

Statement supporting a Prior Approval Application for Conversion of existing ground floor retail unit to create 2 x 1bed apartments (Class C3) under Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

This statement accompanies a prior approval application for the change of use of the ground floor retail unit to two dwellings under Class M of the 2015 GPDO as amended. The proposal is a revised proposal following the refusal of a previous prior approval application (ref: 32265/APP/2021/710) on the 28/04/2021. Included with this application are the following documents:

1. Completed Prior Approval Application form
2. Plan FLU.1441.01 – Location Plan, Existing and Proposed Site Layout.
3. Plan FLU.1441.02 – Existing Floor Plans
4. Plan FLU.1441.03 – Existing Elevations
5. Plan FLU.1441.04/A - Proposed Floor Plans
6. Plan FLU.1441.05 – Proposed Elevations
7. Internal Daylight Assessment by T16 Design, a consultancy specialising in daylight assessments.
8. This planning statement

Class M of the 2015 GPDO (as amended) provides for the permitted development of retail, takeaways and specified sui generis uses to C3 dwellinghouses as well as the building operations reasonably necessary to convert the building.

The previous prior approval application (ref: 32265/APP/2021/710) proposed the creation of 2 x 2 bed apartments. This was refused for 4 reasons which were:

1. *The applicant has demonstrated in Q.13 of the submitted application form that the gross internal floor area of the existing retail unit is 174 square metres. It is considered that the application submission constitutes development not permitted as the cumulative floorspace of the existing building changing use under Class M exceeds 150 square metres contrary to the provisions of Schedule 2, Part 3, Class M.1 (c) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).*

2. *The applicant has demonstrated in Q.12 and Q.13 of the submitted application form that the gross internal floor area for the proposed residential units would be 174 square metres. It is considered that the application submission constitutes development not permitted as the development would result in more than 150 square metres of floor space in the building having changed use under Class M contrary to the provisions of Schedule 2, Part 3, Class M.1 (d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).*
3. *Having regard to the proximity of No.78 High Street to the adjoining Kate Fassnidge Community Hall, it is considered that insufficient information has been submitted in order to enable the Local Planning Authority to establish whether the development complies with Condition M.2-(1)(f) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in respect of the provision of adequate natural light in the Bedroom Areas at Ground Floor Level and the Kitchen and Sitting Room Areas towards the rear of the property at Ground Floor Level.*
4. *The proposed development, by reason of its siting within the Northwood High Street Local Parade, would result in the loss of an essential retail unit that would be harmful to the sustainability of this Local Shopping Parade contrary to the provisions of Policy DMTC 3 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and prior approval is refused having regard to the provisions of Condition M.2-(1)(d)(ii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).*

The proposal has been amended and further information is being submitted to address these concerns as follows:

Reasons for Refusal (RR) 1 and 2

With regard to these RRs, there was an error in the original figures that were included on the application form. The correct breakdown of existing floor space to proposed floor space with regard to this application are:

Existing retail unit – 54.16 sqm
 Existing workshop – 63.90 sqm
 Existing Flat on first floor– 54.67 sqm

Proposed ground floor being converted 74.1 sqm

Workshop being retained – 43.96 sqm
 Flat being retained on first floor – 54.67 sqm

Consequently, the amount of actual cumulative floor space of the existing building that would be converted would be 74.1 sqm. Therefore the 150 sqm threshold as provided by Class M would not be exceeded.

Reason for Refusal (RR) 3

With regard to this RR, attached is an internal daylight assessment which makes clear that using the Average Daylight Factor (ADF) test as prescribed by the BRE guidance and BS82062, the proposed habitable rooms have plenty of natural light, well in excess of the minimum standards prescribed by BS82062.

Consequently, it is considered that the revised proposal has addressed this previous reason for refusal.

Reason for Refusal (RR) 4

Provision M.2 (1) (d) (ii) requires the developer to apply to the local planning authority for a determination as to whether the prior approval of the local authority will be required as to whether it is undesirable for the building to change to a use as a dwellinghouse because of the impact of the change of use - *“where the building is located in a key shopping area, on the sustainability of that shopping area”*.

RR4 states that the proposal would affect the sustainability of the of the local parade so conflicting with Policy DMTC 3 which seeks to maintain the viability of local centres and local parades. The policy says that in considering applications for changes of use of shops, the Council will ensure that (i) a sufficient essential shop uses are provided appropriate to the size of the parade; (ii) at least 50% of the local centre or shopping parade is retained as A1 shops; and (iii) the surrounding residential area is not deficient in essential shop uses.

The accompanying text to the policy at para.3.14 states that the following uses are considered important at the local level – pharmacy, post office, grocer, baker, butcher, greengrocer, and newsagents are referred to as essential shops. Para.3.15 goes on to state that residential areas which are not within 800m of at least 5 essential shop uses are defined as being deficient. When considering applications for a change of use, accessibility to alternative shops that are available to residents within 800m will be taken into account by the Council.

