

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date: 21 May 2020

Report of:
Head of Planning

Contact Officers:
Alex Johnson
Claire Williams
Andy Higham

Ward: Lower
Edmonton

Application Number: 20/00578/RE4

Category: Change of Use

LOCATION: 12 North Way, London, N9 0AD

PROPOSAL: Change of use of ground floor from light industrial (Class B1) to homeless shelter (sui generis) for the period 1 April 2020 to 31 March 2021.

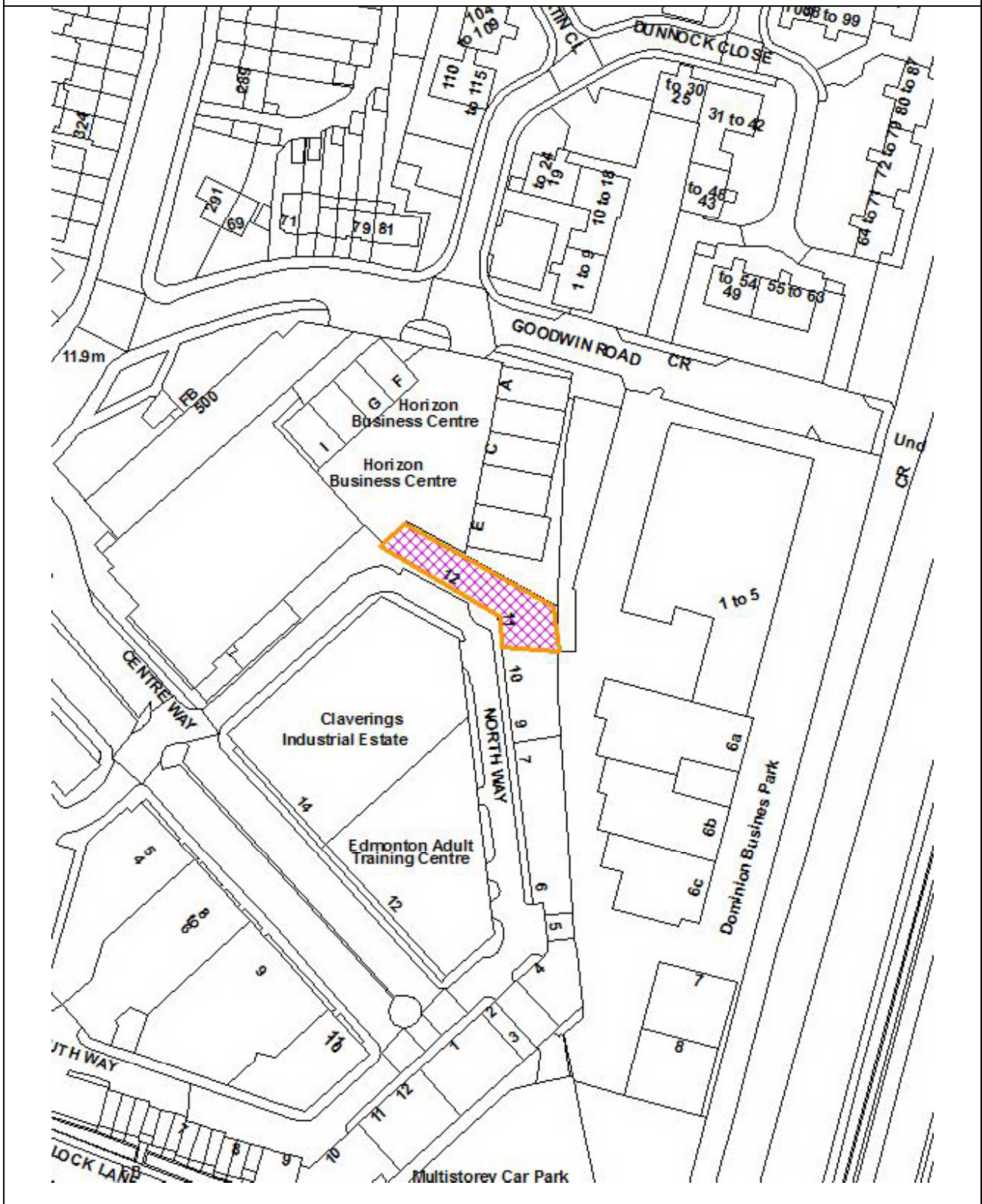
Applicant Name & Address:
Miss Karen Maguire
London Borough of Enfield
Silver Street
Enfield
EN1 3ES

