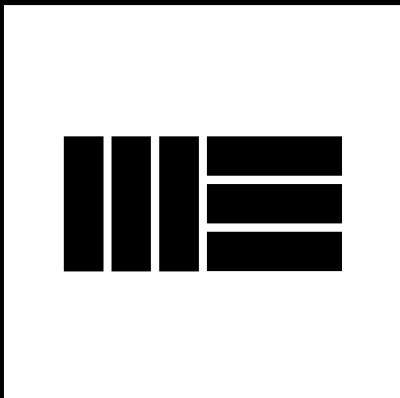


**SHERRY'S WHARF
5 OSWALD'S MEAD
LONDON E9 5PZ**

COMMUNITY FLAT

PLANNING STATEMENT

JANUARY 2023



CONTENTS

1.0 INTRODUCTION	3
2.0 SITE LOCATION AND DESCRIPTION	5
3.0 DEVELOPMENT PROPOSALS	7
4.0 THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS.....	8
5.0 RELEVANT PLANNING POLICIES	9
6.0 PLANNING POLICY ASSESSMENT	16
7.0 SUMMARY AND CONCLUSION.....	21
APPENDIX 1.0 - COMMUNITY CENTRE POSTCODE PLOT MAP	22

1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared by the Montagu Evans Planning Team on behalf of the Housing Services Department of the London Borough of Hackney (“the Applicant”), to support an application for Full Planning Permission (“the / this Application”) for the change of use and associated alterations of Sherry’s Wharf, 5 Oswald’s Mead, E9 5PZ (“the Site / the Building”).

DESCRIPTION OF DEVELOPMENT

- 1.2 This Application seeks Full Planning Permission for the following description of development:

“Proposed conversion of ground floor community flat meeting rooms (class F2 (b)) to a residential unit (class C3) and provision of cycle store”.

- 1.3 The proposed development comprises the following principle elements:

- Change of use from community centre (Use Class F2(b)) to a residential unit (Use Class C3);
- Associated internal configuration to form 1-bed 2-person flat;
- Externally, a new cycle store to accommodate 3 cycle spaces would be provided at the rear of the Site; and
- The provision of a socially rented home.

- 1.4 This application sits alongside five others for similar proposals regarding the conversion of community flats to housing in order to meet the pressing need for affordable housing in the borough. The other sites are:

- 45 Southwold Road Community Flat;
- Jack Watts Community Flat;
- Keir Hardie Community Flat;
- Clevedon Close Community Flat; and
- Defoe Small Blocks Community Flat.

- 1.5 The Statement seeks to demonstrate that there is still sufficient Council community halls / premises in the borough to meet resident’s needs and that the release of the flats is appropriate to meet the pressing housing need.

PURPOSE AND FORMANT OF PLANNING STATEMENT

- 1.6 The purpose of this Planning Statement is to provide information to allow the necessary consideration of the Proposal against all relevant planning policy and other material considerations. The Statement sets out how the planning policies and all other material considerations relevant to the determination of the Application have been taken into account in the evolution of the scheme. It also demonstrates that the Application is compliant with all such considerations, to help inform the overall planning balance judgement.

- 1.7 This Statement forms part of the information which has been submitted with the Application and should be read in conjunction with the following documents which were agreed with officers as sufficient for validation:

- Completed Application Form (with Ownership Certificates);
- Site Location Plan (1:1250);
- Community Infrastructure Levy Form;
- Covering Letter (Including Flood Risk Statement) prepared by Montagu Evans;
- This Planning Statement prepared by Montagu Evans;
- Design Statement prepared by HP Architects;
- Application Drawings prepared by HP Architects;
- Draft Unilateral Undertaking (S.106 Agreement); and
- Environment Agency Product 4 Flood Information.

