



Officer Report

Application Number: HGY/2026/1428
Application Type: **Prior approval Part 3 Class MA: Commercial, business and service uses to dwellinghouses**
Address: Glencairn Sports Club, Blake Road, Wood Green, London, N11 2AH
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)
Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class MA
Case Officer: Josh Parker
Valid Date: 20/05/2026
Applicant: Lousada PLC
Agent: Mr Brian Mullins

RECOMMENDATION

Refuse

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.

2. PLANNING HISTORY

HGY/2021/0228 – Prior Notification under Schedule 2, Part 3 Class T of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the Change of Use of Former Clubhouse and Curtilage (Class F2(c)) to Registered Nursery (Class E(f)) - Approved 08/03/2021.

HGY/2021/2685 - Prior Approval for Change of Use of Former Bowling Clubhouse and Bowling Green (Class D2 (e)) to Dwelling House under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Refused 29/10/2021.

Reason for refusal: The proposed change of use is considered unacceptable in relation to the provision of adequate natural light in connection with a conversion to residential use.

HGY/2022/0667 - Prior Approval for Change of Use of Former Bowling Clubhouse and Bowling Green (Class D2 (e)) to Dwelling House under Schedule 2, Part 3, Class MA of the Town and

Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Withdrawn.

HGY/2023/0364- Repair of building following fire damage. - Approved 20/4/2023

HGY/2023/1318 - Approval of details reserved by condition 3 - Construction Plan - pursuant to planning permission ref: HGY/2023/0364 granted on 20/4/2023 for repair of building following fire damage. – Approved 27/06/2023.

HGY/2023/2094 - Application to determine if prior approval is required for a proposed the change of use of the site from Commercial, Business and Service Use (Class E) to a Dwellinghouse (Class C3) under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class MA. Approved 27/10/2023

HGY/2024/1600 - Partial approval of details reserved by condition 3a & 3b (contamination) ref: HGY/2023/2094. Approved 10/7/2024

3. CONSULTATION

The application has been publicised by the way of letters. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

Objections: 2 (Objectors)
Support: 0

Objections summarised:

- Class MA permission — Prior approval HGY/2023/2094 was granted in Oct 2023 for conversion of the clubhouse, but the claim that the residential use has not been occupied is incorrect.
- Unauthorised occupation — The refurbished part of the building has been lived in for months, with clear signs of day-to-day residential use.
- Retrospective application — Given occupation and works already undertaken, the proposal should be treated as a retrospective planning application.
- Inaccurate existing drawings — The plans are wrong: the main building has had no roof since the fire.
- Faulty daylight assessment — The daylight report misrepresents the repaired/occupied section as a “Cinema Room” rather than the studio dwelling it clearly functions as.
- Out-of-date environmental report — The environmental assessment is outdated and does not reflect that most of the building is now a ruin.
- Outdated needs assessment — The Local Needs Assessment (2017) is nearly a decade old and predates major post-Covid changes.
- Lack of neighbour consultation — The applicants have made no effort to engage or inform neighbouring residents about their proposals.

4. RELEVANT PLANNING 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 of part of a historical bowling club subject to arson to a dwellinghouse (Class C3).

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.

Article 3(1) of the GPDO sets out the rules for permitted development. For development to be considered "permitted development," it must comply with every limitation and condition, including the requirement that prior approval must be secured before development begins. If works have already started, the proposed development loses its permitted status.

ANALYSIS/ASSESSMENT OF THE APPLICATION

Class MA: Commercial, business and service uses to dwelling houses.

A certificate of lawfulness for 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 can be issued if the proposal meets all the criteria under The Town and Country Planning (General Permitted Development) (England) Order 2015 – Schedule 2, Part 3, Class MA '*commercial, business and service uses to dwellinghouses*'

The current proposal will be assessed against these requirements as follows:

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.

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: It remains unclear whether the site was occupied at the time of the officer's visit on 7 July 2026, and access to the unit was not granted during that inspection. Representations indicate that the building has been in use, with signs of day-to-day residential occupation referenced above; however, officers cannot verify whether any such occupation has occurred within the three-month period relevant to the application, and the available information does not allow the timeline to be confirmed with certainty.

Notwithstanding the above the works do not benefit from permitted development as set out in Article 3(1) of the GPDO.

(b) 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.

Comment: The building appears to be used as two different classes with the conversion to Class (C3) being the most recent noted in the above point (a)

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

Comment: The building is approximately 62sq.m

(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

(e) if the building is within an area of outstanding natural beauty/ National Park

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

The building identified in the prior approval submission has never historically operated as an independent structure; rather, it formed part of a much larger Class E building that functioned as a single planning unit before the main structure was substantially damaged by fire. Although the applicant now presents this remaining element as a standalone building, the proposal in effect represents the subdivision of a formerly unified building rather than the conversion of a discrete structure capable of being regarded as a “building” in its own right for the purposes of the GPDO. This position is reinforced by the fact that the physical connections between the retained element and the main building have since been removed, and the part now subject to prior approval has itself undergone material alteration. In particular, the former rear conservatory has been demolished and reconstructed as a masonry extension with a pitched roof, which constitutes development in its own right and further demonstrates that the structure now presented is not an original, self-contained building but a modified fragment of a larger former whole.

In addition, comments received during the consultation indicate that residential occupation of the premises has already commenced. This raises further concern regarding the appropriateness of the prior approval route, as it suggests that the building is already being used for a purpose that has not been authorised and that the application may be seeking to regularise occupation rather than convert a qualifying Class E building in accordance with the GPDO.

The fallback position associated with prior approval HGY/2023/2094, which permitted the conversion of the entire bowling club, has not been implemented. Only partial works appear to have been undertaken, and these do not amount to the completion of the approved development. As such, the permission cannot be considered extant in a way that would engage Condition 1, which requires that “the development must be completed within a period of 3 years starting with the prior approval date” (27 October 2023). Given that the approved scheme has not been completed,

and the partial works do not constitute lawful implementation, Condition 1 cannot be relied upon as a fallback for the current proposal.

SUMMARY AND CONCLUSION

The building does not benefit from permitted development rights under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as the structure identified in the submission has never existed as an independent building but historically formed part of a larger Class E premises that operated as a single planning unit prior to the fire damage affecting the main structure. Information submitted to the LPA further indicates that residential occupation has already commenced, meaning the part of the structure is already being used for an unauthorised residential purpose rather than one proposed through the permitted development provisions of the GPDO, as such amounting to development under section 55 of the Town and Country Planning Act 1990.

5. RECCOMENDATION

REFUSE PRIOR APPROVAL for the following reasons:

Refusal Reasons:

The building does not benefit from permitted development rights under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as the structure identified in the submission has never existed as an independent building but historically formed part of a larger Class E premises that operated as a single planning unit prior to the fire damage affecting the main structure. Information submitted to the LPA further indicates that residential occupation has already commenced, meaning the part of the structure is already being used for an unauthorised residential purpose rather than one proposed through the permitted development provisions of the GPDO, as such amounting to development under section 55 of the Town and Country Planning Act 1990.