

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 3 rd September 2024
Application reference:	240671 – Full Planning
Applicant:	London Walthamstow Ltd
Location:	543 Lea Bridge Road, Leyton, London, E10 7EB
Proposed development:	Change of use from hotel (Use Class C1) to temporary housing accommodation (Sui Generis) for a period of 3 years, internal alterations to facilitate the creation of 8 additional hotel rooms (increasing the number of overall rooms from 65 to 73).
Wards affected:	Lea Bridge
Appendices:	None

1. RECOMMENDATION

- 1.1 Recommendation to GRANT Planning permission under reference 240671 subject to conditions and informatives.

2. REASONS REFERRED TO COMMITTEE

- 2.2 The application is referred to planning committee due to the level of objections received across this application and the opposite site. The application(s) received 12 letters of objection. It is also acknowledged that the Council's Housing department have an interest in this proposal.

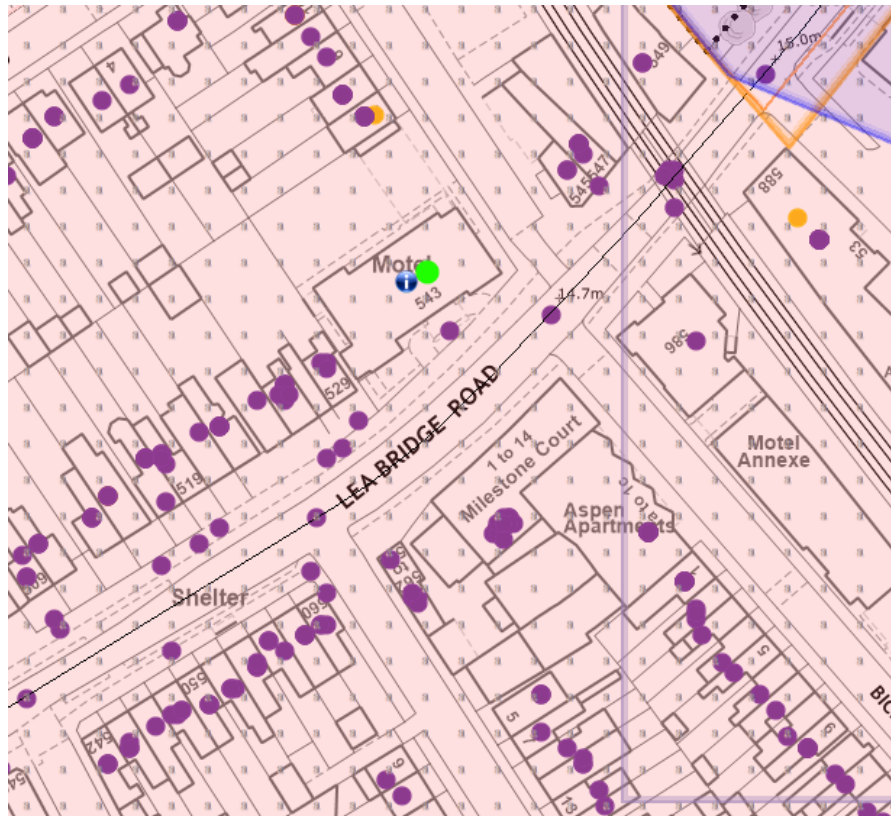
3. SITE AND SURROUNDINGS

- 3.1 The application site is a hotel located on the north-western side of Lea Bridge Road at its junction with Russell Road and formerly known as the 'Sleeping Beauty Hotel' and now called the 'Ibis Hotel'. The hotel spans both Russell Road and Lea Bridge Road, where there are variations in height across the site. The building currently varies between 3-4 storeys including accommodation within the roof space. The existing hotel comprises 63 guestrooms contained over the three floors and car parking spaces at the rear of the site. The hotel operates in conjunction with 586 Lea Bridge Road (opposite the application site) which is located on a separate parcel of land providing a further 143 guestrooms and car parking spaces. This proposes to rise to 148 under application 240672 also on this agenda.
- 3.2 The building's access points are from the rear car park which is accessed via Russell Road. The main entrance is located at the principal elevation which fronts Lea Bridge Road where there is also an off-street vehicle drop-off point. However, guests will access the site from the main entrance off Lea Bridge Road. Access through the rear entrance is controlled by reception and is for the purposes of car parking and cycle storage only.
- 3.3 The site is located within walking distance to Bakers Arms District Centre with many facilities and is well served by buses, with stops located close to the application site. Also, the site is served by Overground and Underground train stations which are a short distance away (Leyton Midland and Queen's Road overground stations and Walthamstow Central underground and Overground station).

