

Planning Statement

Site: 82 Highgate Road, NW5 1PB

Proposal: Application to determine if prior approval is required for a proposed change of use from commercial, business and service use (Class E) to one dwelling (Class C3).

1.0 Proposal

The proposal is for a change of the ground and first floors from Class E premises to one 2-bedroom, 3-person residential unit.

The proposed dwelling exceeds National minimum floorspace standards.

2.0 Relevant Planning History

Planning permission was granted 27 April 2023 (planning ref: 2023/0423/P), for: *“Opening up of internal spaces to form internal courtyards with associated works including new roof lights, new glazed windows and doors.”* **This planning permission has been implemented.**

In respect of Nos. 76-82 Highgate Road, pre-application advice dated 17 February 2021 (planning ref: 2020/4951/PRE), for: *“Erection of two storey roof and rear extensions and provision of 6 new flats, following conversion of existing ancillary retail space at first floor, and HMO units, retention of retail space at ground level, full refurbishment of buildings.”* **The principle of residential opposite the Vine public house was accepted.** The pre-application advice has been submitted as part of the application documents.

In respect of No.80 Highgate Road Planning permission was resolved to be granted, subject to a section 106 legal agreement (planning ref: 2008/3249/P) for: *“Change of use and works of conversion from ancillary retail storage (Class A1) to a self-contained residential flat at first floor level, including infilling of valley roof, alterations to fenestration and formation of a rear light well.”* **The principle of residential opposite the Vine public house was accepted.** The planning delegated report has been submitted as part of the application documents.

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.

No off street car parking is proposed.

Whilst not a requirement under this type of prior approval application, the applicant is willing to enter into a car free legal agreement.

Whilst not a requirement under this type of prior approval application, the applicant is willing to provide cycle storage for two cycles within the property, details of which could be imposed as a planning condition.

In respect of refuse, this will be stored internally and collected privately.

Contamination risks

No historical industrial uses.

Flooding risks

Site within flood zone 1.

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

The Vine public house is located opposite the site.

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The licence for the Vine public house has been submitted as part of the application documents. In particular, conditions 26-31 (Annex 3) of the licence requires the public house to not cause any noise disturbance to neighbouring properties.

Therefore, the proposed residential use would be compatible with the existing Vine public house because the licence conditions ensure no noise disturbance to neighbouring properties. This is re-enforced by the referenced pre-application advice and planning approval (subject to legal agreement).

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

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The proposed dwelling will be provided adequate light from courtyard windows, front windows, rooflights and glazed doors, to each habitable room. This is demonstrated by the submitted daylight report.

The impact of that change of use on the character or sustainability of the conservation area

The proposed change of use would have negligible impact on the character or sustainability of the conservation area the property is located within.