



# Prior Approval Compliance Statement

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96-98 Shoot Up Hill, London, NW2 3XJ

Application for Prior Approval pursuant to Class MA of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to allow the change of use from Day Care Centre (Class E(f)) to residential (C3) in the form of 9 flats

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## 1 Introduction, Purpose and Development Proposals

### 1.1 Introduction

- 1.1.1 This statement is submitted in support of an application for prior approval pursuant to Class MA of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to allow the change of use from Day Care Centre (Class E(f)) to residential (C3) in the form of 9 flats (the 'proposed development') at 96-98 Shoot Up Hill, London, NW2 3XJ (the 'site').
- 1.1.2 The application is submitted on the basis that the proposed change of use is permitted by Class MA of the 2015 Order. This is discussed in more detail below.

### 1.2 Development Proposals and Supporting Documents

- 1.2.1 The proposed development is described as:

*Prior approval pursuant to Class MA of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to allow the change of use from Day Care Centre (Class E(f)) to residential (C3) in the form of 9 flats*

- 1.2.2 The proposed dwelling will be as follows:

1. 1 Bed 1 Person @ 40m<sup>2</sup>
2. 1 Bed 2 Person @ 65.2m<sup>2</sup>
3. 2 Bed 4 Person @ 79m<sup>2</sup>
4. 2 Bed 3 Person @ 67.4m<sup>2</sup>
5. 1 Bed 2 Person @ 50m<sup>2</sup>
6. 1 Bed 1 Person @ 37.4m<sup>2</sup>
7. 1 Bed 2 Person @ 51m<sup>2</sup>
8. 2 Bed 3 Person @ 63m<sup>2</sup>
9. 1 Bed 2 Person @ 59.8m<sup>2</sup>

- 1.2.3 All units comply with the Nationally Described Space Standards.
- 1.2.4 Due to the sustainable location of the property, it is intended to be car free. In addition, cycle parking can be provided within a secure store in the rear garden which is easily accessible.
- 1.2.5 Refuse storage can be provided in a space at the front of the building at ground floor level and therefore easily accessible for collection.
- 1.2.6 These details can be secured and covered by conditions if necessary and appropriate.
- 1.2.7 The application is accompanied by the following documents:
- This Prior Approval Compliance Statement
  - Location Plan
  - CIL Form 1

- Existing Plans
  - SV01 Existing GF Plan
  - SV02 Existing 1F Plan
  - SV04 Existing Roof Plan
  - SV05 Existing Site Plan
- Existing and Proposed Elevations
  - SV06 Front Elevation
  - SV07 Side Elevation
  - SV08 Rear Elevation
  - SV09 Side Elevation
- Proposed Plans
  - GA01 Proposed GF Plan
  - GA02 Proposed 1F Plan
  - GA04 Proposed Roof Plan
  - GA05 Proposed Site Plan

## 2 Site Location, Description and Planning History

### 2.1 Site Location and Description

2.1.1 The application site relates to a pair of interconnecting large two storey Victorian houses which were last in use as a day care centre (Class E(f)) but are now vacant and were recorded as vacant when a previous prior approval application (2022/2547/P) was determined in August 2022.

2.1.2 The style of the properties matches the style of other properties on the eastern side of Shoot Up Hill.



Site in street scene

2.1.3 The site is bounded to the north and south by 100 and 94/94a Stand Up Hill respectively. These are similar properties which are in residential use and sub-divided into flats.

2.1.4 To the rear the site is bounded by the rear garden of 1 Manstone Road. This property is believed to be converted to flats.

2.1.5 The site is within a Controlled Parking Zone.

2.1.6 The site is approximately 700m from Kilburn Underground station and 950m from Brondesbury railway station. In addition, there are nearby bus stops on Shoot Up Hill. Consequently, the site has a Public Transport Access Level (PTAL) of 5 (excellent).

2.1.7 Kilburn Town Centre is also within walking distance of the site.

2.1.8 The properties are not located within a Conservation Area, but they are within the Fortune Green and West Hampstead Neighbourhood Plan area.