Agent Name & Address:
N/A

RECOMMENDATION: That in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, the Head of Development Management / the Planning Decisions Manager be authorised to **GRANT** deemed consent subject to conditions.

Ref: 20/00578/RE4

LOCATION: 12 North Way, London, N9 0AD,



Reproduced by permission of Ordnance Survey on behalf of HMSO. ©Crown Copyright and database right 2013. All Rights Reserved. Ordnance Survey License number 100019820

Scale 1:1250

North



1. **Note for Members:**

- 1.1 Although an application of this scale and nature would normally be determined under delegated authority, the application is reported to Planning Committee because the application is submitted by the Council's Property team.

2. **Recommendation**

- 2.1 That in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, the Head of Development Management / the Planning Decisions Manager be authorised to **GRANT** deemed consent subject to the following conditions.:

1. Time Limited Permission – Temporary permission until 31 March 2021
2. Development to be carried out in accordance with approved plans and documents.

3. **Executive Summary**

- 3.1 The report seeks approval to a scheme involving the change of use of the existing ground floor light industrial unit (B1 use) to a proposed "sui generis" use as a homeless shelter for a period from 01 April 2020 to 31 March 2021. The centre will be open 24 hours a day with on site management staff and provide capacity for up to 20 occupants in a shared dormitory area. The application follows a permission for change of use of ground floor from light industrial (B1) to a homeless shelter (Sui Generis) for a period of a maximum of six months under ref: 19/03595/RE4.

- 3.2 The reasons for recommending approval are:

- i) The proposed development would provide specialist accommodation and support including over the colder winter months for homeless people in Enfield for which there is an identified need.
- ii) The principle of development for a homeless shelter was established in the previously approved application (19/03595/RE4).
- iii) The temporary nature of the proposed use and the vacancy of the premises mean the proposal would not harm the vitality and viability of the designated locally significant industrial site.
- iv) The proposed change of use is not considered to detract from the function of the locally significant industrial estate nor result in any adverse effects on the amenities of nearby and neighbouring occupiers.
- v) The proposal raises no design or transportation considerations which would render the proposal unacceptable.

4. **Site and Surroundings**

- 4.1 The site, measuring 0.0412ha, comprises an existing light industrial unit located within the Claverings Industrial Estate. The application site is an irregular shaped plot located on the northern side of North Way and is surrounded by a mix of industrial uses.

5. Proposal

5.1 The proposal is for the change of use of the ground floor of the application building from a B1 light industrial use to a homeless shelter (sui generis) for a temporary period until 31 March 2021. More specifically the proposal comprises:

- Dormitory Area for up to 20 people
- Male and female restrooms
- A disabled restroom
- Shower Rooms
- Office Space
- Kitchen areas

5.2 The proposal has been submitted by the Council to reduce homelessness in the borough. It is a joint venture which will have input and support from other stakeholders such as the NHS, Thamesreach, the Metropolitan Police, the Greater London Authority (GLA) and the Ministry of Housing, Communities and Local Government. The shelter will be run by an organisation called 'All People All Places'.

5.3 The shelter will focus on Central and Eastern European (CEE) nationals who are typically exploited in unregular and unregulated work or unemployed. Consequently, many of these nationals end up in unsuitable living conditions and have an increased risk of substance abuse and mental illness.

5.4 The shelter would operate 24 hours a day to allow rough sleepers, who have typically refused help the opportunity to utilise a communal dormitory area as well as shower and bathroom areas with a breakfast and evening meal provided to users of the shelter. Users of the centre are expected to arrive and depart from the site by themselves on foot. The site will also provide a starting point in which the centre will provide support, referrals and services to help the homeless find long term solutions.

