



PLANNING STATEMENT

22 Moorefield Road, London, N17 6PY
ADA/AB/20230207

ADA GROUP
The Wenta Business Centre,
1 Electric Avenue,
Innova Park, Enfield, EN3 7XU
www.adagroup.org.uk

PLANNING STATEMENT

22 Moorefield Road, London N17 6PY

Site and surrounding

The application site is a former postal sorting office, part single and part two storey building with flat roofed extensions and pitched roofs with gable ends on the eastern side of Moorefield Road.



To the rear of the site backs onto the railway line and Bruce Grove Railway Station.

The application site is the last commercial building and from this point on the residential houses starts.

To the west of the Moorefield Road, there is a builders merchant storage area where big lorries carry building goods in and out and to the south of this site there is an active Royal Mail Tottenham Delivery Office with 20 off-street car parking spaces and this building is in use 24 hours a day throughout the week.

The building is occupied as learning and non-residential institution and local community use and it is called 'North London Community House'. The site has a vehicular access with five off-street car parking spaces, a coffee shop, an entrance hall, a large hall, classrooms, storage and offices.

The application site is on a road that has recently become a low-traffic neighbourhood (LTN) and there is no entry from and to Bruce Grove (A10).

The street benefits from Controlled Parking Zone (CPZ) and parking is restricted Mondays to Saturdays 8 am until 6.30 pm and event days Monday to Fridays 8 am until 8.30 pm and Saturdays and Sundays 8 am until 8 pm and Public holidays from noon until 8 pm.

The premises benefits from a premises licence where it allows late night refreshments Monday to Sunday until 23:30 and opening hours of premises to: Monday to Sunday 08:00 to 00:00. This is approved under Licensing Act 2003 on 28th July 2008 by Haringey Council Licensing Team.

The site also benefits from a planning approval for D1 use and since 2007, over the years, there were several applications to extend the allowed opening hours without any success. There was also a Breach of Condition Notice served to the premises however during all these enforcement visits and complaints, applicant or the Council did not question if the use was a D1 only and this only surfaced after the recent PCN notice on the premises.

History

- HGY/2007/2150 Change of use from Postal Sorting Office (A1) to Community Centre (D1), with associated alterations to attached side building to provide canteen – Approved 11/12/2007
- HGY/2013/0265 Installation of external metal staircase from ground to first floor and insertion of new ground and first floor doorways to north elevation – Approved 02/04/2013
- HGY/2013/0265 Installation of external metal staircase from ground to first floor and insertion of new ground and first floor doorways to north elevation – Approved 05/04/2013
- HGY/2016/2700 Variation of Condition 4 (hours of operation) following a grant of planning permission HGY/2007/2150 so that the premises should not be open before 08:00 or after 23:00 Sunday to Thursday and before 08:00 or after 23:00 on Fridays and Saturdays – Refused 05/10/2016
- CON/216/0730 Breach of Condition 4 (opening hours) of HGY/2007/2150 – Breach established
- HGY/2017/0783 Variation of condition 4 (opening hours) attached to planning permission HGY/2007/2150 to extend the hours of the community centre to the public to 08:00 – 23:00 hours on Monday to Sunday or Bank Holidays – Refused 25/04/2017 – Appeal dismissed 03/11/2017
- HGY/2019/1375 Installation of mezzanine floor with dormer window – Refused 05/07/2019
- CON/2022/00404 PCN notice to gain information – 18/01/2023,

Proposal

Certificate of Lawful Development (Existing) use of the site as mixed uses of Class F.1 (Learning and non-residential institutions) and Class F.2 (Local community).

