted subject to the following conditions.

(2) Before beginning development under Class MA, the developer must 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—
  - i) the building is located in a conservation area, and
  - ii) 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—
  - i) a registered nursery, or
  - ii) 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.

(3) An application for prior approval for development under Class MA may not be made before 1 August 2021.

(4) The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph as if—

(a) for paragraph (e) of sub-paragraph (2) there were substituted—

“(e) where—

- (i) sub-paragraph (6) requires the Environment Agency to be consulted, a site-specific flood risk assessment;
- (ii) sub-paragraph (6A) requires the Health and Safety Executive the Building Safety Regulator 60 to be consulted, a statement about the fire safety design principles, concepts and standards that have been applied to the development,”;

(b) in the introductory words in sub-paragraph (5), for “and highways impacts of the development” there were substituted “impacts of the development, particularly to ensure safe site access”;

(c) after sub-paragraph (6) there were inserted— “(6A)Where the application relates to prior approval as to fire safety impacts, on receipt of the application, the local planning authority must consult the Health and Safety Executive the Building Safety Regulator.”;

(d) in sub-paragraph (7) for “(5) and (6)” there were substituted “(5), (6) and (6A)”;

(5) Development must be completed within a period of 3 years starting with the prior approval date.

(6) Any building permitted to 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...

Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse –

- a) where the gross internal floor area is less than 37sqm in size; or
- b) (b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015”

MA.3. Development meets the fire risk condition referred to in paragraph MA.2(2)(i) if the development relates to a building which will—

- a) contain two or more dwellinghouses; and
- b) satisfy the height condition in paragraph (3), read with paragraph (7), of article 9A (fire statements) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

The nationally described space standards require a 1 storey one bedroom (1 person) dwelling to be at least 39sqm in size (37sqm if there is a shower room instead of a bathroom). The nationally described space standards require a 1 storey one bedroom (2 person) dwelling to be 50sqm in size.

### Paragraph MA.1 of Class MA

Paragraph MA.1 details instances where development under Class MA development is not permitted. Compliance with this criteria is set out in the table below.

| Class MA.1 Criteria                                                                                                                                                                                           | Assessment                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| a) Unless the use of the building fell within one or more of the use classes specified in sub-paragraph (2) for continuous period of at least 2 years prior to the date of the application for prior approval | The existing use is an office, which falls under Use Class E. It has been in office use for over 2 years.  |
| b) If land covered by, or falls within the curtilage of, the building-                                                                                                                                        | The site is not on land covered by, nor does it fall within the curtilage of any of the identified assets. |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>i. is or forms part of a site of special scientific interest;</li> <li>ii. is or forms part of a listed building or land within its curtilage;</li> <li>iii. is or forms part of a scheduled monument or land within its curtilage;</li> <li>iv. is or forms part of a safety hazard area; or</li> <li>v. is or forms part of a military explosives storage area.</li> </ul>                                                                                                                         | HSE mapping confirms that the development does not intersect a pipeline or hazard zone. |
| <p>c) If the building is within-</p> <ul style="list-style-type: none"> <li>i. An area of outstanding natural beauty;</li> <li>ii. An area specified by the Secretary of State for the purposes of section 41 (3) of the Wildlife and Countryside Act 1981;</li> <li>iii. The Broads;</li> <li>iv. A National Park; or</li> <li>v. A World Heritage Site</li> </ul>                                                                                                                                                                         | The building is not located within any of the identified designations.                  |
| d) If the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and tenant has been obtained                                                                                                                                                                                                                                                                                                                                                                                                      | The site is not occupied under an agricultural tenancy.                                 |
| <p>e) Before 1 August 2022, if-</p> <ul style="list-style-type: none"> <li>i. The proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1<sup>st</sup> August 2021; and</li> <li>ii. The development would not have been permitted under Class O immediately before 1<sup>st</sup> 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.</li> </ul> | Not applicable.                                                                         |
| f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained                                                                                                                                                                                                                                                                                                                                                                                                  | Not applicable.                                                                         |

### Procedure For Applications for Prior Approval Under Part 3

The following is provided in accordance with requirements of Paragraph W (2):

- a) Written description of the proposed development

Change of use of the, first, second and third floors of Aztec House from commercial use into 18 residential units.