3.4 Russell Road, a one-way street running from Lea Bridge Road to Boundary Road, runs along the northern boundary of the site and comprises traditional 2-storey Victorian terrace houses. Opposite these houses on Russell Road are industrial sites formed extending from the railway arches beneath the railway viaduct, providing car repair garages and Council-owned service building.

3.5 On the western side of the site are large 3-storey Victorian villas, fronting Lea Bridge Road, many with off-street parking at the front.

3.6 **Location Plan**



3.7 **Application site image**



3.8 **Aerial view**



3.9 The immediate surrounding area on Lea Bridge Road is formed of a mixture of commercial and residential properties, the commercial uses mainly fall within Use Class E. However, there is an existing tyre repair shop opposite the application site on Russell Road junction which falls within Use Class B2.

3.10 The site is not located within a Conservation Area, it is not listed and is not subject to any relevant Article 4 directions.

3.11 This application is accompanied by another full planning application for the adjacent building at 586 Lea Bridge Road opposite, also on this agenda, reference 240672, for a change of use to provide temporary housing.

4. APPLICATION PROPOSAL

4.1 Planning permission is sought for the change of use from C1 hotel use to temporary housing accommodation (Sui Generis) for a period of 3 years. The applicant is in

advanced negotiations with Waltham Forest Housing, with regard to the council acquiring the site for the limited time period for use as temporary accommodation to house homeless Waltham Forest residents.

- 4.2 The proposal includes minor internal works by the removal of the existing communal spaces on the ground floor to provide additional hotel rooms. Each room is provided with kitchen and bathroom facilities, and accommodates singles, couples and families, the latter being accommodated by the provision of interconnecting rooms.
- 4.3 It is also noted that if approved the residents would not be entitled to vehicular parking within either of the hotel car parks. As such, the proposal includes a defined external space within the existing car park for the enjoyment of the residents. The application site also includes secure cycle storage.

5. RELEVANT SITE HISTORY

A. Planning

- 5.1 The building was originally granted planning permission in January 1990 (89/0384). The permission was subject to conditions, with one restricting the change of use from hotel –

Condition 6 – The premises hereby approved shall not be used as a hostel, a bed and breakfast accommodation or any similar use for the provision of accommodation for the homeless but shall only be used as a hotel providing short stay accommodation.

- 5.2 The applicant, at that time, submitted an appeal to the Planning Inspectorate to remove this condition, but later withdrew their appeal.

The building has the following planning history –

- The construction of first and second floor rear extensions to accommodate additional hotel rooms was approved under application 221331.
- A two-storey rear extension was approved under application 194109 for additional hotel rooms.
- An additional floor was approved under application 193047 to facilitate the creation of additional hotel rooms.
- 38 rooms were deemed lawful at 543 & 586 Lea Bridge Road under lawful development certificate application 181242.
- The construction of an additional floor to facilitate the creation of additional hotel rooms was approved under application 162719.
- Alterations to facilitate the creation of additional hotel rooms was approved under application 162037.
- Formation of additional hotel rooms at ground floor level was approved under application 131309.

B. Pre-application Advice

- 5.3 None

C. Enforcement

5.4 An enforcement investigation was launched in November 2023 in relation to an unlawful change of use to an asylum hostel. It has since been confirmed that this unlawful use has ceased.

5.6 Alleged contraventions were reported in 2014 relating to extending the hotel and installing new windows, widening of driveway. Officers note that subsequent development has been approved at the application site since these investigations were launched.

Enforcement Notice

5.7 None

5.8 **D. Adjacent sites/ neighbouring properties**

5.9 **2 Russell Road**

233151	Lawful Development Certificate (Existing)-Use of property as hotel accommodation (Use Class C1).	Refused (with Reasons)
851059	Erection of a single storey flank extension	Approved (with Conditions & Informatives)
003206	Conversion into 2 self-contained flats, with provision of dustbin enclosure	Approved (with Conditions & Informatives)
110892	Conversion of two flats into a single dwellinghouse involving the erection of a part two-storey, part single-storey rear extension and the installation of a rear dormer window.	Approved (with Conditions & Informatives)
101617	Erection of part two-storey, part single-storey rear extension and formation of room in roof with a rear dormer window.	Refused (with Reasons)
042011	Formation of a room in the roof involving installation of a rear dormer window at first floor flat, as shown on drawing numbers 03118_RUS_001.B and 03118_RUS_003.A, received on 21 December 2004 and revised drawing number 03118_RUS_002.C, received on 11 February 2005 of the planning permission 2005/0070. Formation of a room in the roof involving installation of a rear dormer window at first floor flat	Approved (with Conditions & Informatives)