Submitted documents

- Statutory Declaration of Mehmet Sumbul – Operations manager of the site confirming F1 and F2 mixed use of the site since 2014 to date.
- Statutory Declaration of Orhan Dil – Director of the site confirming mixed use of the premises since the opening of December 2007.
- Statutory Declaration of Ahmet Sezgin – Operations manager of the site from 2008 until 2014 confirming mixed use of the premises.
- Festival posters – 2013 until 2022 showing activities, events in the premises. Large gatherings, etc.
- Festival posters online – 2020 and 2021, due to Covid restrictions, these festivals were online.
- Invitations of events (weddings and parties) to the site – these are several and from 2010 until to date. Large gatherings with catering, photography, decorations, etc.
- YouTube screen shots of events at the site since 2014.
- Social, cultural events, art events – 2013 to date
- Letter from Hazal Catering – confirming large events catered by them since 2008 to date.
- Letter from Mira Wedding Photograph – confirming they regularly attended to site to film and photo the events since 2014 to date.
- Platin Photography's letter – confirming regular attendance to site to film and photograph the large events.
- Prime Photo and Video's letter– confirming regular attendance to the site to film and photograph the large events since 2014.
- Safak Catering letter – confirming they organise weddings at this location since 2008.
- Tac Wedding Services' letter – confirming they décor and cater events since 2012.
- The Pentecostal Church of Mangembo's Letter – Confirming that this Christian community uses the main hall twice a week last 6 years.
- Tottenham Hotspur Foundation's Letter – confirming last 8 years they have been workshops and sessions in the premises.

- Haringey Trades Union Council's Letter – confirming activities and events within the premises.

Please note that if the above evidence is not sufficient, we can provide further. Also, there are Councillors, members of public, neighbours and our members who can vouch on the uses of this property if required.

Uses

There are several uses within the premises:

Café – serves hot and cold food and drinks.

Drop in services – range of services such as library, satellite TV for users to socialise, watch news, read newspapers, a bookshop, access to free Internet, etc.

Advice – general, benefits, disability welfare, housing, etc.

Health – health and wellness advice, workshops, activities, mental health seminars and help, etc.

Youth services – after school and weekend clubs (for maths, English, chess, art, music classes, advice on education, training and employment, health, family and relationship matters, digital skill courses, CV writing, outdoor activities and classes, sport clubs, etc.

Women's services – breakfast clubs and crafts classes, health information, indoor and outdoor activities, etc.

Education – Supplementary classes. For adults and children according to requirement and demand.

Traditional festival organisation – every year in a local park with numerous activities.

Main Hall rent for public.

Councillors' monthly surgeries, community group meetings, book launches, etc.

North London Community House is a community organisation and registered charity established in April 2007 by the Turkish, Kurdish, and Turkish Cypriot members of the community. The organisation's work and services focus on active community participation and integration into mainstream life. NLCH realises this ethos by providing services which respond to evolving needs of socially disadvantaged and excluded young people, women, and families within a social and educational framework.

The organisation's current work includes a community centre based in North London where community members can drop in 7 days a week. While attending, users can access generic advice and information services, meet and socialise with others, use the centre's ICT services, get involved in community activities and spend their time constructively. Besides these, NLCH's work also features regular social and cultural activity classes and events for all ages, information sessions and training opportunities on community needs such as welfare, housing and health, a supplementary school, regular women's activities including ESOL, literacy and arts classes and community events participated by hundreds of people from the community.

Through its activities and events, the centre aims to empower its community members to become active citizens. It aims to ensure all its members can take part in educational or employment-based facilities that are not just users but also contributors to the services they benefit from. In providing this, the centre works to meet the below objectives which it sees as the crucial aspects of its work:

- Providing a community and drop-in centre
- Community capacity building
- Advancement of education
- Advice, advocacy and counselling
- Promotion of Equality and Diversity
- Promotion of Human Rights
- Promotion of Racial Harmony
- Promoting integration and to life in UK
- Refugees / Those Seeking Asylum
- Sustainable development
- Young People's Services
- Women Services

- Social, Cultural and Educational Activities.