1.8 The Statement is presented in the following sections:

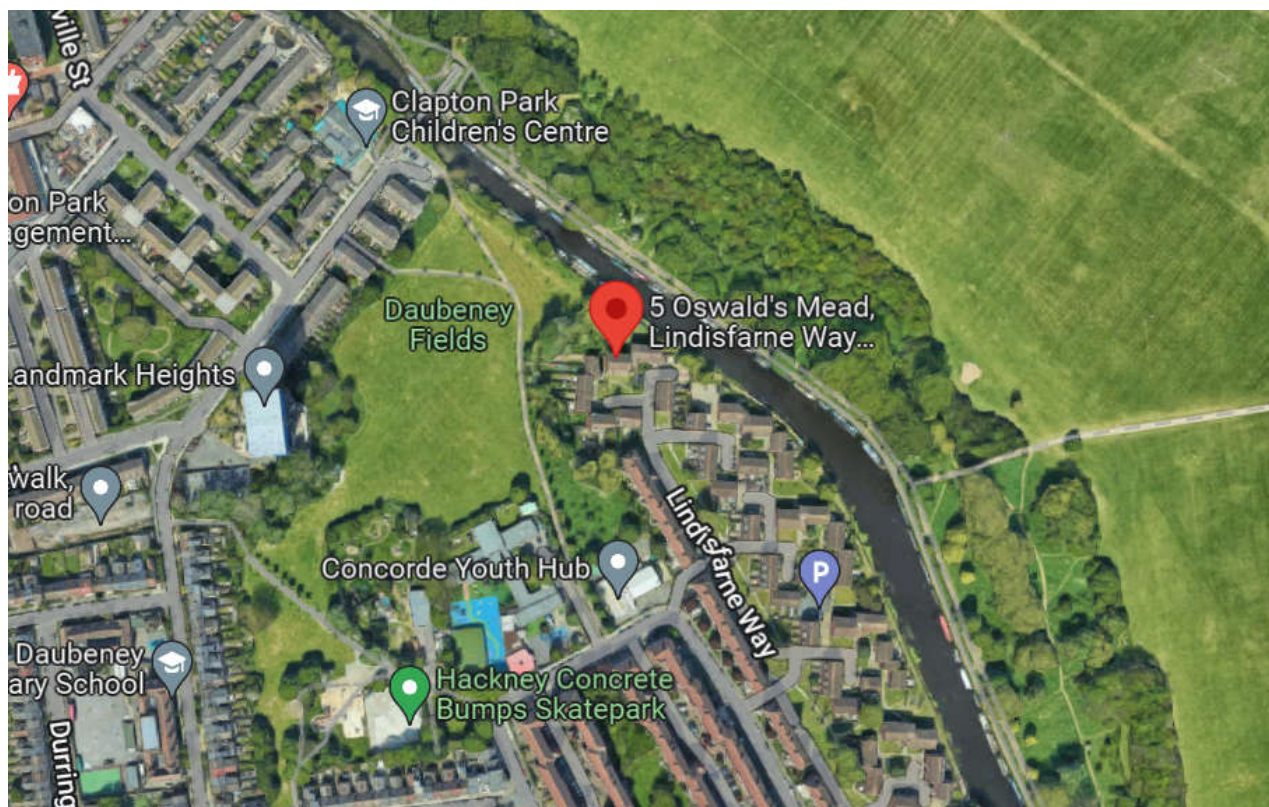
- **Section 2.0** provides a description of the Site and the surrounding area, as well as the relevant planning history for the Site;
- **Section 3.0** provides a description of the proposed development;
- **Section 4.0** outlines the planning policy framework relevant to the Site;
- **Section 5.0** details the relevant planning policies;
- **Section 6.0** provides a planning policy assessment along with other material considerations; and
- **Section 7.0** summarises the analysis of the development and concludes the Statement.

2.0 SITE LOCATION AND DESCRIPTION

THE SITE

2.1 The Site is located within the jurisdiction of London Borough of Hackney ("LBH" or "LB Hackney") seen in Figure 2.1.

Figure 2.1 – Aerial View from Google Maps



2.2 The Site is located in an existing residential building located in an estate between Daubeney Fields and the River Lee Navigation. The Site is situated in a residential area and Ward of King's Park.

2.3 The Site has a Public Transport Accessibility Level (PTAL) of 2 (low) with the nearest bus stop being Kingsmead Estate, approximately 585 metres away, and train station being Homerton Station (Overground), approximately 19 minutes' walk away (0.9 miles).

THE BUILDING / PROPERTY

2.4 The property is a ground floor 1 bedroom flat located in a post-war terraced block spanning three storeys. The existing flat sits in conjunction with residential flats of the same size and layout.

2.5 The property is accessed from the ground floor of Lindisfarne Way.

2.6 The Sherry's Wharf Community Flat has been occupied as a 'Community Centre' by the Residents Association, although prior to that was used as a residential flat (Class C3). The layout remains unaltered and is capable of conversion back to a residential use without any further internal alteration.

2.7 Prior to 2019, the property was used for Residents Association Meetings and local ward Councillor Surgeries but has been closed for the past three years.

PLANNING HISTORY

2.8 A search of LBH's online planning register has highlighted that the Site has no planning history.

3.0 DEVELOPMENT PROPOSALS

PROPOSED DEVELOPMENT

3.1 This Application seeks Planning Permission for the following description of development:

“proposed conversion of ground floor community flat (class F2 (b)) to a residential flat (class C3) and provision of cycle store”.

3.2 The form and content of the proposed development is described in full in the Design and Access Statement that forms part of this Application and should be read in conjunction with this Planning Statement.

3.3 The proposed development comprises the following principle elements:

- Change of use from community centre (Use Class F2(b)) to 1 residential unit (Use Class C3);
- Associated internal configuration to form 1-bed 2-person flat;
- Externally, a new cycle store to accommodate 3 cycle spaces would be provided at the rear of the Site; and
- The provision of a socially rented home.

4.0 THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

4.1 This Application has been informed by adopted development plan policies and other relevant guidance. This section of the Statement provides a summary of the planning context, and **Section 6.0** provides an assessment of the Application against the policies and guidance contained within this document.

THE DEVELOPMENT PLAN

4.2 The Town and Country Planning Act 1990 (as amended) ('the Act') requires development, as defined by Section 55 of the Act, to have obtained planning permission prior to commencement. Upon submission of the planning application, the Council must consider the policies in the statutory Development Plan and assess the proposal against them. This is a legal requirement set out in the Planning and Compulsory Purchase Act 2004. Section 38(6) states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

4.3 In this case the Development Plan Comprises:

- The London Plan (March 2021); and
- The Hackney Local Plan 2033 ("LP33") (July 2020).

4.4 The Site has the following site designations using Hackney's Interactive Policy Map:

- Archaeological Priority Area: Lea Valley; and
- Flood Zone 2.