2.1.9 No relevant Article 4 Directions apply to the site.

2.1.10 The subject site is within Flood Zone 1 which means that it has a low probability of flooding and there is no evidence of any localised risk from surface water flooding.

## 2.2 Relevant Planning History

- 2.2.1 In February 1977 an application was approved (Ref: CTP/F2/5/D/24141/R) for the erection of a steel gallery at the rear for use as means of escape in case of fire.
- 2.2.2 An application was approved in April 1986 (Ref: 8600731) for the change of use to two self-contained dwelling units including works of conversion.
- 2.2.3 In January 1989 an application was approved (Ref: 8905003) for the change of use from a children's home to a day centre for people with learning disabilities including ground and first floor rear extension and a front porch.
- 2.2.4 An application in February 1997 (Ref: PW9702098) was granted for the erection of the boundary with No. 1 Manstone Road of a timber trellis on top of existing brick wall to a total of height of 3.3 metres.
- 2.2.5 Further to the above, an application (Ref: 2016/0697/P) was withdrawn in February 2016 for the change of use from day care centre (Class D1) to residential (Class C3) to provide 6 residential flats (2 x 1 bed, 2 x 2 bed and 2 x 3 bed) including the demolition and replacement of the existing ground floor porch and two storey rear extensions and the provision of 4 x roof lights and associated external works.
- 2.2.6 However, although withdrawn, the application was recommended for approval by Officers, subject to a s106. This was deferred at Committee.
- 2.2.7 An application for prior approval (Ref: 2021/4154/P) was made to the Council on 28 August 2021. This application was never determined by the Council within the prescribed time period.
- 2.2.8 In June 2022 an application for a Lawful Development Certificate for a Proposed Use or Development (LDC) was therefore submitted (Ref: 2022/2547/P) seeking confirmation that development pursuant to the 2021 Prior Approval Application would have been lawful, on the basis that "The Council has not determined the planning application within 56 days and therefore prior approval should be granted by default."
- 2.2.9 This was granted by the Council on 17<sup>th</sup> November 2022.
- 2.2.10 The planning history confirms that the site has historically been in Class E use, and more specifically Class E(f) use (formerly a D1 use).
- 2.2.11 The granted Certificate of Lawful Development confirms that a change of use to residential is lawful, subject to compliance with MA.2 (5) and (6) of Class MA of the General Permitted Development Order (GPDO).
- 2.2.12 The development must be completed within a period of 3 years starting with the prior approval date.
- 2.2.13 The current application is a re-submission for the same development to safeguard the position.

### 3 Planning Assessment

#### 3.1 Introduction

3.1.1 The application is submitted under the requirements of Class MA of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (the 'Order') in relation to the change of use of buildings in Class E use to a use falling within Class C3.

3.1.2 The provisions of Class MA.1 state that development is not permitted by Class MA:

~~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;~~

This provision was deleted by the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2024

~~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;~~

~~Subparagraph 2 states that 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.~~

The planning history shows the use of the premises as a D1(b) use (day centre) since a 1989 planning permission was granted. Therefore, there has been more than 2 years use as D1(b) use and therefore is appropriate for change of use under Class MA as a now Class E Use.

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

This provision was deleted by the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2024

~~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;*

The site does not have any of the above designations.

*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;*

The site is not within an AONB or area specified in the Wildlife and Countryside Act.

3.1.3 Paragraph W of the Order requires the application to be accompanied by:

1. Written description of the proposed development
2. A plan indicating the site and proposed development
3. A floor plan indicating the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses
4. A statement specifying the net increase in dwellinghouses proposed by the development
5. Developer's contact address; and
6. Developer's e-mail address if the developer is content to receive communications electronically.

3.1.4 This Statement and the accompanying Application Form provides this information, and the requisite plans are also submitted.