5.5 Officers have had careful consideration to the fact that the site already benefits from a temporary consent granted under ref: 19/03595/RE4 for a period of six months, expiring in 19 June 2020. The new application for temporary consent until 31 March 2021 is required to allow services to be provided for the homeless until the applicant is able to relocate to a purpose built and permanent facility and provide shelter for the homeless on a 24-hour permanent basis.

6. Relevant Planning History

6.1 19/03595/RE4 - Change of use of ground floor from light industrial (B1) to a homeless shelter (Sui Generis) for a maximum period of six months – Granted with Conditions on 20/12/2019 and implemented.

7. Summary of Key Reasons for Recommendation

- i) The principle of a homeless shelter for a temporary period until 31 March 2021 is considered acceptable and would not harm the long term function of the locally significant industrial land. Furthermore, the

principle of development was established in the previously approved application (19/03595/RE4).

- ii) The development provides shelter from vulnerable homeless residents in Enfield including during winter months, for which there is an identified need.
- iii) The proposal would make a positive beneficial use of a vacant building
- iv) There is no adverse impact on neighbouring residential amenity
- v) There are no adverse effects on highway safety or traffic generation

8. Consultation

Public :

- 8.1 Consultation letters were sent to 31 neighbouring properties and a press advert was placed in the local newspaper. No comments were received in response.

Internal Consultees:

- 8.2 Transportation:

No objections have been raised by reason of the temporary use of the site, the scale of users and the hours of operation outside of peak hours.

- 8.3 Environmental Health:

No objections have been raised.

9. Relevant Policies

- 9.1 London Plan (2016)

- 3.1 Ensuring equal life chances for all
- 3.2 Improving Health and Addressing Health Inequalities
- 3.3 Increasing Housing Supply
- 3.8 Housing Choice
- 4.4 Managing Industrial Land and Premises
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.17 Waste Capacity
- 6.3 Assessing effects of development on transport capacity
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive development
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.13 Safety, Security and Resilience to Emergency
- 7.15 Reducing and managing noise, improving and enhancing

the acoustic environment and promoting appropriate soundscapes

9.2 The London Plan – Draft

The Intend to Publish London Plan was published on 9 December 2019. The Secretary of State for Housing, Communities and Local Government has responded and directed that the Plan cannot be published until the Directions he has listed are addressed. In the circumstances, it is only those policies of the Intention to Publish version of the London Plan, that remain unchallenged to which weight can be attributed. The current 2016 (The London Plan consolidated with alterations since 2011) is still the adopted Development Plan, but the Draft London Plan is a material consideration in planning decisions. The significance given to it is a matter for the decision makers, but it gains more weight as it moves through the process.

Policies of particular relevance is GG2 – Making the Best Use of Land and E4- Land for industry, logistics and services to support London's economic function, D11 – Fire Safety, H4 – Meanwhile Use and H14 – Supported and Specialised Accommodation

9.3 Core Strategy

CP2	Housing Supply and Locations for New Homes
CP4	Housing Quality
CP5	Housing Types
CP6	Meeting Particular Housing Needs
CP22	Delivering Sustainable Waste Management
CP24	The Road Network
CP25	Pedestrians and Cyclists
CP28	Managing Flood Risk Through Development
CP30	Maintaining and improving the quality of the built and open environment

9.4 Development Management Document

DMD15	Specialist Housing Needs
DMD21	Complementary and Supporting Uses within SIL and LSIS
DMD 37	Achieving high quality and design-led development
DMD 45	Parking standards and layout
DMD 46	Vehicle crossovers and dropped kerbs
DMD 47	Access, new roads and servicing
DMD59	Avoiding and Reducing Flood Risk
DMD60	Assessing Flood Risk
DMD61	Managing Surface Water
DMD 68	Noise

9.5 Other Material Considerations

- National Planning Policy Framework (NPPF) 2019 (revised)
- Planning Practice Guidance (PPG)
- London Plan Housing SPG

10. **Assessment**

10.1 The main issues arising from this proposal for Members to consider are:

1. Need;
2. Impact on Industrial Land/Suitability of Premises
3. Quality of Accommodation
4. Impacts upon Neighbouring Amenity
5. Transport Issues

Need

10.2 The Homelessness Act 2002 places a duty on local authorities to formulate a homelessness strategy, which must include provisions for securing satisfactory support for people who are homeless or those who have been housed and who need support to prevent them becoming homeless again.