4.5 The Site is not a nationally or locally listed building and is not located within a Conservation Area.

OTHER MATERIAL CONSIDERATIONS

4.6 The National Planning Policy Framework (the "NPPF") was published on 20 July 2021 and sets out the Government's approach to planning matters and is a material consideration in the determination of planning applications.

4.7 The National Planning Practice Guidance ("NPPG"), which was first published in 2014 and which is updated from time to time, is a material consideration in relation to planning applications.

EMERGING PLANNING POLICY

4.8 There is not currently any draft Planning Policy of relevance, and it is not clear when LBH will be undertaking a review of the Local Plan.

5.0 RELEVANT PLANNING POLICIES

5.1 This Section outlines the relevant planning policies at national, regional (London) and local level.

NATIONAL PLANNING POLICY FRAMEWORK (2021)

5.2 **Paragraph 8** sets out three main objectives to achieving sustainable development which include economic, social and environmental objectives that should be delivered through the preparation and implementation of plans and the application of policies contained in the Framework. **Paragraph 10** clarifies that at the heart of the Framework is a presumption in favour of sustainable development, which is detailed in **Paragraph 11**. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

5.3 **Paragraph 38** is clear that LPAs should approach decisions on proposed development in a positive and creative way and seek to approve applications for sustainable development where possible.

5.4 **Paragraph 93** of the NPPF sets out the government's policy on community facilities. It states:

"To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and*
- e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services."*

5.5 Section 9 of the NPPF promotes sustainable transport and will require applications for development under **Paragraph 112** to:

- a) "give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations."*

5.6 Section 12 of the NPPF, advocates the development of "high quality, beautiful and sustainable buildings and places". Of which **Paragraph 130** sets out the design development will need to consider:

- 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;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

- c) 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);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

LONDON PLAN (2021)

5.7 Relevant London Plan policies include:

5.8 **Policy D3** (Optimising Site Capacity through the Design-led Approach) seeks all development to ensure efficient use of the land by following a design-led approach that optimises the capacity of site. This involves considering the design-options that respond to the site’s context, including the form, layout, experience, quality and character. **Policy D4** (Delivering Good Design) therefore requires the proposed development to be of high quality that can be maintained throughout the development process.

5.9 **Policy D5** (Inclusive Design) supports proposals that achieve the highest standards of inclusivity and accessibility through:

1. *“be designed taking into account London’s diverse population provide high quality people focused spaces that are designed to facilitate social interaction and inclusion.*
2. *be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment.*
3. *be able to be entered, used and exited safely, easily and with dignity for all.*
4. *be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.”*

5.10 **Policy D6** (Housing Quality and Standards) details the requirements for residential development which includes proposals meeting the minimum internal space standards for new dwellings (including conversions and change of use) (Table 3.1) and addressing the key qualitative aspects (Table 3.2).

Table 3.1 – Minimum gross internal floor areas and storage (m2) for new dwellings (extract)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		

*Where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m², as shown bracketed.

Table 3.2 - Qualitative design aspects to be addressed in housing developments

Layout, Orientation And Form	
i	The built form, massing and height of the development should be appropriate for the surrounding context, and it should be shown that alternative arrangements to accommodate the same number of units or bedspaces with a different relationship to the surrounding context have been explored early in the design process (making use of the measures in paragraph 3.3.23), particularly where a proposal is above the applicable density indicated in Part D of Policy D4 Delivering good design.
ii	The layout of the scheme (including spaces between and around buildings) should: <ul style="list-style-type: none"> ● form a coherent, legible and navigable pattern of streets and blocks ● engender street based activity and provide a sense of safety ● maximise active frontages onto public facing sides of a development, where appropriate wrapping around inactive frontages.
iii	The site layout, orientation and design of individual dwellings and, where applicable, common spaces should: <ul style="list-style-type: none"> ● provide privacy and adequate daylight for residents ● be orientated to optimise opportunities for visual interest through a range of immediate and longer range views, with the views from individual dwellings considered at an early design stage ● provide clear and convenient routes with a feeling of safety ● help reduce noise from common areas to individual dwellings ● help meet the challenges of a changing climate by ensuring homes are suitable for warmer summers and wetter winters
Outside Space	
iv	Communal outside amenity spaces should: <ul style="list-style-type: none"> ● provide sufficient space to meet the requirements of the number of residents ● be designed to be easily accessed from all related dwellings ● be located to be appreciated from the inside ● be positioned to allow overlooking ● be designed to support an appropriate balance of informal social activity and play opportunities for various age groups ● meet the changing and diverse needs of different occupiers
v	Private amenity space for each dwelling should be usable and have a balance of openness and protection, appropriate for its outlook and orientation.
Usability and Ongoing Maintenance	
vi	The development should ensure that: <ul style="list-style-type: none"> ● the experience of arrival, via footpaths, entrances and shared circulation spaces is comfortable, accessible and fit for purpose ● features are designed to allow maintenance activities such as window cleaning, to be undertaken with ease ● sufficient levels of secure, covered and conveniently located externally accessible storage is provided for deliveries and other bulky items ● recycling and waste disposal, storage and any on site management facilities are convenient in their operation and location, appropriately integrated, and designed to work effectively for residents, management and collection services.