3.1.5 Paragraph W (5) requires local planning authorities on receipt of applications to determine whether the development is likely to result in a material increase or a material change in the character of traffic in the vicinity of the site and if so to consult the relevant highway authority. To assist in this process this Statement includes a section on traffic impacts.

3.1.6 Paragraph W (6) requires local planning authorities to consult the Environment Agency where the development is located within an area within Flood Zone 2 or Flood Zone 3; or in an area within Flood Zone 1 which has critical drainage problems and which the Environment Agency has notified the authority for the purpose of paragraph (zc) (ii) in the Table in Schedule 4 to the Procedure Order. To assist in this process this Statement includes a section on flood risk which confirms that the property is located within Flood Zone 1.

3.1.7 It is acknowledged in Paragraph W (9) that further information regarding the impacts and risks referred to in J2 (namely transport and highways impacts, contamination and flood risks) can be requested in order to determine the application. The Applicant is committed to respond to any such request, although these are considered unnecessary given the information that is provided.

3.1.8 It is also recognised that in determining this application, the LPA shall have regard to the National Planning Policy Framework (NPPF) as if the application were a planning application. Accordingly, and to assist this process a statement on the effect of the Framework is included below.

3.1.9 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—
  - 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<sup>57</sup>, the impact on the local provision of the type of services lost; and
- i. where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

3.1.10 These issues are discussed below in more detail and it is helpful that in respect of some of these matters they have already been deemed satisfactory in the consideration of the previous prior approval application.

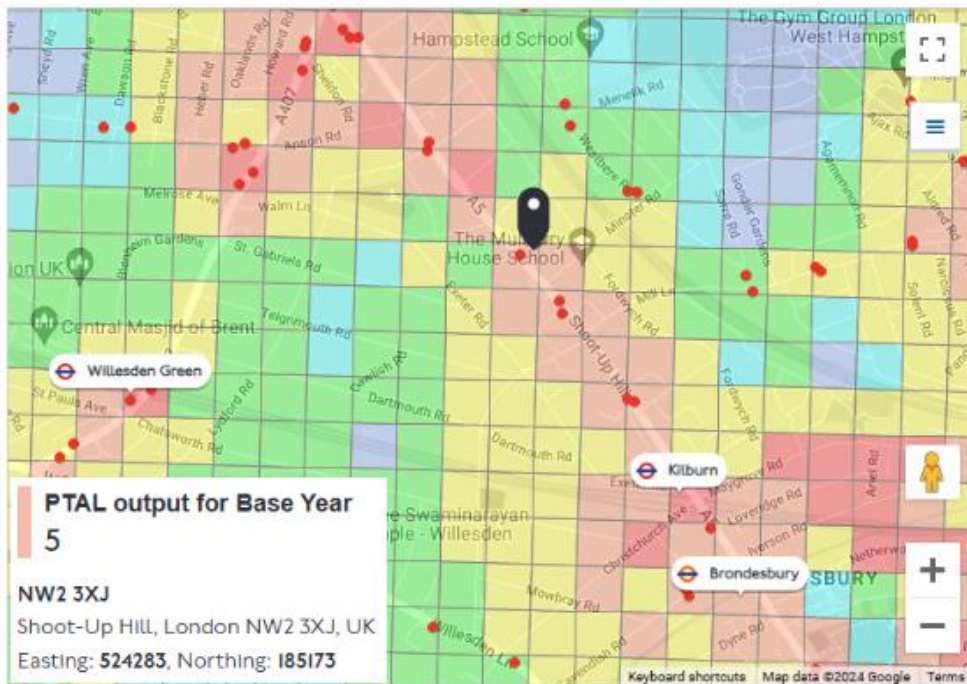
### **3.2 Transport Impacts of the development, particularly to ensure safe site access**

3.2.1 The site is easily accessible by sustainable forms of transport and is approximately 700m from Kilburn Underground station and 950m from Brondesbury railway station.

3.2.2 In addition, there are nearby bus stops on Shoot Up Hill which provide high frequency services towards Marble Arch, Paddington, White City, Brent Cross, Edgware and Neasden.