The organisation was established in April 2007 as a membership organisation, and we have operated from this location since December 2007. Our services and activities target mainly, but not exclusively, members of Turkish and Kurdish communities living and working in London. They include migrants who often have difficulties linking into mainstream opportunities, families experiencing poverty and economic disadvantages, socially excluded young people, women, older people, and recent migrants who have no recourse to public funds receiving little or no support. The organisation provides its services mainly in the boroughs of Haringey, Enfield, Hackney and Islington, where this community is largely found. As a membership community organisation with an ethos of contributing to the development of inter-community relations, services are open to all and users are represented in the organisation's MC and other committees that direct service delivery. Some of the timetabled services are as follows:

Activities	Days
Supplementary School Maths KS1&2	Every Monday
Supplementary School English KS1&2	Every Monday
Drama Year's 3&4 and 5&6	Every Tuesday
Chess Year's 3&4 and 5&6	Every Saturday
Saz / Baglama Lessons	Every Saturday
Guitar	Every Saturday
Piano	Every Saturday
Piano	Every Wednesday
Drama (Adults)	Every Monday
Art (Adults)	Every Thursday

Marbling Art (Adults)	Every Friday
Choir (Adults)	Every Tuesday
Laps Photograph (Adults)	Every Tuesday
Social and Cultural discussion activities	Once a month Every Tuesday
Offices: Used regularly for small meetings for community groups, Councillors surgeries, etc.	Mon-Fri Sat & Sun & Bank Holidays
Entrance Hall: Café/Library/IT access/Drop-in sessions/Seminars/Plays, etc	Mon-Fri Sat & Sun & Bank Holidays
Main Hall: Rented for events all day or as day or evening rental; for weddings, birthday parties, religious activities/celebrations, trade union meetings, etc. regularly.	Mon-Fri Sat & Sun & Bank Holidays

Apart from these, regular awareness-raising sessions about integration, the education system and the curriculum are provided alongside health-related meetings, provided mainly through external links, for the youth and the women.

The organisation also provides regular social and cultural events, specifically for young people, such as social nights and away days, and regular women's celebrations, such as the international women's day celebrations.

The volunteers largely provide the services at the centre on a volunteer basis. Despite this, the organisation's services are thought to reach around 6000 people annually.

The organisation has its own facilities, such as the large premises, which includes a café and a large hall where community events are held. NLCH is in the Bruce Grove ward of Haringey, where issues of social deprivation, lack of regeneration and economic opportunities, crime and inequality are prevalent, as confirmed by the fact that it was the locality where the 2011 Summer Riots had set off. NLCH listened to the problems and demands of the people in this

community. In order to meet their needs, we met at a common point, provided support, and acted collectively for the people of Haringey to ease their problems.

During the covid pandemic, North London Community House provided food parcels and meals to single parents and low-income families in isolation due to Covid-19. The support was also expanded to older people with health issues, self-employed and employed, as well as the recent migrants on temporary visas, refugees and undocumented migrants who lost their income. We immediately expanded our food relief services by including hot meals, snacks, fresh fruit and drinks for children and young people during the pandemic, including the weekends and school holidays.

Currently, NLCH is running projects to help the community in North London. One of the projects is called High Culture and it is funded by Arts Council and Lottery Heritage Fund. This project supports Artists, premises, and promoters to present artistic work in spaces along the high road. It also targets local communities to deliver well managed events including advice and safety, projects planning and management.

One other successfully on-going project is called Homecooked and it is funded by the Bridge Renewal Trust. This project targets marginalised and economically disadvantaged Turkish/Kurdish/Turkish Cypriot children. A school based mentoring service through NLCH is to repair relationships between the child and the school with a particular remit to raise their level of educational achievement in school. Therefore, monthly parenting and family-based workshops are held to provide opportunities to improve their knowledge and understanding of the education system in England and the challenges children face and gain skills to engage in their development.