10.3 There is no specific policy relating to the provision of homeless accommodation but the Council's core strategy outlines within policy CP6 the importance of delivering specialised housing need such as homeless accommodation across Enfield *'The Council, with its partners, will develop flexible and accessible accommodation services that meet the local housing needs of vulnerable adults'*. The policy goes on to advise that the Council will ensure that there is appropriate provision of specialist accommodation across all tenures.

10.4 In addition Policy DMD15 provides further guidance on the criteria against which the acceptability of new specialist housing should be assessed. This includes

- i) meeting an identifiable need;
- ii) the suitability of the property;
- iii) residential amenity is preserved;
- iv) there is not an over concentration of such uses in the vicinity
- v) the development is adaptable and fully accessible and is capable of meeting client needs;
- vi) the development is well located and accessible to local community facilities and infrastructure

10.5 In terms of need, the application is accompanied by a supporting statement which summarises the need for the proposed shelter and in particular, identifies following a verified rough sleeper count in September 2019, 47 rough sleepers, 44 of which were CEE nationals, many of which were living in groups of cars and vans. It also highlights that Enfield has the fourth highest number of rough sleepers in London and the seventh highest number in England.

10.6 Enfield has seen a significant increase in rough sleepers over the last two years and one of the Council's key corporate objectives which is reflected in adopted policy, is to reduce homelessness in the Borough. It is therefore considered the proposed hostel would meet an identified specialist housing need.

10.7 In terms of location, the building is situated in an area with the highest concentration of rough sleepers and the delivery of this Shelter would assist

in addressing the issue of homelessness. The Shelter will provide accommodation and support to all client groups of rough sleepers, notwithstanding the acknowledged focus on targeting, engaging and supporting CEE rough sleepers. Those using the facility will be assisted to access longer term accommodation where appropriate.

- 10.8 The principle of development for use of the site as a homeless shelter for a temporary period was supported under the previous application 19/03595/RE4. Since this time the Council has received grant funding in the region of £699,000 from MCHLG to allow the use to commence until 31 March 2021. The use of the centre for this additional timescale is a condition of this subsequent grant from MCHLG.
- 10.9 It is considered that there is sufficient evidence to demonstrate an identified need for the proposed homeless shelter and thus, the proposal is considered acceptable on this ground.

Suitability of Location

- 10.10 The proposal is located within a designated locally significant industrial site. As a result, regard has been given to the suitability of this location and the use of light industrial premises as a homeless shelter upon the function and vitality of the industrial estate.
- 10.11 The London Plan advises within Policy 4.4 of the importance of managing industrial land appropriately. In this respect, DMD policies provide guidance on developments affecting locally significant industrial sites and state in DMD 20 that *'Proposals involving the loss of industrial uses within LSIS will be refused, unless it can be demonstrated that the development site is no longer suitable and viable for its existing or alternative industrial use in the short, medium and long term'*. The policy goes on to advise that where this can be demonstrated, any proposal must not harm the industrial function of the area. It is considered the proposal provides elements of employment generating uses and the proposal is well designed in relation to its surroundings.
- 10.12 It is accepted that the proposal would involve the loss of a light industrial Premises for a longer period of time. Although contrary to the objective of DMD 20, it is felt significant weight can be given to the fact the premises were previously vacant and had been so for some time. In addition, the proposal is for a further but temporary period after which the proposal would revert to its current lawful use. Given that there are no external alterations or significant internal modifications, it is considered the proposal would not result in any long term harm to the continued industrial function of this designated locally significant industrial land. It is also felt the use would not impact on the function of neighbouring and nearby industrial premises and it must be noted that no objections have been received.
- 10.13 To reinforce this position, a condition is to be imposed requiring the use to cease after 31 March 2021 enabling the premises to revert to its current lawful use.
- 10.14 Given the purpose and temporary nature of the proposed use, the temporary loss is accepted without the need for any other mitigation having regard to the Council's adopted s106 SPD.