3.2.3 Kilburn Town Centre is also within walking and cycling distance of the site.

3.2.4 Consequently, the site has a Public Transport Access Level (PTAL) of 5 (excellent), as shown below:



- 3.2.5 In respect of the highways impact, Local Plan Policy T1 seeks to prioritise walking, cycling and public transport.
- 3.2.6 Local Plan Policy T2 confirms that the Council will limit the availability of parking and require all new developments in the borough to be car-free.
- 3.2.7 The Policy confirms that the Council will not issue on-street or on-site parking permits in connection with new developments and use legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits.
- 3.2.8 London Plan Policy T6.1 outlines the parking standards and states that all development in PTAL 5 should be car free.
- 3.2.9 The existing site does offer some scope for off-street parking, but the property is intended to be car free, and this can be secured by condition.
- 3.2.10 London Plan Policy T5 outlines cycle parking standards as shown below:

Use Class		Long-stay (e.g. for residents or employees)	Short-stay (e.g. for visitors or customers)
C3-C4	dwelling (all)	<ul style="list-style-type: none"> <li>• 1 space per studio or 1 person 1 bedroom dwelling</li> <li>• 1.5 spaces per 2 person 1 bedroom dwelling</li> <li>• 2 spaces per all other dwellings</li> </ul>	<ul style="list-style-type: none"> <li>• 5 to 40 dwellings: 2 spaces</li> <li>• Thereafter: 1 space per 40 dwellings</li> </ul>

- 3.2.11 In this regard a total of 16 spaces would be required for visitors and residents.
- 3.2.12 As shown on the submitted plans a large cycle store is proposed in the rear garden and details of this can be secured by condition, if necessary, to ensure that the relevant spaces are provided.

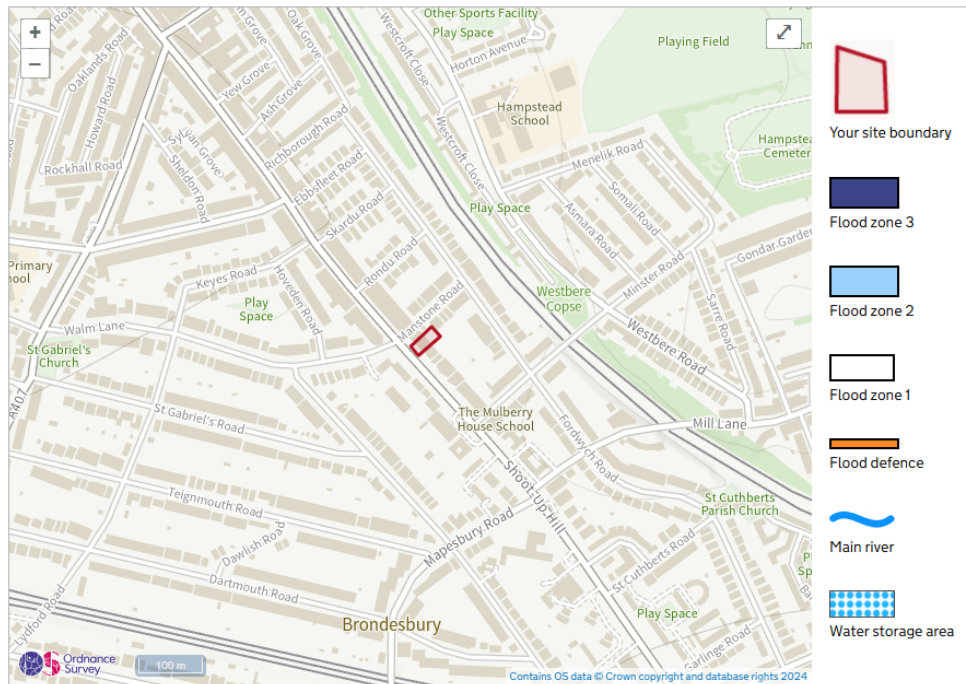
- 3.2.13 Bin storage is provided on the frontage, and the precise details of this can be secured by condition, if necessary. There is a large forecourt which can accommodate a bin store in common with other properties in Shoot Up Hill
- 3.2.14 Paragraph 115 of the NPPF confirms that development should 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.
- 3.2.15 Therefore, in accordance with the NPPF, and the Development Plan the proposed development would not have an adverse impact upon the safety of the highway network in the area, and the prior approval of the Council is therefore not considered necessary or can be dealt with by appropriate conditions.