5.11 **Policy D7** (Accessible Housing) outlines the need to provide suitable and accessible housing through:

1. *“At least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) wheelchair user dwellings.*
2. *All other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) accessible and adaptable dwellings.”*

5.12 **Policy H1** (Increasing Housing Supply) sets the LPAs ten-year targets for net housing completions and how this can be achieved. For the London Borough of Hackney, the target is 13,280 (2019/20-2028/29). The policy outlines sites that can house capacity include:

- a) “sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m distance of a station or town centre boundary;
- b) mixed-use redevelopment of car parks and low-density retail parks and supermarkets;
- c) housing intensification on other appropriate low-density sites in commercial, leisure and infrastructure uses;
- d) the redevelopment of surplus utilities and public sector owned sites;
- e) small sites (see Policy H2 Small sites); and
- f) industrial sites”.

5.13 **Policy H2** (Small Sites) outlines LPAs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) in order to meet the minimum targets for small sites. For the London Borough of Hackney, the target is 6,580 (2019/20-2028/29).

5.14 **Policy S1** (Developing London’s Social Infrastructure) underlines the importance of social infrastructure to ensure the needs of London’s diverse communities are met and welcomes proposals that address the local or strategic need. Social infrastructure includes health provision, education, community, play, youth, early years, recreation, sports, faith, criminal justice and emergency facilities.

5.15 For the loss of social infrastructure, Policy S1 outlines:

“Development proposals that would result in a loss of social infrastructure in an area of defined need as identified in the borough’s social infrastructure needs assessment required under Part A (of Policy S1) should only be permitted where:

1. *there are realistic proposals for re-provision that continue to serve the needs of the neighbourhood and wider community, or;*
2. *the loss is part of a wider public service transformation plan which requires investment in modern, fit for purpose infrastructure and facilities to meet future population needs or to sustain and improve services.*

Redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are considered, unless this loss is part of a wider public service transformation plan (see Part F2(of Policy S1)).”

5.16 **Policy T1** (Strategic Approach to Transport) states the Mayor of London’s goal is for 80% of all trips in London to be made by sustainable modes of transport by 2041. For development proposals this means making the most effective use of the land based on connectivity and accessibility. As a result, **Policy T6** (Car Parking) outlines car-free development is encouraged across all development proposals in well-connected places. A sustainable alternative, supported by the London Plan **Policy T5** (Cycling) is the provision of cycle parking in-accordance with the minimum standards (Table 10.2) and the London Cycling Design Standards.

Table 10.2 – London’s minimum cycle parking standards (*extract*)

Use Class	Long-stay (for residents)
C3-C4 dwellings (all)	<ul style="list-style-type: none"> ● 1 space per studio or 1 person 1 bedroom dwelling. ● 1.5 spaces per 2 person 1 bedroom dwelling. ● 2 spaces per all other dwellings.

5.17 Policy SI12 Flood Risk Management states:

“Development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses.”

HACKNEY LOCAL PLAN 2033 (2020)

5.18 **Policy LP1** (Design Quality and Local Character) details:

“All new development must be of the highest architectural and urban design quality. Innovative contemporary design will be supported where it respects and complements historic character. Development will be permitted if all of the following criteria are met. Development must:

- i. respond to local character and context having regard to the boroughwide Characterisation Study; and*
- ii. be compatible with the existing townscape including urban grain and plot division; and*
- iii. be compatible with local views and preserve protected views; and*
- iv. preserve or enhance the significance of the historic environment and the setting of heritage assets; and*
- v. incorporate well designed and integrated landscape design, which enhances biodiversity and maximises opportunities for greening; and*
- vi. respond positively to natural features and other open space; and*
- vii. improve the public realm, frontage to the street and facilitate movement through areas with direct, safe, accessible, and easily recognisable routes (legibility); and*
- viii. be sustainable in design and construction; and*
- ix. be adaptable, robust and flexible in use; and*
- x. use attractive, durable high quality materials which complement local character; and*
- xi. thoughtfully and efficiently integrate building services equipment and avoid compromising the appearance of the building, including the appearance from long views; and*
- xii. avoid value engineering and maintain quality through the planning process through to the completion of the development; and*
- xiii. contribute positively to an active street frontage; and*
- xiv. be inclusive and accessible for all; and*
- xv. be secure and designed to minimise crime and antisocial behaviour; and*
- xvi. promote good health by creating streets and spaces which are inclusive, attractive and encourage walking and cycling through the use of active design principles and the Healthy Streets approach.”*

5.19 **Policy LP2** (Development and Amenity) requires all new development must be appropriate to its location and should be designed to ensure there are no significant adverse impacts on the amenity of occupiers and neighbours.

“Amenity considerations include the impact of development on:

- i. Visual privacy and overlooking;*
- ii. Overshadowing and outlook;*
- iii. Sunlight and daylight, and artificial light, levels;*
- iv. Vibration, noise, fumes and odour, and other forms of pollution;*
- v. Microclimate conditions;*
- vi. Safety of highway users”*

5.20 **Policy LP8** (Social and Community Infrastructure) will seek to provide a provision of education, health and social care facilities, sport and leisure facilities, libraries and museums, youth facilities, community facilities and cultural facilities. The incorporation of community facilities into mixed-use residential schemes is permissible.