5.10 529 Lea Bridge Road

223551	Construction of a lower ground, ground and first floor rear extension together with enlargement of the existing rear dormer roof extension to facilitate conversion of two 1-bed self-contained flats at ground and first floor in to two 2-bed self-contained flats (Use Class C3) and all associated works.	Decision Pending
851190	Conversion into 3 self-contained flats	Approved (with Conditions & Informatives)
841280	Conversion into 3 flats	Withdrawn
610671	Retain advert hoarding on flank wall	Refused (with Reasons)
500481	A general and national advert hoarding	Approved (With Informatives)

6. PUBLIC CONSULTATIONS

- 6.1 Public consultation was initially carried out on 8th April 2024, with letters being sent to surrounding residents and occupiers with the following description given by the applicant:

“Temporary permission for local authority referred guest accommodation”.

- 6.2 This was revised on 12th April 2024 for clarification in planning terms for the consultees:

“Change of use from hotel (Use Class C1) to temporary housing accommodation (Sui Generis) for a period 3 years (Amended description)”.

- 6.3 A site notice was displayed on the site, dated 15/04/2024.

- 6.4 The application was amended to include the additional rooms on the ground floor, so further consultation, for 14 days was done on 5th August 2024, with the following description –

“Change of use from hotel (Use Class C1) to temporary housing accommodation (Sui Generis) for a period of 3 years, internal alterations to facilitate the creation of 8 additional hotel rooms (increasing the number of overall rooms from 65 to 73). (Amended description, revised drawings and facilities management plan).”

- 6.5 The Council consulted the following 80 properties surrounding the site:

- 1B Bickley Road – 1-9 (incl.) Aspen Apartments
- 560 - 586 Lea Bridge Road (Evens)
- 584B Lea Bridge Road – 1-14 (incl.) Milestone Court
- 523 - 529 Lea Bridge Road (Odds)
- 543 - 547 Lea Bridge Road (Odds)
- 4 - 10 Amberley Road (Evens)
- 2 - 8 Russell Road (Evens)

7. REPRESENTATIONS

Public Representations

- 7.1 As a result of the public consultations, to date, responses were received from 12 neighbours objecting to the proposals across both applications (543 and 586 Lea Bridge Road).
- 7.2 Officers note that objections were received stating that the proposal relates to a homeless shelter or that a homeless shelter would be constructed. Homeless shelters, by definition, will generally relate to those people who are living on the street. The proposal involves the provision of temporary housing, including emergency housing for those who are legally homeless or in priority need for housing (waiting on housing list and currently in private rented accommodation). Thus there are likely to be a range of occupiers from differing situations. .
- 7.3 All comments relating to the proposal being a homeless shelter or the construction of a shelter are summarised below.

Objection	Response
Homeless shelters often attract individuals struggling with various issues, including substance abuse and mental health disorders.	The proposal relates to the change of use of a hotel (C1 use) to temporary housing accommodation (Sui generis). The proposal does not involve any external building works.
Introducing a homeless shelter could disrupt the cohesion of existing residents by creating divisions and tensions among residents.	
The area needs people who care about its upkeep and future development, rather than those who may not have a vested interest in the community and its infrastructure.	
The proposed development threatens to significantly diminish the natural light received by adjacent properties.	
The design of the shelter fails to adequately address privacy concerns for neighbouring properties, posing a risk of intrusion and discomfort to residents.	
The proposed design, appearance, and choice of materials for the shelter are not sympathetic to the character and aesthetics of the neighbourhood, detracting from its visual appeal.	