### **3.3 Contamination risks in relation to the building**

- 3.3.1 The property is located within a previously developed site. The site is not within an area which is identified as an archaeological priority zone and has only been used for a day care centre. The original use of the building appears to have been residential until the 1980s.
- 3.3.2 Therefore, although no information relating to the contamination risks associated with the site has been submitted in support of this application, the former use of the building and its location in a developed site is such that it is not anticipated that any risk of contamination would be likely to arise during the course of the works. If contamination had been a concern, then this would have been raised by the Council during their processing of the previous prior approval application for the property.
- 3.3.3 Due to the scale of the development proposed, the limited operational development required, and the utilisation of existing sewer and water supply facilities the requirement for prior approval for contamination risks associated with the site is considered unnecessary.

### **3.4 Flooding risks in relation to the building**

- 3.4.1 The Environment Agency Flood Map (below) confirms that the site lies within Flood Zone 1 where the chance of flooding in any given year is less than 1 in 1000 (0.1%).



3.4.2 Residential dwellings are classified as being a More Vulnerable development within Table 2 of the Planning Practice Guidance. More vulnerable developments are acceptable in Flood Zone 1.

3.4.3 The development site is at low risk of flooding, which means that the probability of flooding in any given year is between 1 in 1000 (0.1%) and 1 in 100 (1%).

3.4.4 In addition, the site is not at risk from surface water flooding, as shown below:



3.4.5 Appropriate SuDS features and measures will be incorporated where appropriate within the development to minimise surface water discharges.

- 3.4.6 As such, the proposed development will not increase the risk of flooding elsewhere from surface water sources. There is no evidence of historic flooding of the development site and the development is not at risk from reservoir flooding.
- 3.4.7 Due to the nature of the development within an existing building, the minimal level of operational development required, and its location within an area at low risk of flooding, it is considered that the proposed development can be operated safely in flood risk terms, without increasing flood risk elsewhere and is therefore appropriate development in accordance with the NPPF.
- 3.4.8 Therefore, it is not considered necessary for the Council to require prior approval in relation to flood risk as the development would not conflict with the NPPF or the Technical Guidance in relation to flood risk.

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

- 3.5.1 The change of use of the building from a use in Class E to a use in Class C3 would not result in any impacts of noise from commercial premises on the intended occupiers of the development as the surrounding uses are not noise generating uses.
- 3.5.2 The adjoining properties are all in residential use. Therefore, the principle of residential uses in the immediate surroundings has been long established.
- 3.5.3 It is considered unlikely that the level of noise would be to unacceptable degree. It is likely that any background noise can be mitigated via appropriate sound insulation if necessary.
- 3.5.4 Therefore, it is not considered necessary for the Council to require prior approval in relation to noise.