- 10.15 It must also be recognised that although the Claverings Industrial Estate contains a variety of light industrial uses as well some community/commercial uses, the proposed use would not result in an over concentration of such uses detrimental to the character and function of the locality.
- 10.16 A further requirement of DMD 15 is that the location is accessible to local community services and infrastructure. There are local services in Town Road and the specific needs of the users of this facility will be directly met by the operators of the hostel alongside other public partners.

Quality of accommodation

- 10.17 There are no policies that specify residential standards for homeless hostels. Some weight however has been given to guidance provided by the charity Shelter 'Assessing Suitability: Type, Standard and Affordability'. In deciding whether hostels are suitable accommodation, the Code of Guidance stresses that they offer short-term accommodation. The guidance goes on to state that 'Refuges should normally be used only as a temporary measure and only for people who wish to stay in one'.
- 10.18 It is noted that the proposed shelter does not provide any self-contained units but provides a shared dormitory, communal bathrooms and showers and a kitchen that would allow staff to prepare a hot evening meal and provide a breakfast for users of the shelter.
- 10.19 This is a temporary use and would only offer short term accommodation over the winter months. Furthermore, the applicant has clarified that users of the shelter will be encouraged to seek more permanent forms of accommodation after the shelter closes.
- 10.20 The proposed layout is considered to be functional and practical and would adequately meet the needs of users and staff.

Design and Appearance

- 10.21 The proposal involves no external alterations.

Impact on Amenity

- 10.22 The hostel will be open 24 hours a day and be used by up to 20 people. Given the industrial character, it is considered the proposal would not result in any adverse noise or amenity impacts. Furthermore, Council's Environmental Health officer previously raised no objections in relation to noise impacts associated with the proposed use.
- 10.23 It is also considered the nature of the use will not impact on the amenities and operation of neighbouring commercial / industrial users.

Transportation Impacts

- 10.24 No objections have been raised due to the small scale nature of the use, its minimal servicing requirements and hours of use outside peak hours.

10.26 Officers have asked the applicant to confirm if there will be any vehicles picking up and dropping off users of the centre or if any meals will be dropped off for the homeless. Members will be updated in advance of or on the night of planning committee on this matter.

11. Community Infrastructure Levy (CIL)

11.1 As there is no new floor space created by the proposal, there is no liability to make a contribution under the CiL Regulations.

12. Conclusion

12.1 The proposed use of the premises as a temporary hostel for homeless persons is considered acceptable having regard to adopted policy and the presumption set out in the National Planning Policy Framework (NPPF), in favour of sustainable development.

12.2 The proposed development is considered to make efficient use of a previously vacant premises to make a positive contribution towards meeting specialist homeless accommodation in Enfield.