Para.3.16 states that the Council will, in assessing proposals ensure parades and local centres retain as many essential shops as possible with no less than three in smaller parades and a choice of essential shops on larger parades and in local centres. The paragraph echoes the policy objective of seeking to ensure that at least 50% of a shopping parade is retained as Use Class A1 shops.

As part of addressing RR4, an assessment of the provision has been undertaken in the High Street. A table of uses and their Classes is set out below, with the previous use class shown in brackets, prior to amendments undertaken to the Use Classes Order last year by amendments to the GPDO 2015:

	Address	Use	Use Class
1.	2-4	Zeppelin Vehicle Parts	Class E (a) – (A1)
2.	6	Gittins Mulderrig Accountants	Class (c) – (A2)
3.	8	Andy Clark Builders	Sui generis
4.	10	Aquaswim – pool contractors	Sui generis
5.	12	Northwood Launderette	Sui Generis
6.	14	Vacant shop	Class E (a) – (A1)
7.	16	Uniflora	Class E (a) – (A1)
8.	16	Taste of Portugal - Restaurant	Class E (b) – (A3)
9.	18	Northwood Rugs and Carpets	Class E(a) – (A1)
10.	18b	Ellie's Hair Salon	Class E (c)- (A1)
11.	20	Tracey's Hair and Beauty	Class E (c) – (A1)
12.	22	Kenway Upholstery	Class E (c) – (A1)
13.	24	Magic Wok	Sui Generis – (A5)
14.	26	General Store – Convenience store, newsagents and off license	Class E (a) – (A1)
15.	28	Board of Ironing - ironing services	Class E (c) – (A1)
16.	30	Paws for thought - Doggy Grooming and day care	Class E (c) – (A1)
17.	32	Billion Dollar Barbers	Class E (c) – (A1)
18.	34	Northwood Tailors and Alterations	Class E (c) – (A1)
19.	36	Karaidukar Sambar - Restaurant	Class E (b) – (A3)
20.	38	Alfred Ashley Group – Telecommunications providers	Class E (c) – (A1)
21.	40	Oscar and Hunt – Estate Agents	Class E (c) – (A2)
22.	42-44	Canterbury Travel – Travel Agents	Class E (c) – (A1)
23.	46	Express Mobile Phones	Class E (c) – (A1)
24.	48	Red Klove - Restaurant	Class E (b) – (A3)
25.	50-52	Pullens Clothing shop	Class E (a) – (A1)
26.	54	Melodies Music	Class E (c) – (A1)

		Education	
27.	56	Spa Bar London – Nail Bar	Class E (c) – (A1)
28.	58	Butterflies Cafe	Class E (b) – (A3)
29.	60-62	G&D Mechanical Services Ltd	Sui Generis
30.	64	Pneumatic Services (London) Ltd	Sui Generis
32.	66-68	Munday Long and Co - Accountants	Class (c) – (A2)
33.	70	The Barbers Room	Class E (c) – (A1)
34.	72	ABI Convenience store, off license and Newsagents	Class E (a) – (A1)
35.	74	Northwood Fish and Chips	Sui Generis – (A5)
36.	76	Kate Fassnidge Community Hall	F1/F2 – (D2)
37.	78	Pat-A_Cake Store and Newsagents	Class E (a) – (A1)
38.	80	Eighty Hair Ltd	Class E (c) – (A1)

It can be seen that of the 38 commercial outlets located on the ground floor of the High Street, some 21 properties are in Class E use which was formally A1 use (highlighted in yellow). This is 55.26% of the parade which was in previously accorded A1 use. The loss of No.78 would still result in 52.63% of parade still being in a Class E use or previous A1 use. This would accord with requirements of Policy DMTC 3 that at least 50% of the parade would still be Class E (A1) premises.

It should also be noted that there would be still 2 other convenience stores/newsagents that would remain, i.e., ABI and the General Store, which provide the same essential service as the application premises. These are within 800m of the surrounding residential area. Therefore, it is contended another criteria of the policy has been met.

It is also the case that having 3 convenience stores within such a small parade offering similar goods does not help the viability of all. The closure of one will help sustain the other two. Also, the application property is located towards the end of the parade where there is less footfall which also impacts its viability. In that context it is considered that the proposal would not have a detrimental impact on the sustainability of the area but may even enhance the viability of the other convenience stores in the immediate vicinity.

Other Matters

Highways - It is noted that when considering the previous proposal, on balance it was considered that the proposal did not demand a requirement for Prior Approval under Condition M.2. (1) (a) (transport and highway impacts of the development) of Class M. It is

contended that this application raises no new issues and the same consideration applies to highway and transport impacts.

Flooding – Similarly, it was noted that no flooding risks arose in connection with the previous application. Again, it is contended that the same consideration applies to this application.

Conclusion

It is considered this revised prior approval application addresses the reasons for refusal to the previous application and meets all the provisions of the Class M. It is hoped the Council agrees and grants prior approval for the proposed change of use.

Jeremy Peter MRTPI
10 June 2021