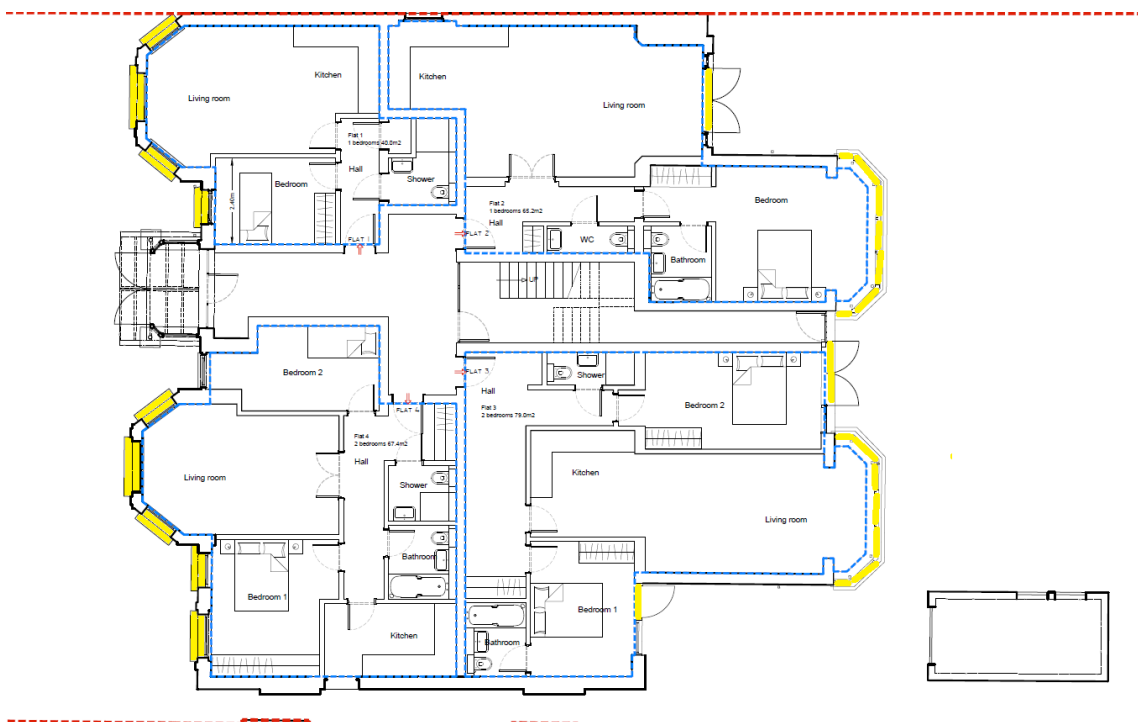
### 3.6 Impact of the change of use on the character or sustainability of the Conservation Area