There is also a risk of hazardous materials and unpleasant smells emanating from the shelter.	
The development may entail the removal of trees and vegetation, leading to ecological degradation and a loss of green space	

7.4 All other objections

Objection	Response
<ul style="list-style-type: none"> • Occupiers of the hotel are outside during the night making noise. • Increase in crime, including theft, vandalism, and disturbances 	The proposal includes a Facilities Management Plan to ensure that the accommodation is well run and that the future occupiers would be controlled. The Plan states that the site would be staffed 24/7, including on-site security throughout.
It may strain existing resources and infrastructure, such as parking and public services.	Officers are unable to address this concern without first receiving quantifiable evidence. However, it is noted that residents of the accommodation would not be entitled to on street parking permits, and neither would they be entitled to park within the hotel. During the assessment of the proposal, it was deemed that there is provision for NHS services and there are numerous schools within close proximity.
the proposed change would have a detrimental impact on the local environment and overall quality of life (eg. littering, graffiti).	This comment is unsubstantiated. There is no evidence to suggest that the future occupiers would reduce the quality of life for surrounding occupiers. A Facilities Management Plan would be put in place to manage the site and residents, so should any issues arise, residents will be able to make contact directly with the service.
The proposed conversion could have significant implications for the future investment and development of the area.	The proposal is for the temporary use of the hotel, there are no indications that this would stifle any future investments in the area.
Money used to fund this accommodation could be used in other ways to address issues with homelessness and various other pressing issues within the area.	There is a shortfall in properties to house the homeless and the costs of private rents are unsustainable for the Council. The proposed use of the buildings would be a fundamental saving and allow services to be easily targeted to this location.
The hotel could be repurposed as a mixed-use development incorporating	The hotel has been a longstanding establishment in this location, and well

residential (affordable and normal), leisure, commercial units and green spaces.	known across the borough. The Council are not aware of any plans by the owner, to redevelop the site.
The proposal appears to be in conflict with several planning policies, including government policy statements, the London Plan, the local development plan.	No details were given on the policies that are referred to. The full assessment of the application against current adopted policies is set out in this report. is given
The sizable site presents a valuable opportunity to expand Waltham Forest's Sixty Bricks development portfolio, thereby increasing the much-needed supply of affordable housing in the borough.	The Council is not the landowners of the application site and the site has not be identified for redevelopment.
It's vital to ensure robust support services, including mental health resources, addiction treatment, and rehabilitation programs, are provided alongside the shelter to facilitate successful reintegration into the community.	The proposed occupiers would have access to the Council's social and health services where required.

Internal & External Representations

- 7.5 The below table illustrates comments and representations received from the following noted bodies:

Consultee	Response
Planning Policy	<ul style="list-style-type: none"> No response received.
Transport Policy	<ul style="list-style-type: none"> No response received.
Highways	<ul style="list-style-type: none"> Provided a no comment response.
Environmental Health	<ul style="list-style-type: none"> No response received.
Refuse	<ul style="list-style-type: none"> the applicant would be entitled to residential collections as the site will be run by Waltham Forest Housing
Housing	<ul style="list-style-type: none"> No response received.
Met Police	<ul style="list-style-type: none"> Appropriate security measures should be incorporated prior to occupation if the scheme is supported. The site is within a high crime area.

8. PLANNING POLICY

- 8.1 Section 70(2) of the Town and Country Planning Act (1990) (as amended) sets out that in considering and determining applications for planning permission, the Local Planning Authority (LPA) must have regard to considerations including the provisions of the development plan and any local finance considerations, so far as material to the application, and any other material considerations.
- 8.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that “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”.
- 8.3 The Development Plan for the site, at the time of this report, comprises the London Plan (2021), and the Waltham Forest Local Plan Pt 1 (2024). Other planning policies are material considerations.

The London Plan (2021)

- 8.4 On Tuesday 2nd March 2021, The Mayor of London published the replacement London Plan. From this date it forms part of the Development Plan for the purpose of determining planning applications.
- 8.5 The 2021 London Plan supersedes the 2016 London Plan, which no longer has any effect. The relevant policies within the London Plan 2021 are:

- GG1 Building strong and inclusive communities.
- GG2 Making the best use of land.
- GG3 Creating a healthy city.
- GG5 Growing a good economy.
- GG6 Increasing efficiency and resilience.
- 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.
- D11 Safety, security and resilience to emergency.
- D12 Fire safety.
- D14 Noise.
- H3 Meanwhile use as housing.
- H12 Supported and specialised accommodation.
- S1 Developing London's social infrastructure.
- SI 13 Sustainable drainage.
- T4 Assessing and mitigating transport impacts.
- T5 Cycling.
- T6 Car parking.