NLCH is a mutual meeting venue for national and local unions and campaign groups, primarily used to hold their meetings and events for their members, which indicates that North London Community House has crucial existence within the Haringey Borough and have had hosted many members from the local and national community to be able to use its services provided and take advantage of the space it has.

Lawful Nature of the Existing Development

The premises gained a planning permission in December 2007 and the use started straight away after the approval. Whilst the 'original' use of the property has always been D1 and D2 mixed use, operated under D1 since that date.

The applicants are now advised by planning consultants that their use is not only F1 (formerly D1) but mixed use and requires planning permission.

However, the use was same since 2007, it is likely to be lawful as the same uses (mixed F1 and F2 uses) were in place for over 10 years.

Section 191(a) of the Act states that an application for a Certificate of Lawfulness of Existing Use or Development should be submitted if '... any person wishes to ascertain whether ... any existing use of buildings or other land is lawful'.

In this case, the applicant wishes to certify that the established use of the land and buildings at 22 Moorefield Road, Tottenham N17 6PY is within Classes F1 and F2 and that any operation in that Classes are lawful.

The land and buildings were used as provision of education and local community events since December 2007 and this is confirmed via several evidences. The centre provided training, courses, advice, festivals, events, weddings, display of works of art, recreational places and halls and meeting places since 2007 from this site.

Please see the detailed information regarding centre's activities and aims from the centre's website:

<https://daymer.org/>

The declarations, letters, invitations, posters submitted for the last 10 years. The land and buildings are occupied by North London Community House Ltd continuously for over 10 years and according to GPDO this use now falls within use classes F1 and F2.

On 21 July 2020, Statutory Instrument 2020 No.757 was laid before parliament by the Government. It comprises a number of changes to the Town and Country Planning (Use Classes) Order 1987 (the 'Use Classes Order'). The changes outlined within the Statutory Instrument became effective on 1 September 2020.

As set out above, the established use of the building is for 'Learning and non-residential institutions and local community'. These uses were formerly classified within Use Classes D1 and D2 of the Use Classes Order prior to 1 September 2020.

Statutory Instrument 2020 No 757 introduces amendments to the Use Classes Order which seeks to simplify the classification of commercial uses. The effect of the new legislation is to revoke Use Class D and replace this class with F1 and F2 Classes as well as several newly defined 'Sui Generis' uses.

It follows that the use of all the floorspace and land at the Site is now correctly described as being within Class F.1 and Class F.2 of the Use Classes Order as it is 'learning and non-residential institution' and 'local community'.

As the Local Planning Authority will be aware, moving from one operation to another within the same use classification is not development as defined by Section 55(2)(f) of the Town and Country Act 1990 ('the Principal Act'). Section 55(2)(f) states:

(2) The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land –

(f) in the case of buildings or other land which are used for a purpose of any class specified in an order made by the Secretary of State under this section, the use of the buildings or other land or, subject to the provisions of the order, of any part of the buildings or the other land or, for any purpose of the same class.

The building and land has been used for 'learning and non-residential institutions' (Formerly Class D1) and 'Local community' (Formerly Class D2). The use classification of this operation has fallen since 1 September 2020 within Class F.1 and Class F.2 of the Use Classes Order.

It follows that the existing lawful use of the site at 22 Moorefield Road, London N17 6PY is for any operation within Class F1 and Class F2 of the Use Classes Order.

Summary and Conclusion

The application seeks to certify that the existing use of the building is in 'learning and non-residential institutions' and 'local community' uses continuously for over 10 years and these uses fall in Classes F1 and F2 and any operation within Class F1 and F2 is therefore lawful.

Section 55(2)(f) of the Principal Act is explicit that moving between operations within the same use classification does not constitute development of land.

In light of the above and submitted information, we respectfully request that the Council issues a Certificate, under Section 191 of the Act, to confirm that the use of the building and land is 'learning and non-residential institutions' and 'local community' falls under F1 and F2 and use of premises as these mixed uses are lawful.