5.21 For the loss of social infrastructure, **Policy LP8** outlines:

“D. Proposals involving the loss of existing social and community infrastructure will be permitted where one of the following criteria is met:

- i. a replacement facility of equivalent or better quality that meets the needs currently met by the existing facility is provided; or*
- ii. it has been demonstrated, as evidenced by at least a year of active marketing, that the facility is no longer required in its current use and it has been demonstrated that it is not suitable and viable for any other forms*

of social infrastructure for which there is a defined need in the locality, or for which there is a current or future need identified in the Infrastructure Needs Assessment and Delivery Plan (IDP)."

5.22 It is also useful to note the Council's requirements in respect of new provision of community facilities, as this sets out an exemplary standard to which facilities should be designed to meet the needs of the Borough's residents. Part B and C of **Policy LP8** require proposals for social and community infrastructure to:

*"B) meet current or future identified need,
B ii) be of a high quality and inclusive design providing access for all, and
B iii) provide flexible, affordable and adaptable buildings, provide mixed used development, co-located with other social infrastructure uses; and
C) Facilities should be located in places that are accessible by walking, cycling or public transport for its end users."*

5.23 **Policy LP12** (Meeting Housing Needs and Locations for New Homes) outlines the Council plan to deliver a minimum of 1,330 homes per year up to 2033 and encourage development through small sites for residential use. Self-contained residential units are the priority residential type and should support the maximum reasonable amount of affordable housing, subject to viability and site context, as per **Policy LP13** (Affordable Housing).

5.24 Of relevance to **Policy LP13**:

"2. Schemes of 1-9 units: Schemes which fall below the 10 unit threshold will be required to provide on-site provision or payments in lieu up to the equivalent of 50% of housing delivered as affordable housing, subject to viability. Further guidance will be set out in the Hackney Housing SPD and Planning Contributions (S106) SPD."

5.25 **Policy LP14** (Dwelling Size Mix) states developments should provide a mix of dwelling sizes for social/London affordable rent tenures as outlined in Table 5.4.

Bedrooms / Dwelling Size	1 Bed	2 Beds	3 + Beds
Preferred dwelling mix – social / London affordable rent	30-34%	30-34%	33-36%
Preferred dwelling mix – intermediate	Lower % than 2 bed	Higher % than 1 bed	15-25%
Preferred dwelling mix – market	Lower % than 2 bed	Higher % than 1 bed	33%

5.26 **Policy LP17** (Housing Design) expects all residential dwellings to be of high design quality and meet internal and external space and accessibility standards set out in the London Plan, GLA Housing SPG and Hackney's Housing SPD. The policy also sets out that housing types should be designed to be flexible and adaptable for the future and meet sustainable design and construction standards.

5.27 **Policy LP18** (Housing Older and Vulnerable People) states:

"A. Proposals for the development of housing aimed at meeting the specific needs of older people and vulnerable people will be supported provided all of the following criteria are met:

- i. There is a demonstrable need for the type of accommodation proposed within the Borough; and*
- ii. Schemes are located in accessible areas where the daily needs of older people in terms of convenience shopping, community facilities and public transport can be met; and*
- iii. Schemes are designed to a high standard, meeting any relevant guidance for the form of accommodation proposed; and*
- iv. Schemes will be required to demonstrate that the proposed accommodation has considered the needs of the intended occupiers and that the type of facilities proposed, the level of independence*

promoted and the amount of provision of support and/or care proposed is appropriate for the intended occupiers.

B. All new general-purpose homes must be designed to be adaptable to meet the needs of disabled people and the elderly as well as assisting independent living at home.”

5.28 **Policy LP42** (Walking and cycling) promotes sustainable transport by prioritising walking and cycling in the Borough. Development proposals will need to meet London Cycle Design Standards. As a result, **Policy LP45** (Parking and Car Free Development) outlines all new development must be car-free.

5.29 **Policy L53** (Water and Flooding) requires:

“A. All development must have regard to reducing flood risk, both to, and from the site, over its expected lifetime. Potentially vulnerable development must not be located in flood-prone areas as identified by the Council unless it can be suitably demonstrated that flood-risk will be sufficiently mitigated using flood resistance and/or resilience measures.

B. All development should decrease vulnerability to flooding through appropriate siting, design, and on-, and off-site mitigation.”

6.0 PLANNING POLICY ASSESSMENT

6.1 In this section the proposed development is assessed against the statutory Development Plan and other material policy and guidance considerations as outlined in **Section 4.0**, and relevant planning policies in **Section 5.0**.

PLANNING POLICY ASSESSMENT

Replacement of Community Facility

6.2 The existing lawful use of the Site is a Residents Association community meeting room floorspace.

6.3 There are, in our view, a number of considerations in relation to the functionality of the premises which has led to the cessation of its use as a community facility.

Size

6.4 The premises are exceedingly small for a community use at just 50m². It is only capable of being used for small gatherings that the Residents Association would have held. It cannot hold classes or events over say 6-8 people in a single room, which rules out use for most organisations and / or uses such as mother & baby/toddler events, sporting events, or clubs. Its ability to meet the daily needs of the local community is hugely constrained by this one single factor. Furthermore, it appears to us that the layout of the property was never adapted to improve its function and was only ever intended to be for infrequent but regular use by the Residents Association.

Alternative Facilities

6.5 Housing Services has over 80 community assets, including community halls, flats and meeting rooms. The ten community flats within the portfolio are mainly one-bed ground floor properties within existing estate blocks. In many cases the flats were designated as community space many years ago and were often directly managed by tenants and residents' associations. In recent years many of the flats have been passed back to the community halls team to manage directly, and since the pandemic there has been further reductions in their use. Where flats are used, active use is often limited to a few hours each month.