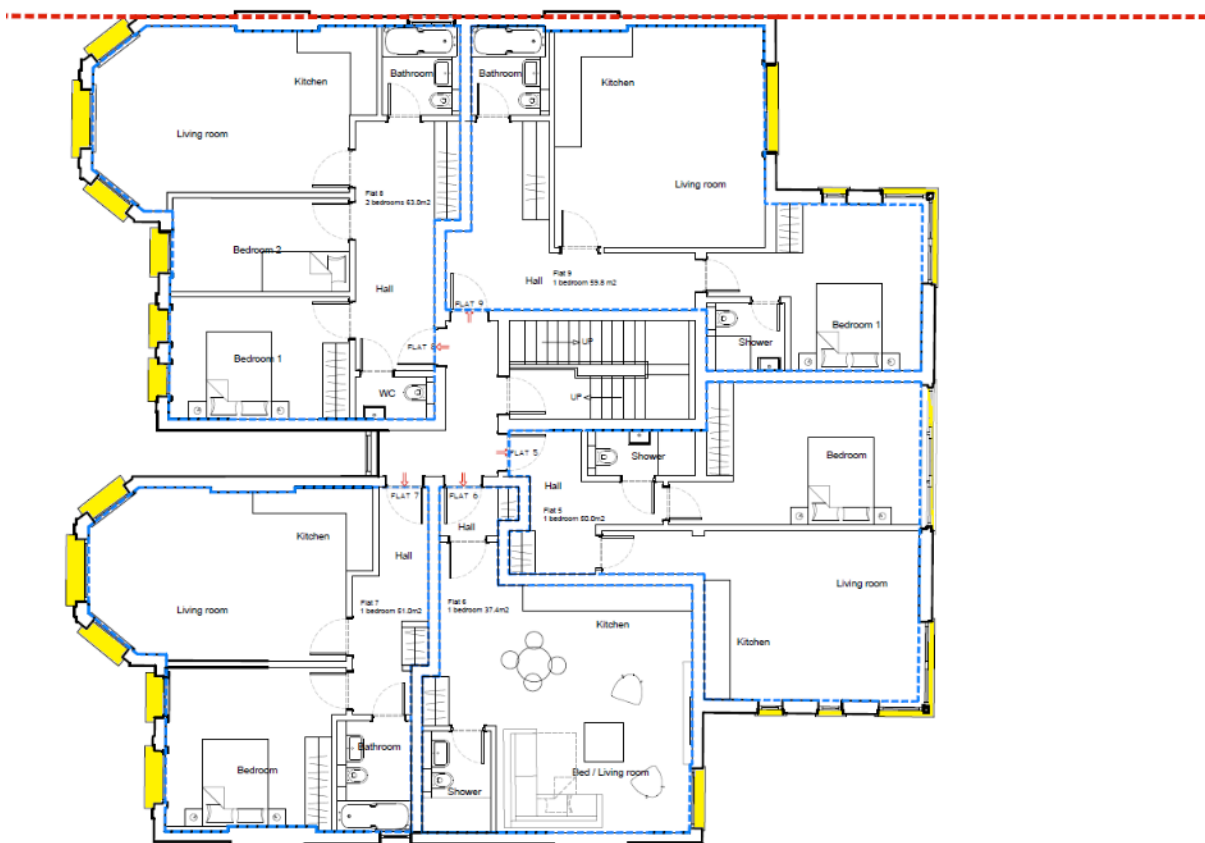
- 3.6.1 Class MA states that where the building is located in a conservation area, and the development involves a change of use of the whole or part of the ground floor, an assessment is required on the impact of that change of use on the character or sustainability of the Conservation Area.
- 3.6.2 The site is not located in a Conservation Area and therefore this is not relevant.

### 3.7 Provision of adequate natural light in all habitable rooms of the dwellinghouses

- 3.7.1 The requirements applications submitted under Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) are outlined in Paragraph 0.2(e) which requires determination as to whether the prior approval of the authority will be required as to the provision of adequate natural light in all **habitable rooms** of the dwellinghouses.
- 3.7.2 Paragraph W (2A) confirms 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.

- 3.7.3 Paragraph X confirms that “habitable rooms” means any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms.
- 3.7.4 In this respect, for the proposed development it is only necessary to provide adequate natural light to the bedrooms and living room.
- 3.7.5 There are no requirements in Class MA or paragraph W for the submission of a daylight / sunlight assessment to determine if adequate daylight is available to the proposed dwellings.
- 3.7.6 In addition, the requirement is for ‘natural light’ and makes no reference to windows or outlook.
- 3.7.7 However, all of the bedrooms and open plan living areas will be served by generously sized, unobstructed windows as shown on the submitted floor plans and elevations and highlighted below:





3.7.8 Due to the number, size and orientation of these windows, it is considered that all habitable rooms would benefit from adequate natural light.

### 3.8 Impact on intended occupiers of the development of the introduction of residential

3.8.1 The surrounding area is mixed use in character but is predominately residential with all surrounding properties being converted to flats (from formerly large houses).

3.8.2 The area is not considered to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses. Therefore, the proposed conversion to a residential unit would be highly appropriate and not result in any detrimental impacts on any employment or retail locations.

### 3.9 Impact on the local provision of the type of services lost

3.9.1 Class MA.2(h) states that 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, an assessment of the impact on the local provision of the type of services lost is required.

3.9.2 The current use is not a registered nursery or health centre under the relevant legislation in the National Health Service Act. Therefore MA.2(h) is not relevant in this instance.