Waltham Forest Local Plan Pt 1 (2024)

- 8.6 The draft version of the Local Plan underwent Regulation 18 public consultation between July 2019 and September 2019 and consultation on the proposed submission version between 26 October 2020 and 14 December 2020. It underwent examination and consultation on proposed modifications concluded on 21 September 2023. The Waltham Forest Local Plan (LP1) was subsequently adopted 29 February 2024 and therefore now forms a key part of the development plan in determining all planning

applications. The previous Core Strategy (2012) and Development Management Policies (2013) are superseded by LP1.

8.7 The policies considered relevant to this application are as follows:

- Policy 21 Supported and Specialist Accommodation
- Policy 57 Amenity
- Policy 58 Making Places Safer and Designing Out Crime
- Policy 61 Active Travel
- Policy 63 Development & Transport Impacts

9.0 MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework (2023) and 2024 consultation on revisions

9.1 The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It is material consideration in planning decisions but does not change the legal status of the Development Plan. It contains a presumption in favour of sustainable development, described as at the heart of the framework.

9.2 It contains a presumption in favour of sustainable development, described as at the heart of the framework.

9.3 For decision-taking the NPPF states that the presumption means "approving development proposals that accord with an up-to-date development plan without delay" and where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".

9.4 The NPPF gives a centrality to design policies; homes should be locally led, well-designed, and of a consistent and high-quality standard. Local planning authorities (LPAs) are to make sure that the quality of approved developments does not materially diminish 'between permission and completion, as a result of changes being made to the permitted schemes'.

9.5 The specific policy areas of the NPPF considered to be most relevant to the assessment of this application are as follows:

- Making effective use of land

Local Finance Considerations

9.6 Local Finance Considerations are a material consideration in the determination of all planning applications. Local Finance Considerations can include either a grant that has been or would be given to the Council from central government or money that the council has received or will or could receive in terms of Community Infrastructure Levy (CIL).

i. There are no grants which have been or could be received from central government in relation to this development.

- ii. The Council has not received and does not expect to receive any income from LBWF CIL in relation to this development.
- iii. The Council has not received and does not expect to receive any income from Mayoral CIL in relation to this development.

10. ASSESSMENT

10.1 The main issues for consideration, in relation to the proposed development are as follows:

- A. Principle of development.
- B. Quality of accommodation.
- C. Design & character.
- D. Amenity.
- E. Waste management.
- F. Active Travel.
- G. Secure by design.

A. Principle of development

10.2 The Homelessness Act 2002 places a duty on local authorities to formulate a homelessness strategy. This strategy must include provisions for securing satisfactory support for homeless people or those who have been housed but require support to prevent homelessness again. It is noted that residents have a variety of reasons for becoming homeless such as landlords selling properties; end of private tenancies; unaffordable rent increases resulting in arrears; family/friend ejections and relationship breakdowns (This list is not exhaustive).

10.3 As stated above, Waltham Forest Housing is in advanced negotiations with the applicant to acquire the accommodation, across both sites to house homeless residents of the borough, so that they can remain in the borough.

10.4 Waltham Forest's homelessness strategy is still in the process of gaining adoption, however, there are still key statistics within this draft document which will remain pertinent irrespective of whether this document is adopted in its entirety.

- During the 2021 to 2022 financial year, 1,757 households in Waltham Forest were owed a duty under the Homelessness Reduction Act. This equates to 16.9 households per 1,000 (The national average is 11.7 per 1,000 and London average is 14.7 per 1,100).
- The biggest cause of homelessness in Waltham Forest in 2022/23 was eviction from family and friends' accommodation (34% of all presentations that year).
- In 2022/23, 26% of all presentations were from applicants who were at risk of homelessness from an Assured Shorthold Tenancy in the private rented sector.
- 50% of people owed a prevention duty were living in the private rented sector.
- House prices in Waltham Forest have increased by 118% in the last ten years
- The average private rent in Waltham Forest increased by 42% between 2011 and 2019.
- 9 in every 1,000 Waltham Forest residents were assessed as homeless – the 4th highest in Outer London.
- Over 8,000 households are currently on the Housing Register.
- 9 in every 1,000 residents in Waltham Forest is living in Temporary Accommodation.
- The average asking rent in Outer London has increased by 13% between 2022 and 2023.

