

ADDRESS: 5 Oswalds Mead, Hackney, London, E9 5PZ	
WARD: Kings Park	REPORT AUTHOR: Catherine Nichol
APPLICATION NUMBER: 2023/0098	VALID DATE: 23/01/2023
DRAWING NUMBERS: PL-001; PL-002; PL-003 rev A; Design and Access Statement by HP Architects LTD, dated October 2022; Covering Letter by Montagu Evans dated 13 January 2023; Planning Statement prepared by Montagu Evans dated January 2023; Secure Cycle Store Manufacturers Brochure for SBD Secure Cycle Protection Box.	
APPLICANT: London Borough of Hackney Housing Services Department 1 Hillman Street, Hackney, London, E8 1DY	AGENT: Graham Allison Montagu Evans LLP 70 St Mary Axe, London, EC3A 8BE
PROPOSAL: Conversion of ground floor community flat meeting rooms (class F2 (b)) to a residential unit (class C3) and provision of cycle store.	
POST SUBMISSION REVISIONS: None	
RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and Section 106 legal agreement.	
NOTE TO MEMBERS: None.	

REASON FOR REFERRAL TO PLANNING SUB-COMMITTEE:	
Major application	
Substantial level of objections received	
Council's own planning application (in accordance with the Planning Sub-Committee Terms of Reference)	Yes
Other (in accordance with the Planning Sub-Committee Terms of Reference)	

ANALYSIS INFORMATION

ZONING DESIGNATION

	Yes	No
CPZ	X - Zone N	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
Priority Employment Area		X

LAND USE	Use Class	Use Description	Floorspace Sqm
Existing	F2	Community meeting rooms	50

Proposed	C3	Residential unit	50
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CASE OFFICER'S REPORT**1.0 SITE CONTEXT**

- 1.1 The application site is a ground floor unit located within an existing residential apartment block at the end of Oswald Mead. To the rear of the site is River Lee and to the east of the site is a car parking area.
- 1.2 The site consists of a three storey semi detached building. The application site relates to a ground floor unit currently in use as a community meeting room with adjacent and upper units being residential. The unit benefits from a separate front and rear entrance and with existing wheelchair ramps on both elevations accessed from Oswald's Mead. The walls are faced with exposed brick with joinery being composed of uPVC.
- 1.3 The main access is from the north, via the pedestrian access via Oswalds Mead, with an additional access to the south from the rear garden. An area of communal green space is located to the north of the site.
- 1.4 The surrounding area to the west, east and south is characterised by residential buildings of similar scales.
- 1.5 There are no locally or statutorily listed buildings or conservation areas within the surrounding area. The surrounding area is characterised by residential buildings in a range of scales and sizes.

2.0 RELEVANT HISTORY

- 2.1 None.

3.0 CONSULTATIONS

- 3.1 Date Statutory Consultation Period Started: 25/01/2023
- 3.2 Date Statutory Consultation Period Ended: 17/04/2023
- 3.3 Site Notice: Yes.
- 3.4 Press Advert: Not required.
- 3.5 **Neighbours**
- 3.5.1 Letters of consultation were sent to 12 adjoining owners/occupiers.
- 3.5.2 At the time of writing the report, no representations have been received as a result of this consultation.
- 3.6 **Statutory / Local Group Consultees**
- 3.6.1 Canal & River Trust: No comments to make.
- 3.7 **Council Departments**
- 3.7.1 Traffic & Transportation: No response received.

3.7.2 Waste: No response received.

4.0 RELEVANT PLANNING POLICIES

4.1 Hackney Local Plan 2033 2020 (LP33)

- LP1 Design Quality and Local Character
- LP2 Development and Amenity
- LP8 Social and Community Infrastructure
- LP12 Meeting Housing Needs and Locations for New Homes
- LP13 Affordable Housing
- LP14 Dwelling Size Mix
- LP17 Housing Design
- LP42 Walking and Cycling
- LP43 Transport and Development
- LP45 Parking and Car Free Development
- LP46 Protection and Enhancement of Green Infrastructure
- LP47 Biodiversity and Sites of Importance of Nature Conservation
- LP53 Water and Flooding
- LP54 Overheating and adapting to climate change
- LP55 Mitigating Climate Change
- LP58 Improving the Environment - Pollution

4.2 London Plan 2021

- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- H1 Increasing housing supply
- H2 Small sites
- H4 Delivering affordable housing
- H6 Affordable housing tenure
- H10 Housing size mix
- S1 Developing London's social infrastructure
- S2 Health and social care facilities
- SI 2 Minimising greenhouse gas emissions
- SI 4 Managing heat risk
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T5 Cycling
- T6 Car parking