- b) A plan indicating the site and showing the proposed development

Enclosed with this application are a site location plan, existing and proposed internal layout plans of the proposed accommodation, as well as existing and proposed sections.

- c) A statement specifying the net increase in dwellinghouses proposed by the development

The proposals result in a net increase of 18 dwellinghouses.

- d) A floor plan indicating the total floor space in square metres of each dwellinghouse, the dimensions and proposed use of each room, the position and dimension of windows, doors and walls, and the elevations of the dwellinghouse

Enclosed with this application are existing and proposed floorplans showing the dimensions of each dwelling, the dimensions and use of each room and the position and dimensions of all windows, doors and walls. Existing and proposed elevations and sections are also submitted as part of the application.

- c) The developer's contact address

All correspondence should be with the Developer's planning agent, Allsop.

[Eliana.Glazer@allsop.co.uk](mailto:Eliana.Glazer@allsop.co.uk)

- d) The developer's email address

All correspondence should be with the Developer's planning agent, Allsop.

[Eliana.Glazer@allsop.co.uk](mailto:Eliana.Glazer@allsop.co.uk)

- e) Where sub-paragraph (6) requires the Environment Agency to be consulted, a site-specific flood risk assessment

The site is within flood zone 1, with no risk of flooding, therefore a flood risk assessment is not required.

## Assessment

Certain parts of Paragraph MA.2 are not considered below as they are not relevant to the application site. These are part (g) as the site is located in an area with existing general or heavy industry, waste management, storage and distribution uses. The proposal involves the loss of existing office floor space and not a nursery or health centre, meaning part (h) does not need to be assessed.

Part (i) stipulates that where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building should be assessed. The fire safety condition, as stated in Article 9A of the Town and Country Planning (Development Management Procedure) (England) Order 2015, applies when a development contains two or more dwellings and is over the 18m height or 7 storeys in height threshold. The existing building extends to 16.34m in height so the fire safety condition does not apply.

The remaining conditions are considered below in turn.

### Transport and Parking

The application site is situated within a highly sustainable urban location, benefiting from a PTAL rating of 4 and excellent public transport accessibility, being located approximately 100m from Highgate Underground Station and served by numerous bus routes along Archway Road, including the 43, 134 and 263, providing frequent connections to Central London and across north London.

The proposals have been designed in accordance with this context, adopting a car-lite approach with two disabled parking spaces provided for the residential units (equating to an 11.1% provision), alongside the retention of two standard and one disabled space for the ground floor commercial unit.

In line with London Plan Policy T5, the scheme also delivers policy-compliant cycle parking, comprising 22 long-stay and 4 short-stay spaces to support sustainable travel choices. Vehicular access would continue to be taken from the existing access via Bishops Road, ensuring safe and suitable arrangements are maintained.

The submitted Transport Statement demonstrates that the proposed residential use would generate fewer trips than the existing office use, resulting in a net reduction in vehicle movements on the local highway network. Accordingly, the development would not result in an unacceptable impact on highway safety or give rise to severe residual cumulative impacts, consistent with the requirements of Paragraph 116 of the NPPF.

Overall, the evidence confirms that there would be no adverse transport impacts, including in respect of safe site access, thereby complying with the requirements of Class MA.2(a)

#### Contamination Risks

There is no known risk of contamination at the site and no uses which would contribute to contaminants being produced. Land uses in close proximity to the site are predominantly office, commercial and residential, with no general or heavy industrial uses close by which would present a contamination risk.

The proposed development involves no excavation works and will utilise the existing building, as a result the risk of future occupants being exposed to contaminants is very low.

The above confirms that the proposed development will not present a contamination risk. There will be no adverse 'contamination risks of the development' as required under Paragraph MA.2(b) of Class MA.

#### Flood Risk

Mapping from the Environment Agency has identified the area as Flood Zone 1 and low risk of all types of flooding. The site is also in an area of low risk of surface water flooding. As a result of the low flood risk the GDPO does not require a flood risk assessment to support the proposals.