### 3.10 Fire safety impacts on the intended occupants of the building

- 3.10.1 Like the majority of properties on Shoot Up Hill there is a small off-street frontage but a Fire Appliance which would be expected to use the public highway in emergency situations. This would be the same as the current situation.
- 3.10.2 A Fire Statement would be required if the development involves the development of an existing 'relevant building'.
- 3.10.3 This new criterion applies to a building which satisfies the height condition in paragraph (3) of the Procedure Order and contains— (a) two or more dwellings; or (b) educational accommodation. Paragraph (3) states the height condition is that— (a) the building is 18 metres or more in height; or (b) the building contains 7 or more storeys.
- 3.10.4 Whilst the development contains new dwellings, the height of the building is less than 18m and fewer than 7 storeys. Therefore, there are no fire safety impacts which would prevent the granting of prior approval and MA(2)(i) is not relevant in this case.

### 3.11 Development Plan and NPPF

- 3.11.1 The Development Plan Proposals Map confirms that the property has no designations which preclude an application for prior approval.
- 3.11.2 The National Planning Policy Framework (NPPF) explains that a presumption in favour of sustainable development is the basis for every decision. *The development clearly falls into the category of sustainable development providing much needed housing in an area of housing need, on brownfield land and re-using an existing building.*
- 3.11.3 Paragraph 8 of the NPPF confirms that the planning system is expected to perform an economic, social and environmental role in contributing to the achievement of sustainable development. *In this case the development will assist in performing a social role by providing more housing on a brownfield site and will contribute to the pursuit of sustainable development by widening the choice of high-quality homes in an area where the quality of the built, natural and historic environment will be unharmed.*
- 3.11.4 Another core planning principle is to take account of the different roles and character of different areas, including promoting the vitality of the main urban areas, protecting Green Belts and recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.
- 3.11.5 *The proposal will assist in promoting the vitality of the area through the introduction of housing. The site is not located within an area of any designated status which would preclude consideration of a prior approval application.*
- 3.11.6 A further core principle is the encouragement to make effective use of brownfield land. *The site constitutes brownfield land.*
- 3.11.7 A further core planning principle is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. *The proposal does not impact any designated historic assets as the appearance of the building is unchanged.*

- 3.11.8 A further core planning principle is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable. *The proposal does not constitute a significant development and therefore transport impacts will be minimal.*
- 3.11.9 Section 9 promotes sustainable transport. *The application proposal is in an area which is accessible by public transport and cycling.*
- 3.11.10 Paragraph 135 states that planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- 3.11.11 *No external changes are proposed or required and therefore the existing appearance will be maintained.*
- 3.11.12 Paragraph 11 confirms that LPAs should apply the presumption in favour of sustainable development. *The proposal represents a form of highly sustainable development and therefore is supported by this presumption.*
- 3.11.13 In summary, this statement has considered the proposal in the context of the NPPF and confirms that it is entirely consistent with the Government planning policy.
- 3.11.14 In addition, there are no identified conflicts with the Development Plan.

## 4 Summary and Conclusion

4.1.1 Having considered the proposed development in relation to the criteria prescribed within the GPDO, it is concluded that:

- Prior approval in relation to transport and highways impact is not required or can be controlled by condition to ensure compliance with cycle parking and car free development.
- Prior approval in relation to contamination risk of the building is not required.
- Prior approval in relation to flooding risk of the development is not required.
- Prior approval in relation to noise impact is not required or can be controlled by condition to ensure compliance.
- Prior approval in relation to the impact on any heritage assets is not required.
- The proposed habitable rooms will all receive adequate daylight and therefore prior approval is not required in this regard.
- There is no impact on any employment land and therefore prior approval is not required in this regard.
- There is no impact on any local services therefore prior approval is not required in this regard.
- Prior Approval is not required in respect of fire safety.

4.1.2 In addition:

- the building is not:
  - in a site of special scientific interest;
  - in a safety hazard area;
  - in a military explosives storage area;
  - a listed building; or
  - a scheduled monument.

4.1.3 From the submitted it is concluded that there are no reasons why prior approval cannot be granted and the proposed change of use to C3 can proceed.