4.3 SPD / SPF / Other

Mayor of London

Mayor's Housing SPG (2016)

London Borough of Hackney

Residential Extensions and Alterations SPD (2009)
Sustainable Design & Construction SPD (2016)
S106 Planning Contributions SPD (2020)

4.4 National Planning Policies/Guidance

National Planning Policy Framework (NPPF)
Planning Practice Guidance (NPPG)

4.5 Legislation

Town and Country Planning Act 1990 (as amended)

5.0 PLANNING CONSIDERATIONS

5.1 Background

5.1.1 The proposal is for the conversion of the ground floor unit from a community centre to a single residential unit together with the installation of a cycle store within the rear garden. The property would be laid out as a 1 bed 2 person flat with a gross internal area (GIA) of 50sqm. The proposed residential unit will be Social Rent.

5.1.2 The property was last occupied as a community meeting room for tenants and residents association (TRA) meetings and local ward Councillor 'surgeries' but has not been used since 2019. There have been no requests since then to use the site for community / TRA uses and there are currently no requests for any TRA for the estate.

5.1.3 The main considerations relevant to this application are:

- Principle of Development/Land Use
- Housing Mix
- Affordable Housing
- Design
- Standard of Accommodation
- Neighbouring Amenity
- Traffic & Transportation
- Energy & Sustainability
- Biodiversity & Ecology
- Drainage

Each of these considerations is discussed in turn below.

5.2 Principle of Development / Land Use

Loss of Community Facility

5.2.1 Policy S1 (Development London's Social Infrastructure) of the London Plan requires that development proposals that would result in a loss of social infrastructure should only be permitted where there are realistic proposals for re-provision that continue to serve the needs of the neighbourhood and wider community or 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.

- 5.2.2 Policy LP8 (Social and Community Infrastructure) of LP33 specifies that proposals involving the loss of existing social and community infrastructure will be permitted where a replacement facility of equivalent or better quality that meets the needs currently met by the existing facility is provided; or 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).
- 5.2.3 Although no marketing evidence was provided to show the existing facility is no longer required in its current use, the applicant provided lists of nearby alternative community facilities in order to show compliance with Policy LP8.
- 5.2.4 According to the planning statement submitted, the nearest community hall is Vi Forrester Community Hall and Herbert Butler Community Hall, which are both fully accessible and DDA compliant, situated 0.5 and 0.6 miles, respectively, from the community flat. There are also other larger more accessible facilities in the area which are not operated by the Council and these are listed as: Kingsmead Community Centre, Wally Foster Community Centre.
- 5.2.5 Furthermore, the applicant has indicated that Housing Services will cover the costs of non-Council facilities for groups registered with the resident participation team (e.g TRA, gardening groups, older people's groups etc). 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.
- 5.2.6 Policy LP8 of LP33 requires proposals for social and community infrastructure to meet current or future identified needs, be of a high quality and inclusive design providing access for all, provide flexible, affordable and adaptable buildings, provide mixed used development, co-located with other social infrastructure uses and be located in places that are accessible by walking, cycling or public transport for its end users.
- 5.2.7 It is considered that due to the size of the premises it is only capable of being used for small gatherings and cannot hold classes or events of more than 5-6 people in a single room. As such, it is therefore considered not to provide a high quality space able to meet the needs of the local community as cited above under policy LP8.
- 5.2.8 Given the presence of nearby community facilities that meet the standards of policy LP8, on balance officers consider the loss of social and community floor space with significant accessibility and size constraints and replacement with residential floor space is considered a positive response and is supported in land use terms.

Proposed Residential Use

- 5.2.9 The principle of providing new housing within the Borough is generally supported at a national, regional and local level subject to assessments of other material considerations. Policy LP12 of the Hackney Local Plan states that the development of small sites to meet housing needs will be supported and that infill housing development and innovative approaches to housing delivery on small sites will be supported, subject to meeting other development plan policies. Point 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.

- 5.2.10 Given the history of the site with the property previously being in residential use and the need for residential use within the Borough, the proposed use is supported and would accord with the relevant policies of the Local Plan and London Plan.

5.3 Housing Mix

5.3.1 Policy H10 (Housing Size Mix) of the London Plan 2021 indicates that to determine the appropriate mix of unit sizes in relation to the number of bedrooms for a scheme, applicants and decision-makers should have regard to, amongst other things, the nature and location of the site and the aim to optimise housing potential on sites.