- The draft homelessness strategy also states that rough sleeping within the borough is increasing year on year. The most recent data available is from 2022 and notes that on average at least 27 rough sleepers could be found each night during the autumnal nights in the borough.
- 10.5 London Plan Policy H12 on supported and specialised accommodation states *'the delivery, retention and refurbishment of supported and specialised housing which meets an identified need should be supported.'* Local Plan Policy 21, subsection B states that supported and specialist accommodation will be supported by requiring new supported and specialist developments to:
- I. Be of high-quality design, meeting the requirement(s) of a specific user or group.
 - II. Meet the definition of supported housing and specialist accommodation.
 - III. Meet identified housing needs.
 - IV. Be well connected to facilities, social infrastructure and health care.
 - V. Be well served by public transport.
- 10.6 Subsection I states that the design must be of high quality and meeting the requirements of a specific user group. The application building already exists and no further changes have been proposed except minor alterations to the layout at ground floor level. If the proposal is approved, the accommodation would be offered to Waltham Forest Housing to enter into a formal agreement with the landowner where the building will be used as temporary accommodation for Waltham Forest residents.
- 10.7 With regard to subsection II, the proposed use satisfies the definition of 'specialist accommodation' which is defined as *"Self-contained accommodation for people who require no or a low level of support"*. Each room contains its own bathroom facility and kitchenette, as such can be defined as self-contained.
- 10.8 Waltham Forest like most local authorities is struggling with the demand for temporary accommodation. Therefore, housing placements are not always within the borough. The cost of temporary accommodation in and out of the borough is placing an unsustainable strain on the finances of the council. Out of borough placements are also disruptive for residents, breaking links with family, friends and education and health providers. The use of the building by Waltham Forest Housing will go some way meet an identified need as per subsection III. Paragraph 10.3 quantifies the identified need using statistics.
- 10.9 Within 1.5 miles from the application site there are 13 GP Surgeries that are still accepting new patients from within this catchment area. There are 19 Dentists within 1.5 miles from the application site, 7 Dentists are still accepting new patients and 5 have not updated their status (*This information is readily accessible via the NHS find a service website <https://www.nhs.uk/nhs-services/services-near-you>*). There are 11 state funded primary schools rated as good or better within close proximity. There are also 5 state funded secondary schools rated as good or better within walking distance/ public transport (*This information is readily accessible via the central government website located using the following link <https://www.gov.uk/school-performance-tables>*).
- 10.10 The application site has a PTAL rating of 6a which demonstrates that it is served extremely well by most means of public transportation. The application site is also within walking distance to the Bakers Arms District Centre. Taking all points into consideration the application site is *'well connected to facilities, social infrastructure, health care and public transport'* and therefore consistent with subsections IV and V (*This information is readily accessible via the Transport for London website*

<https://tfl.gov.uk/info-for/urban-planning-and-construction/planning-with-webcat/webcat>).

- 10.11 As demonstrated within the above points, the application site satisfies the requirements of Policy 21 and therefore the principle of development has been established.

B. Quality of accommodation

- 10.12 There are no national, regional, or local planning policies that specify technical housing standards for hotel rooms, but there is a general guide of a minimum of 9sqm for a bedroom.
- 10.13 The rooms within the hotel building range from 12.3sqm to 30.4sqm and will include 12 rooms on the ground floor for disabled visitors/residents. The rooms therefore comfortably exceed the minimum guide.
- 10.14 Policy 21 of the Local Plan, subsection I states that specialist development must '*Be of high-quality design, meeting the requirement(s) of a specific user or group*'. The Homelessness Code of Guidance for Local Authorities (2024), Chapter 17 Suitability of accommodation, sets the framework how local authorities (housing) will assess that accommodation meets the requirements of the intended user group. This assessment may take into consideration medical and/or physical needs; physical access to and around the home, space, bathroom and kitchen facilities, access to a garden and modifications to assist people with sensory loss as well as mobility needs (this list is not exhaustive). Therefore, as Waltham Forest housing will be entering into a contract with the landowner, Officers are aware that the Housing service are satisfied with the accommodation and that the building will meet the requirements of the intended user group that would be placed.

C. Design & Character

- 10.15 The application demonstrates that there will be minor internal alterations at ground floor level to facilitate the creation of 8 additional hotel rooms. No extensions or external alterations have been proposed as part of this application so there are no issues relating to urban design matters.