The above demonstrates that there will be no adverse 'flooding risks in relation to the building' as required under Paragraph MA.2(c) of Class MA.

#### Provision of Natural Light

An Internal Daylight Assessment has been conducted by T16 Design Limited. The Daylight Assessment has been undertaken in conformity with the methodology and criteria provided by the Building Research Establishment's (BRE) guidance 'Site layout planning for daylight and sunlight: A guide to good practice' (BRE 209 3<sup>rd</sup> edition, 2022), which in turn references the British Standard BS EN17037:2018 'Daylight in buildings'.

The Daylight Assessment used the 'Target Daylight Factor' method, which determines the natural internal luminance in each habitable room. 50% of the floor area of each room should receive a specific daylight factor.

The Assessment confirms that the above is met for all dwellings within the development, with all rooms tested meeting the standards of required daylight. As a result the proposals entirely comply with BRE

standards. This demonstrates that there will be 'adequate natural light in all habitable rooms of the dwellinghouses' as required under Paragraph MA.2(f) of Class MA.

### Noise Assessment

A noise assessment has been undertaken to assess potential noise impacts from surrounding commercial uses on the proposed residential development, to ensure accordance with the GDPO (2015). By taking measurements at two locations around the site, it was found that noise from the existing ground floor use (Topp's Tiles), the adjacent café and associated plant and equipment would not give rise to adverse impacts on future residential amenity. It should be noted that the existing mixed-use character of the area is typical of an urban setting and the identified noise sources, such as road traffic, form part of the established acoustic environment.

The noise levels within the proposed dwellings would be significantly below the guideline targets set out in BS8233, with the building fabric providing sufficient attenuation to achieve suitable internal environments.

The existing ground floor use would not give rise to noise impacts which would have an adverse impact on the future occupiers of the proposed dwellings; hence no specific mitigation measures are considered necessary at this stage. While it is acknowledged that the lawful Class E use of the ground floor could vary over time, the assessment demonstrates that acceptable internal conditions can be achieved and, where necessary, enhanced sound insulation measures within the commercial demise could be implemented.

This demonstrates that there will be no adverse 'impacts of noise from commercial premises on the intended occupiers of the development' as required under Paragraph MA.2(d) of Class MA.

### Fire

Accendo Fire Safety Services has prepared a Fire Statement to support the proposed development, setting out the overarching fire safety strategy for the conversion of the building from commercial to residential use. While not strictly required for this prior approval application, given the building height falls below the relevant threshold, it has been submitted to demonstrate a robust and proactive approach to fire safety.

The statement confirms that key fire safety considerations have been embedded within the design, including appropriate means of escape (based on a 'stay put' strategy), smoke ventilation, fire detection and alarm systems, and the provision of sprinklers. Passive fire protection measures, including compartmentation and fire-resistant construction, are also incorporated to limit fire spread, alongside compliant materials for the external envelope.

The development further ensures suitable access for fire and rescue services, including dry rising mains and accessible appliance parking, and sets out the framework for ongoing fire safety management in accordance with relevant legislation.

Overall, the submitted information demonstrates that the proposal accords with the principles of London Plan Policy D12 and would provide a safe environment for future occupants.

### Nationally Described Space Standards

The proposed 1-bed, 1-person flats are all at least 37m<sup>2</sup>, with 1m<sup>2</sup> of built in storage. The proposed 1-bed, 2-person flats are all at least 50m<sup>2</sup>, with 1.5m<sup>2</sup> of storage space.

### Conclusion

The proposal comprises the change of use of the first, second and third floors from office floorspace (Class E) to provide 18 residential units (Class C3).

The application is acceptable under Class MA permitted development because it fulfils all of the requirements highlighted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The proposed scheme will provide acceptable amenity to future and neighbouring occupiers and will positively contribute to the housing stock in Haringey.

If there are any questions on the submission, please get in touch.

Yours faithfully,

A handwritten signature in black ink, which appears to read 'Eglazer', is positioned above the typed name.

Eliana Glazer  
**Allsop Planning**