5.3.2 The property would be laid out as a 1 bed 2 person flat, with living room, bedroom, kitchen, bathroom and study. The dwelling mix is supported due to the site constraint of being able to provide one unit only. Furthermore this would have been the original layout of the unit.

5.4 Affordable Housing

- 5.4.1 Policy LP13 (Affordable Housing) of LP33 requires schemes which fall below the 10 unit threshold to provide on-site provision or payments in lieu, up to the equivalent of 50%, of housing delivered as affordable housing subject to viability.

- 5.4.2 The dwelling has been proposed as a Social Rent unit, of which there is great current need within the borough. The delivery of the proposed affordable housing unit will be secured through a legal agreement.

5.5 Design

- 5.5.1 Policy LP1 of the Hackney Local Plan notes that all development must be of the highest architectural and urban design quality.

- 5.5.2 There would be no alterations or building works to the exterior of the building except for the provision of a cycle store. The cycle store would be constructed from PVC coated galvanised steel.

- 5.5.3 The store would be of an appropriate design and materials, at a scale subordinate to the host building. It would have a modest appearance and would preserve the character and appearance of the host building and the surrounding area.

- 5.5.4 Given the above it is considered that the proposed development is acceptable in design terms.

5.6 Standard of Accommodation

- 5.6.1 The Greater London Authority Housing SPG, London Plan Policy D6 and Technical Housing Standards – Nationally Described Space Standard (NDSS) contain a number of requirements relating to reasonable and required standards of accommodation.

- 5.6.2 The property would be laid out as a 1 bed 2 person unit with a GIA of 50 sqm and as such, surpasses the recommended GIA for a 1 bed 2 person unit.

- 5.6.3 The bedroom is in accordance with specifications, all floors have acceptable floor to ceiling heights, and the unit has adequate area to comply with the built-in storage requirements.
- 5.6.4 All rooms would be served with suitable sized windows to ensure receipt of good levels of light and outlook. Furthermore the unit would have a good level of privacy.
- 5.6.5 Standards 26 and 27 of the Housing SPG require private outdoor space to be provided for occupants. Private amenity space is provided in the form of a rear garden which exceeds the requirements set out in the Housing SPG.
- 5.6.6 In terms of accessibility, step-free access is provided at both front and rear entrances which is in accordance with guidance.
- 5.6.7 Given the above, the proposal is considered to provide an acceptable standard of accommodation.

5.7 Neighbouring Amenity

- 5.7.1 Policy LP2 (Development and Amenity) of LP33 requires development proposals to be designed to ensure there are no significant adverse impacts on the amenity of occupiers and neighbours.
- 5.7.2 The cycle store would have a maximum height of 1.34m and is proposed to be located adjacent to the side boundary wall in the rear garden. No other external changes are proposed.
- 5.7.3 Given the nature of the proposal which would mainly involve internal alterations, it is considered that the development will not result in an unacceptable detrimental impact upon neighbouring occupiers in terms of provision of daylight/sunlight or outlook from the site, and would not result in unacceptable overbearing impact or sense of enclosure.
- 5.7.4 The provision of additional residential accommodation in a predominantly residential area is also deemed unlikely to cause exacerbated noise and disturbance impacts.
- 5.7.5 Given the above, the development is considered to be acceptable in relation to impacts on the amenity of surrounding properties.

5.8 Traffic & Transportation

- 5.8.1 The development is not considered to be of a scale that would have an unacceptable impact on parking pressure or highways infrastructure. The site has a low Public Transport Accessibility Level (PTAL) of 2 with limited access to public transport. Bus routes run along Homerton Road to the south. The site is within a Controlled Parking Zone.
- 5.8.2 LP42 requires all development to promote sustainable transport by prioritising walking and cycling within the Borough. A 1 bed unit of this size is required to provide 2 cycle spaces. The development includes the provision of a cycle store to the rear of the property which would provide space for 3 cycles. This would provide secure and sheltered cycle storage, in accordance with LP42 and is considered to be acceptable. Adequate details were provided in the form of a brochure.

5.8.3 The development is proposed to be car-free, so that future occupants will not be eligible for CPZ parking permits, ensuring that the development will not result in additional parking pressure on the surrounding highway network but will rely on more sustainable modes of transport. This is in line with LP45 (Parking and Car-Free Development) of LP33 and the London Plan. This will be secured via legal agreement.