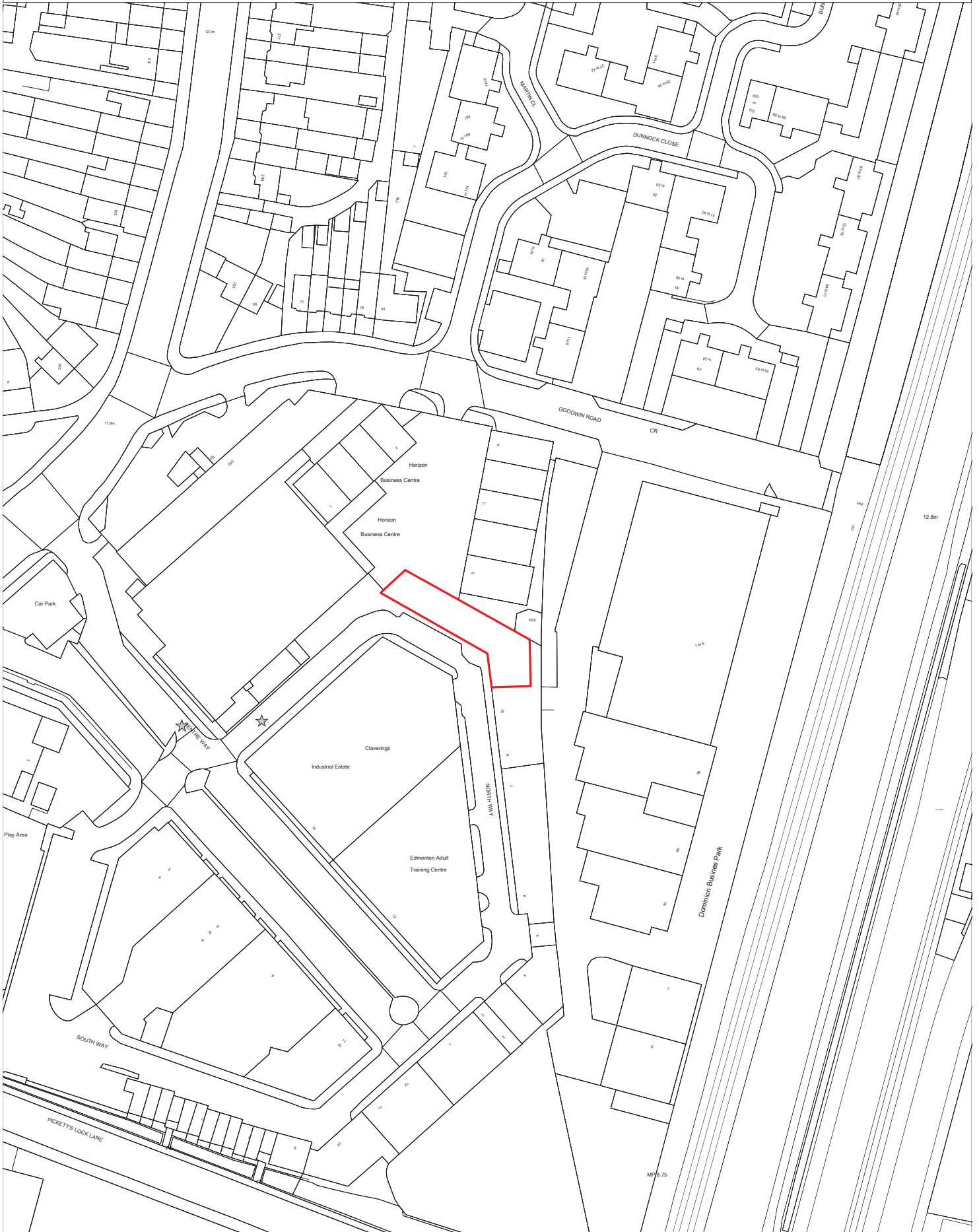
12.3 The proposal is considered acceptable in terms of land use over a temporary period, when considered against the surrounding context. The proposal is also considered acceptable in terms of its relationship to the existing industrial estate and the wider area.

12.4 This report shows that the benefits of the proposed development have been given due consideration and are sufficient enough to outweigh any perceived harm. In this respect the benefits are summarised again as follows:

- The proposal would deliver emergency shelter accommodation for the homeless during winter months for which there is an identified need more so in light of the current Covid -19 situation
- The temporary nature would not harm the long term role of the designated locally significant industrial land.
- The proposed change of use would be appropriately located and would not result in any harmful amenity or transportation impacts.

12.5 It is therefore considered the proposed development is acceptable and that planning permission for a further temporary period should be granted subject to conditions.

12 NORTH WAY, EDMONTON, N9 0AH



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright.

Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. London Borough of Enfield DENF003.

Scale:- 1:1250
Paper Size:- A4
Date:- 15 Oct 2019
Map Produced By Asset Information Team/FH