D. Amenity

- 10.16 Policy 57 states that new development should respect the amenity of existing and future occupiers, neighbours and the surrounding area by avoiding harmful impacts from overlooking, enclosure and/or the loss of privacy, outlook and daylight/sunlight, air pollution, odour, noise and vibration and/or light pollution. There must also be adequate provision for the collection and storage of refuse.
- 10.17 Officers acknowledge the large number of objections that this proposal has received from local residents concerned that a large number of homeless people being introduced into the immediate area would be detrimental to their quality of life.
- 10.18 There are perceived issues relating to anti-social and nuisance behaviour, which may be linked to or perpetrated by residents of the proposed facility. It is acknowledged that the previous use of the hotel resulted in a number of issues that for surrounding residents. The protection of the surrounding area from these issues has been taken

into account for the current application. A Facilities Management Plan accompanies this application which provides an overview of staffing and management, security arrangements and how anti-social behaviour will be dealt with.

- 10.19 The building would have visible on-site staff, including security staff for 24 hours a day, 7 days a week, which can be increased when necessary. Their presence around the building would monitor and manage guests and be a point of contact for external and internal residents should any issues arise. The application site will have full coverage 24/7 CCTV and Housing have requested a further additional security person who would float between the two sites covering both internal and external areas (this will be included in the management plan).
- 10.20 The plan has had the oversight of the Housing service and if minded for approval a condition will be attached requiring a detailed management plan that would include, management contact details, complaints procedure, servicing and outdoor play area controls that would be available to the public.
- 10.21 Unfortunately, there is a negative stigma associated with homeless people who regularly experience prejudice and discrimination. Homelessness can affect anybody at any stage of life and therefore it is important that the Council continues to provide services to support people that are in genuine need of support.
- 10.22 In relation to the amenity requirements for the future occupiers, the majority of the existing rear car will provide external amenity area of 255sqm for the residents. The operating times of this area will be agreed through a detailed Facilities Management Plan, to ensure that the use will not result in unacceptable disturbance for the surrounding occupiers.
- 10.23 As the proposal does not seek approval for further extensions or external alterations, aside from the provision of the amenity area, there are no additional amenity concerns to consider in relation to further development of the building.
- 10.24 Officers are satisfied that this element of the proposal is consistent with the aims and objectives of Policy 57.

E. Waste Management

- 10.25 Policy 57 states there must be adequate provision for the collection and storage of refuse and recycling. The applicant has indicated that the current provision is for collections 3 times per week from the holding area along Russell Road. The applicant has not indicated that this arrangement will change. As part of the assessment of this proposal refuse colleagues were consulted and they advised that the applicant would be entitled to residential collections as the site will be run by Waltham Forest Housing. However, it is noted that collections would be once per week.
- 10.26 If the applicant continues with the existing arrangement or moves over to Council run collections either option is considered acceptable. As such, officers are satisfied that this element of the proposal is consistent with the aims and objectives of Policy 57.

F. Active travel

- 10.27 Policy 61 states that all new development will be expected to support a shift to active transport modes and encourage an increase in walking and cycling.

- 10.28 Officers note that the application site is adjacent to segregated Lea Bridge Road cycle lane. Subsection G of policy 61 states that development proposals must ensure that the provision of secure public and on-site cycle parking facilities for occupiers and visitors, that are compliant with Waltham Forest Parking Standards, London Plan requirements and London Cycling Design Standards (LCDS), at prominent locations within the development site are provided. As stated earlier, there are no standards with regard Temporary Accommodation. Officers consider HMO use the closest use in terms of Parking Standards for bicycles. Appendix 1, states that HMO accommodation must provide 1 bike space for every habitable room.
- 10.29 Therefore, as the application site has capacity for 73 habitable rooms there must be an onsite secure cycle provision for 73 secure cycle spaces for the residents/ guests. However, if this level of onsite secure cycle storage is provided, it would compromise the level of external amenity space provided. The applicant has given an indication on the proposed plans that they could accommodate 15 secure cycle stands. This provision is considered acceptable.
- 10.30 Although an indication has been provided of the location of the secure cycle stands the details of the secure cycle stands have not been provided. As such, if minded for approval a condition will be inserted stating that the specific details of the secure cycle stand(s) must be provided.
- 10.31 The proposal would be considered consistent with the aims and objectives of Policy 61.

G. Secure by design

- 10.32 Policy 58, subsection A states that to improve community safety and cohesion the Council will work with partners to minimise opportunities for criminal behaviour by requiring all forms of new development to incorporate Designing out Crime and Secured by Design principles.
- 10.33 The applicant has confirmed within the Facilities Management Plan that the following measures will be in place:
- 24/7 security and staff (1 permanently onsite with a further security person floating between the two sites both internal and external areas).
 - Building entrances provided with CCTV cameras and reception is manned 24/7.
 - Gates providing access to the car park are swipe card controlled and all guests enter through the main pedestrian entrance only.
 - Anyone entering the hotel is required to check in with security on-site. If they are not registered to stay, then they will be asked to leave.
- 10.34 The Metropolitan Police provided additional suggestions to make the building and site secure, these suggestions will be provided directly to the applicant.