6.6 The provision is made up of 10 Community Flats, 13 Community Rooms, 22 Small Halls, 19 Large Halls and 19 Large Multi-Functional Halls. A full list of the community halls owned and run by the Council is appended to this Statement. Of the community flats, six are proposed for release to residential because of their non-use.

6.7 The nearest alternative Housing Community Halls are:

- Vi Forrester Community Hall, Gilpin Road, Homerton, E5 0HL (10 minute walk / 0.5 miles);
- Herbert Butler Community Hall, Mabley Street, Homerton, E9 5TN (11 minute walk / 0.6 miles);

6.8 There are also other non-Council community facilities nearby that can be accessed by local groups. The Kingsmead Community Centre (managed by Hackney Marsh Partnership) is about 0.3 miles (5 minute walk) from the property and offers a range of spaces that community groups can book / use. Community space is also available at the Wally Foster Community Centre Association (8 minute walk / 0.4 miles).

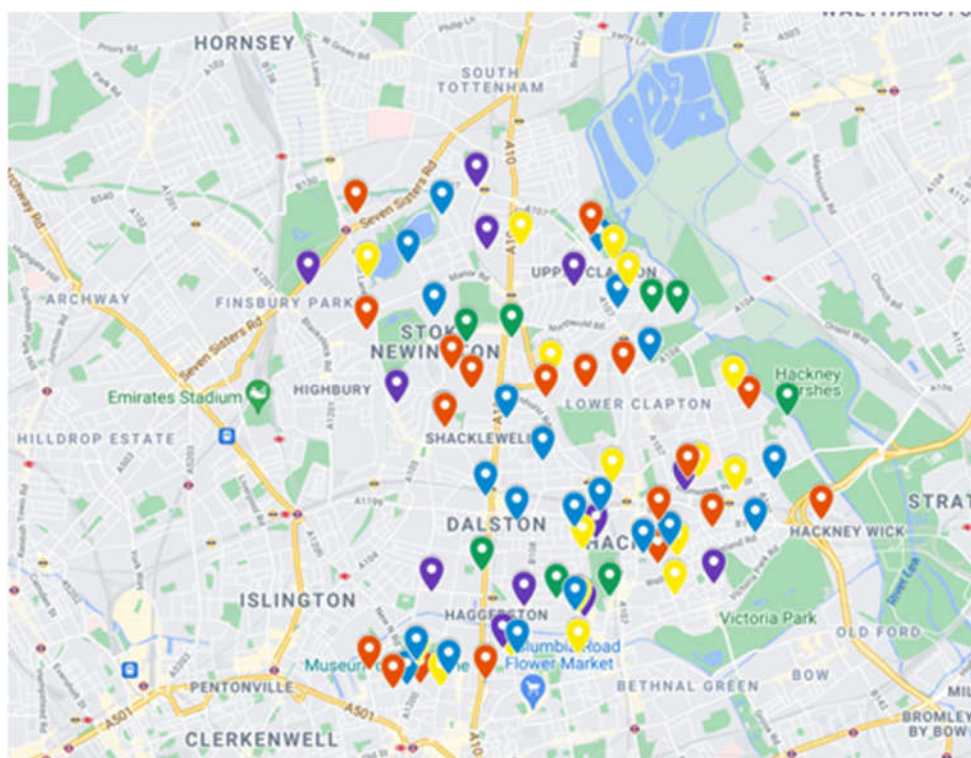
6.9 Housing Services will cover the costs of non-Council facilities for groups registered with the resident participation team e.g., tenants and residents' associations, gardening groups, gardening groups, older people's groups). Were a new tenant's resident association to be formed, LB Hackney would offer the TRA use of a community building for their meetings and activities at no cost.

6.10 In combination there are a vast number of additional facilities which are of a better quality, accessibility and size. It is these facilities which meet the community's needs.

6.11 The map at Figure 6.1 below shows the community halls within the London Borough of Hackney which are operated by the Council. The exercise was conducted utilising a post code plot (**Appendix 1.0**). The different coloured markers identify different types of community halls:

- Community Flat – Green
- Community Room – Purple
- Small Hall – Blue
- Large Hall – Red
- Large Multi-Functional Hall – Yellow

Figure 6.1 - Extract from Community Centre Postcode Plot Map (**Appendix 1.0**)



Summary

6.12 In our view the size and accessibility led to its use ceasing and render it unsuitable for any other community type use. It is therefore surplus to requirements. Taking account of these constraints and the excellent provision in the area, we are of the view that the proposals would not result in the loss of a valued local facility and consequently it would not reduce the community's ability to meet its day-to-day needs. For these reasons we consider the proposals are compliant with paragraph 93 of the NPPF, London Plan Policy S1, and Local Plan Policy LP8. It is therefore appropriate to consider alternative uses at Sherry's Wharf Community Centre.

Principle of Residential Accommodation

6.13 The London Plan Policy H1 (increasing Housing Supply) supports the delivery of appropriate residential development in order to meet LBH ten-year housing targets. This includes small sites, as set out in London Plan Policy H2.