5.9 Energy & Sustainability

5.9.1 All new developments need to consider statutory requirements to reduce pollution, energy and carbon emissions, and should incorporate best practice design principles and guidance where appropriate.

5.9.2 Policy SI 4 of the London Plan and LP54 of LP33 require all development to regulate internal and external temperatures through orientation, design, materials and technologies which avoid overheating, in response to the Urban Heat Island Effect and addressing climate change.

5.9.3 Policy LP55 of LP33 applies to all new developments and states they must actively seek to mitigate the impact of climate change through design which minimises exposure to the effects, and technologies which maximise sustainability.

5.9.4 The proposal does not require any external works to the existing fabric of the building and is therefore considered to comply with this policy.

5.10 Biodiversity & Ecology

5.10.1 Policy G5 (Urban Greening) of the London Plan and LP46 (Protection and Enhancement of Green Infrastructure) of LP33 requires that all development should enhance the network of green infrastructure and seek to improve access to open space.

5.10.2 The development, whilst not providing any additional open space, will ensure that the existing open space to the rear of the site is maintained.

5.10.3 Given the constraints of the site, the nature and scale of the proposed development and acknowledging that the development will not result in a net loss of biodiversity, the level of landscaping maintained within the rear garden is considered acceptable in this instance.

5.10.4 Policy G6 (Biodiversity and Access to Nature) of the London Plan states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. Policy LP47 (Biodiversity and Sites of Importance of Nature Conservation) of LP33 reinforces this policy, stating that all development should protect and, where possible, enhance biodiversity leading to a net gain.

5.10.5 It is noted that all development schemes involving buildings with an eaves height or roof commencement height of 5 metres and above are required to provide nesting boxes for swifts, sparrows, starlings and/or bats as appropriate to help preserve endangered urban biodiversity in Hackney.

5.10.6 Given the nature and scale of the development and acknowledging that the development will not result in a net loss of biodiversity and that no external works

are proposed, it is considered that no mitigation measures are necessary to enhance biodiversity values on site.

5.11 Drainage

5.11.1 London Plan policy SI 12 states that development proposals must comply with the flood risk assessment and management requirements over the lifetime of the development and have regard to measures proposed in flood management plans. Policy SI 13 of the London Plan states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

5.11.2 Policy LP53 of LP33 requires all development to have regard to reducing flood risk, both to and from the site, over its expected lifetime. The policy further states that all development should decrease vulnerability to flooding through appropriate siting, design and on and off-site mitigation.

5.11.3 The proposed development would not result in any increase of non-permeable areas. While the proposal is not located within a critical drainage area it is located within Flood Zone 2. A flood risk assessment has been submitted with the proposal which confirms the site benefits from flood defences up to and including a 1:1000 year flood event. As such, and given the development does not increase hard surfacing, no mitigation measures are considered necessary in this instance.

6.0 CONCLUSION

6.1 The proposed conversion of the community centre (use class F2) to a residential unit (use class C3) including the provision of a cycle store at ground floor is deemed acceptable. The residential unit will provide much needed affordable housing and will have a good standard of accommodation; the proposals will not have a demonstrably adverse impact upon neighbouring amenity, nor on the character and appearance of both the application site and wider surrounding context.

6.2 The proposal is deemed to comply with the relevant policies in the Hackney Local Plan 2033 (2020) and the London Plan (2021) and the granting of planning permission is recommended subject to conditions.

7.0 RECOMMENDATIONS

Recommendation A

7.1 That planning permission be GRANTED, subject to the following conditions:

7.1.1 **Commencement within three years**

The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: In order to comply with the provisions of the Town and Country Planning Act 1990 (as amended).

7.1.2 **Development in accordance with plans**

The Development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

Recommendation B

7.2 That the above recommendation be subject to the landowners and their mortgagees entering into a Legal Agreement by means of a legal deed in order to secure the following matters to the satisfaction of the Corporate Director, Legal and Governance Services:

- 1) Non Blue Badge holding residents to be restricted from applying for car parking permits within current and future adopted Controlled Parking Zones adjoining the site.
- 2) The dwelling hereby approved shall be maintained as a Social Rent unit in perpetuity.
- 3) Monitoring costs in accordance with the Planning Contributions SPD to be paid prior to completion of the proposed legal agreement.
- 4) Payment by the landowner/developer of all the Council’s legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement.