11. CONCLUSION

- 11.1 In summary, the proposed change of use and internal alterations at 543 Lea Bridge Road are considered appropriate and acceptable in principle. The proposed operation would support the boroughs housing crisis for a temporary period whilst long term solutions are developed.

- 11.2 The scheme will satisfactorily adhere to the local and national policy framework within the Council's Local Plan, and is therefore recommended to be approved, subject to conditions and informatives.

12. ADDITIONAL CONSIDERATIONS

Public Sector Equality Duty

- 12.1 In making your decision you must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
- a) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - b) Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
 - c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
 - d) The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 12.2 The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 is only one factor that needs to be considered and may be balance against other relevant factors.
- 12.3 It is considered that the recommendation to approve permission in this case would not have a disproportionately adverse impact on a protected characteristic.

Human Rights

- 12.4 In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as the London Borough of Waltham Forest to act in a manner that is incompatible with the European Convention on Human Rights.
- 12.5 You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

13 RECOMMENDATION

- 13.1 The Planning Committee is requested to resolve that planning permission be granted subject to the following conditions and informatives.

CONDITIONS AND REASONS:

1. The development hereby permitted is limited for a period expiring on 30th September 2027 at which time the use shall cease and return to its former use as a hotel (Use Class C1)

Reason: In the interests of land use, expected operational need, and having regard to neighbouring amenity.

2. The development hereby permitted shall be carried out in accordance with the approved plans and supporting documentation and thereafter maintained as such for the lifetime of the development.
 - **Plan(s) numbered:** L001 Rev 7 (Proposed ground floor plan) **dated:** 15/07/2024
 - **Plan(s) numbered:** L001 Rev 1 (Existing ground floor plan), L002 Rev 1, L003 Rev 1, L004 Rev 1 **dated:** 11/03/2024
 - **Plan titled:** Location Plan (15/03/2024)
 - **Document(s) titled:** Facilities Management Plan (July 2024), Planning Statement (March 2024), Fire Risk Assessment Report (07/12/2024), Assembly Co-ordinator – Version 2 (October 2019), Reception Fire Alarm Actions Checklist - Version 2 (September 2017), Reception Fire Procedures - Version 3 (September 2019), Staff Fire Procedures – Version 2 (September 2017).

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Within 3 months of the first occupation of the use a Detailed Management Plan shall be submitted to the Local Planning Authority. This document must include the following details –
 - Security arrangements – numbers of staff and contact details where issues or concerns may arise
 - A formal complaints process stating how complaints can be made, how they are acknowledged and logged and escalated where necessary. Details of all servicing arrangements, including regular deliveries and time
 - Management of the outdoor play area and times of operation

The development shall be operated in accordance with the approved Plan.

Reason: To ensure safe and considerate operation of the site whilst also protecting the amenities of the nearby residents and surrounding area ensuring that any disruption is kept to a minimum in compliance with Policy 57 (Amenity) and Policy 58 (Making Places Safer and Designing Out Crime) of the adopted Waltham Forest Local Plan Part 1 (2024).

4. Within 3 months of the first occupation of the use full details of the design and location of secure and lockable cycle stores for a minimum of 15 cycles, shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented within 3 months of the date of the approval operate in accordance with the approved details and shall thereafter be maintained for the lifetime of the development.

Reason: To ensure that adequate arrangements are made for the safe storage of bicycles in compliance with Policy 60 and 61 of the adopted Waltham Forest Local Plan Part 1 (2024).

Informatives:

1. This notice is without prejudice to your responsibilities under any other legislation.
2. This determination does not constitute permission to build under the Building Regulations 2010. Works should not commence until any appropriate building regulation applications have been submitted and where necessary approved.
3. To assist applicants the Local Planning Authority has produced policies and provided written guidance, all of which is available on the Council's website and which have been followed in this instance. The Local Planning Authority delivered the decision in a timely manner.
4. Security advice/comments were received from the Metropolitan Police Service which have been forwarded directly to the applicant for consideration. This advice should be incorporated wherever possible within the detailed Management Plan. C –