6.14 The principle of additional Class C3 self-contained accommodation is supported under policy LBH LP12 of the Local Plan which seeks to deliver 1,330 homes by 2033 on small sites and also increase the supply of genuinely affordable homes. Part D of the policy notes that self-contained residential units are the priority residential land use in the borough and the type of land use for which there is the greatest need.

- 6.15 Furthermore, demand for accommodation for people with mobility needs is high. There are 919 households with a significant mobility need, of which 314 are in need of a one-bedroom property, and 77 households are awaiting a one-bedroom wheelchair accessible/ adapted unit. As this flat is on the ground floor, conversion back to residential use would contribute to this particular need. Therefore, the proposal meets with the objectives of part A of Local Plan Policy LP18 (Housing Older and Vulnerable People), given the need, standard of accommodation and access to facilities. No care is intended and the accommodation is designed to be occupied by people who are otherwise still independent.
- 6.16 Another significant point is that the return of the community flats would make an important contribution to the supply of social rented housing. As of September 2022, 8,500 households are waiting for social housing in the borough, with over 3,000 households in temporary accommodation. At the same time, the number of social rented properties becoming available to let has reduced due to the impact of right-to-buy and fewer households moving out of their social housing. As a result, the average wait time for homeless households seeking one-bed accommodation in Bands B and C is now 4 and 7 years respectively, this does not include those who may need ground floor properties, for which the waiting time is much longer. People who could be housed in these community flats will have spent many years in temporary accommodation outside the borough away from their wider support networks and services, many of them with mobility needs. The Council has a statutory duty to make these people an offer of housing.
- 6.17 Policy LBH LP13 requires schemes of 1-9 units to provide on-site affordable housing provision or payments in lieu up to the equivalent of 50% of housing delivered as affordable housing.
- 6.18 In this case the dwelling would be utilised to serve those on the Council's affordable housing waiting list and would meet the aims of this policy. Therefore, on-site affordable housing (social rent) will be provided rather than payment of £50,000 for 1 unit proposed. This would be secured by a Unilateral Undertaking.
- 6.19 It should also be noted that the subject home exists and can be delivered immediately when compared to sites which need to be constructed. It can therefore provide a home for someone in need almost instantaneously.

Design, Layout and Mix

- 6.20 The London Plan Policy D6 requires housing development to be of high quality design and provide adequately sized rooms meeting the minimum standards. In conjunction, the approved Technical Housing Standards (as amended 2016) sets out 1-bed 2-person dwelling requires a minimum GIA of 50m². The unit has a GIA of 50m² and therefore meets the minimum space standard for a 1-bed 2-person dwelling. The provision of this flat would support the immediate delivery of housing in London for those in need.
- 6.21 Prior to the use of the community centre, the unit was used as a residential flat. The existing residential layout has not been altered and can be reverted back to its residential use without significant external or internal alterations.
- 6.22 While LBH Policy LP14 (Dwelling Size Mix) prefers 3 or more bed units, the unit is simply not big enough to provide a family unit and being a ground floor flat within a terrace block it is not possible to extend it.
- 6.23 There would be no physical alterations proposed, therefore no impact on the design related policies at regional and local level including London Plan policies D3, D4, D5 & D6, and LP33 policies LP1, LP2, LP14 & LP17.
- 6.24 The dwelling is accessed via a ramp and provides the relevant turning circles internally. It therefore can meet the requirements of M4(2) of the building regulations as sought by policy D7 of the London Plan. The unit therefore meets Local Plan Policy LP1 xiv which requires development proposals to be inclusive and accessible for all and LP18 B A(iii) and B, which seek to ensure proposals meet the relevant standards.
- 6.25 The flat includes a rear garden on 25.3m² which provides adequate access to outdoor amenity for the residents.
- 6.26 The Site is in Flood Zone 2 due to its proximity to the River Lee Navigation. As the dwelling already exists, the development would not increase the risk of flooding. This is discussed further at paragraph 6.37.
- 6.27 Other design considerations:
- The proposed new foul and surface water below ground drainage will connect to the existing drainage run which exists across the site; and

- A covered cycle store is proposed on the rear of the Site would accommodate 3 cycle spaces.

6.28 The detailed design of the external cycle store is included with the application.

Transport

6.29 LBH Policy LP45 (Parking and Car Free Development) supports car-free development. LBH Policy LP42 (Walking and Cycling) supports development that promotes sustainable transport. This is also referenced in the London Plan Policy T5 (Cycling) and Policy T6 (Car Parking).

6.30 The Proposed Development proposes both car-free development and sustainable transport through the provision of 3 cycle spaces (meeting the London Plan's minimum cycle parking standards).

Residential Amenity

6.31 The NPPF states that development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

6.32 Given the nature of the proposals, there would be no adverse impact on the surrounding properties and no change to the existing amenity levels experienced by neighbouring occupiers.

Energy and Sustainability

6.33 The NPPF supports the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourages the reuse of existing resources, including conversion of existing buildings, and encourages the use of renewable resources. The London Plan sets out a number of core policies for major developments with regard to reducing carbon dioxide emissions and providing energy in a sustainable manner.

6.34 LBH Policy LP17 requires schemes to meet the sustainable design and construction standards set out in Hackney's Sustainability and the Built Environment SPD.

6.35 LBH Policy LP54 (Overheating and Adapting to Climate Change) requires that all new development must:

"regulate internal and external temperatures through orientation, design, materials and technologies which avoid overheating, mitigate the Urban Heat Island (UHI) effect and have regard to maximising the use of the cooling hierarchy. Measures which deliver biodiversity benefits will be strongly supported".