Recommendation C

7.3 That the Sub-Committee grants delegated authority to the Director of Public Realm and Head of Planning (or in their absence either the Growth Team Manager or DM & Enforcement Manager) to make any minor alterations, additions or deletions to the recommended conditions set out in this report provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

8.0 INFORMATIVES

The following informatives should be added:

- SI.1 Building Control
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.24 Naming and Numbering
- SI.25 Disabled Person’s Provisions
- SI.27 Fire Precautions Act
- SI.28 Refuse Storage and Disposal Arrangements
- NPPF Applicant/Agent Engagement

Signed..... Date.....

Aled Richards - Strategic Director, Sustainability & Public Realm

No.	Background Papers	Name, Designation &	Location Contact
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		Telephone Extension of Original Copy	Officer
1.	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report</p>	Catherine Nichol Senior Planning Officer	1 Hillman Street London E8 1FB

Site Photos





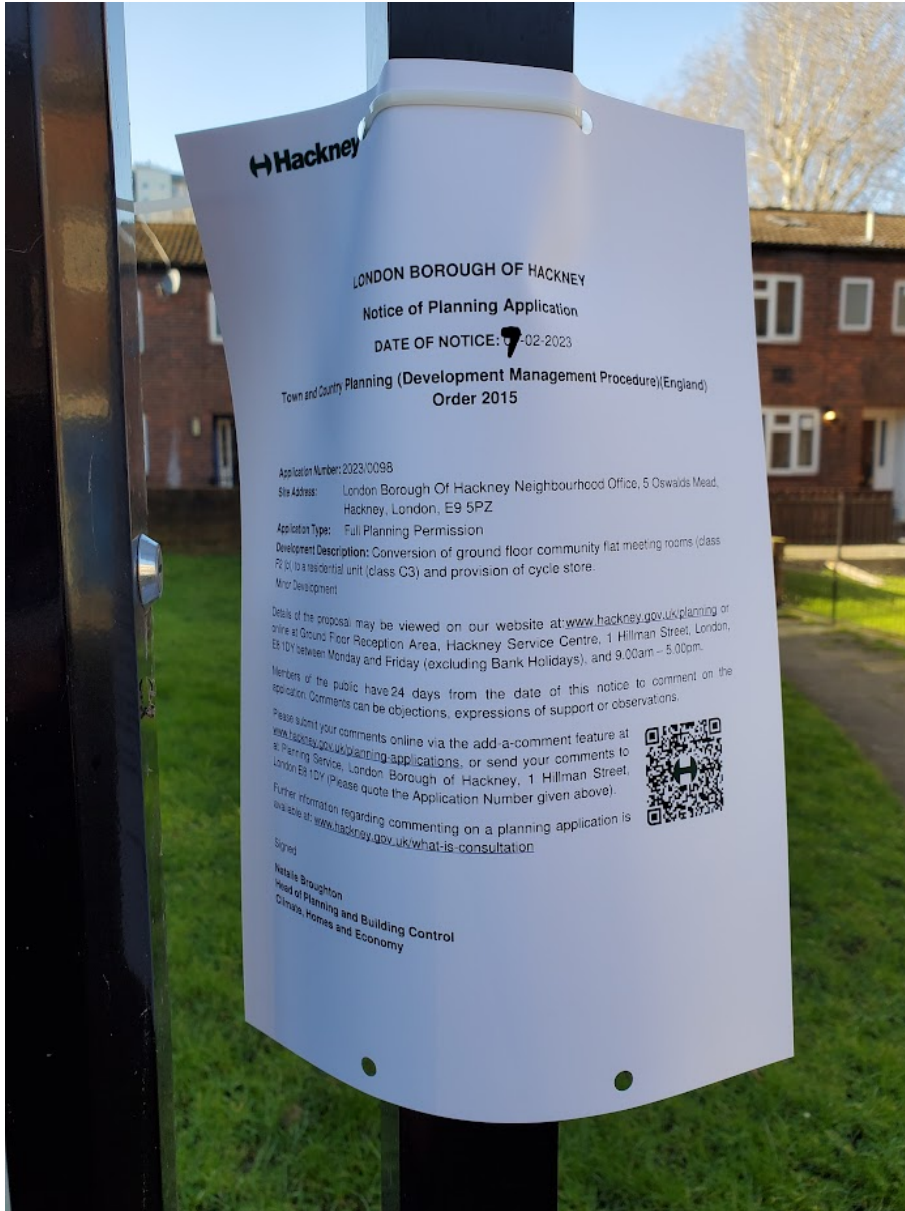
Rear Elevation



Adjacent residential buildings



Adjacent residential buildings



Site Notice