6.36 With regard to existing developments, LBH Policy LP55 (Overheating and Adapting to Climate Change) requires that development including the re-use or extension of existing buildings should:

"achieve the maximum feasible reductions in carbon emissions and support in achieving the strategic carbon reductions target in the London Plan, while protecting, heritage and character of the buildings. Development should consider synergies with new build elements on sites and developments should seek to achieve the zero carbon target across the site".

6.37 As stated above, the Site has been used as a residential dwelling therefore does not constitute a new residential development per se. In this case, the flat is part of a larger building and opportunities for improvements are limited to replacing the heating system, improving insulation and replacing the lights and appliances with energy efficient versions. The Proposed Development is unable to meet the requirements of being 'lean, clean and green' and achieving 10% carbon reductions under LBH Policy LP55. Albeit, the Proposed Development seeks to ensure compliance with Building Regulations Part L.

Flooding

6.38 We have consulted the Environment Agency's Flood Map for planning which indicates the site is in flood zone 2 based on its proximity to the River Lee. It should be noted that the River Lee Navigation is a manmade concrete open channel with the top of the channel walls forming a flood defence with a top level of approximately 6.5m AOD. The man-made channel commences at the Middlesex Filter Beds Weir to the north of the site, meaning that water flows would be directed to the

eastern most channel of the River Lee, and in events of extreme rainfall Hackney Marshes would flood. This provides a flood defence to properties located adjacent to the western most channel.

- 6.39 Consequently, we have requested the Environment Agency Product 4 information. This shows that the site benefits from flood defences up to and including a 1:1000 year flood event i.e. extreme flooding – with water levels of 6.58 AOD in the proposed location. The nearest Ordnance Survey level is 6.6AOD, with the finished floor level approximately 0.12 above this.
- 6.40 The Environment Agency standing advice indicates that flood levels for 1:100 and 1:200 year events only need be considered together with the residual risk if the defences were overtopped. The mapping shows that the defences will not be overtopped even in a 1:1000 year event. As such we do not consider there to be a residual risk.
- 6.41 This demonstrates the site is not at risk of fluvial flooding due to existing flood defences and therefore no further assessment is proposed. On this basis the proposals are considered to comply with Local Plan Policy 53 (Water and Flooding). Further information can be provided in this regard if considered necessary.

Draft Unilateral Undertaking

- 6.42 A draft Unilateral Undertaking (S.106 Agreement) has been prepared and submitted at the request of the Development Management Team with the purpose of ensuring the retention of the unit as affordable housing (social rent).
- 6.43 The draft Unilateral Undertaking also addresses contributions to the Council's Carbon Offset Fund and proposed car-free development.

7.0 SUMMARY AND CONCLUSION

- 7.1 The Application submitted on behalf of Housing Services Department of the London Borough of Hackney proposes the change of use of the site within the London Borough of Hackney to provide:
- Change of use from community centre (Use Class F2(b)) to 1 residential unit (Use Class C3);
 - Associated internal configuration to form 1-bed 2-person flat;
 - Externally, a new cycle store to accommodate 3 cycle spaces would be provided at the rear of the Site; and
 - The unit would exceed the requirements of affordable housing policy by providing a single social rented tenure flat.
- 7.2 This report has provided an assessment of the proposals against the Statutory Development Plan, as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, namely the adopted London Plan (2021), the London Borough of Hackney Local Plan (2020).
- 7.3 The proposed development is considered to accord with the relevant policies of the adopted development plan, as well as being consistent with national planning policy and material considerations. The scheme has been developed in full engagement with the London Borough of Hackney.
- 7.4 The Site performs poorly as a community facility by virtue of its limited functionality and poor inclusivity. These constraints prevent its use for reasonable alternative community facilities. It is, as a result, surplus to requirements, especially given the plentiful supply of alternative facilities in the local area. Its loss does not represent the loss of a valued community facility, nor does it prevent the local community from meeting its day to day needs.
- 7.5 Its use as an affordable, single family dwelling is entirely in accordance, with the Local Plan, where the delivery of residential accommodation is the priority. Its ability to be converted back to a flat with limited if any work allows it to be delivered immediately to provide a home for someone on the Council's waiting list.
- 7.6 The flat would be of an adequate standard in terms of its size, layout, light levels aspect and outlook. It would also be provided with the requisite cycle storage and opportunities will be taken to improve its environmental performance and accessibility.
- 7.7 The Environment Agency flood maps show that the dwelling is defended from flood risk up to a 1:1000 year event. As such no mitigation measures are proposed.
- 7.8 In conclusion, the scheme delivers a significant benefit of affordable housing (social rent), contributing to the Council's housing supply, and complies with planning policy. Therefore, in our view, this outweighs the loss of the facility, in this particular instance.
- 7.9 We therefore respectfully request the Application is granted planning permission on this basis.

APPENDIX 1.0 - COMMUNITY CENTRE POSTCODE PLOT MAP

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WE CONSIDER OUR CREDENTIALS, HOW WE HAVE STRUCTURED OUR BID AND OUR PROPOSED CHARGING RATES TO BE COMMERCIALY SENSITIVE INFORMATION.
WE REQUEST THAT THESE BE TREATED AS CONFIDENTIAL.