

London Borough of Hackney Equality Impact Assessment Form

Title of this Equality Impact Assessment:

Article 4 Direction for Permitted Development Rights for Class E Use (commercial, business and service) to Class C3 Use (residential) on Ridley Road, Dalston E8.

Purpose of this Equality Impact Assessment:

To initially assess the potential impacts on certain individuals or equality groups that could be affected by the implementation of a non-immediate Article 4 Direction (A4D) withdrawing the permitted development (PD) rights for development consisting of a change of use to a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order. This is contained in Class MA, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021.

The area affected is for Ridley Road, Dalston E8 (17 - 93 (odd) Ridley Road), 1a St Marks Rise, and land to the rear of 4 Colvestone Crescent, Dalston E8.

Following endorsement by Cabinet, the A4D will be issued and would undergo a consultation period of 6 weeks. If intending to proceed permanently with the A4D, the Council will need to confirm the A4D following the 12 month notice period, on the date provided by the notice. If, following consultation, it is recommended to confirm the A4D, a further EqIA will be produced to assess any impacts on equalities, particularly with any information gained from the consultation process.

Officer Responsible: *(to be completed by the report author)*

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Directorate: Housing, Climate & Economy	Department/Division: Spatial Planning

Assistant Director: Date:

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Comment :

1. DEFINING THE ISSUE

- 1.1. Ensuring the right amount of employment land and commercial floor space is essential for supporting job creation, economic growth and inclusive regeneration in Hackney.
- 1.2. The A4D area proposed comprises a section of Ridley Road, Dalston E8, which has around 240 mailing addresses in retail, office, commercial and residential use. Retail and other commercial uses make up most of the units at ground floor, and where applicable there is a mixture of office / work studio and residential on the upper floors.
- 1.3. It is the commercial units many falling within Class E (commercial, business and service) use that the Article 4 Direction seeks to protect against the permitted development (PD) right Class MA.
- 1.4. The Council seeks to protect and improve business land and commercial floorspace to assist existing and new businesses to grow. This is facilitated in part through the planning process by planning policies protecting viable and important employment land and retail floorspace. Economic and employment activities on Ridley Road is at the heart of Dalston Major Town Centre and is of vital importance in creating vibrant places that meet the needs of local communities and visitors alike, creating vibrant destinations and supporting a thriving local economy.
- 1.5. The issuing of a non-immediate A4D on a building and the land within its curtilage would remove the PD right that was introduced in 2021 to allow a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order, and thus would mean that a planning application would be required for this change. This is to allow the Council to manage any potential future change of use which may otherwise constitute a threat to the amenities of the area and would be prejudicial to the proper planning of the Borough, in particular the Council's ability to prevent loss of uses which contribute to the wider strategic aims for the area and across London. This A4D will bring this section of Ridley Road in line with the rest of Dalston Major Town Centre which is already covered by an existing A4D covering the PD Right Class MA.
- 1.6. It is considered important to ensure that employment uses are protected if Hackney is to remain a balanced and sustainable community providing both necessary housing but also floorspace/sites for local jobs and businesses, and by assessing proposed development, including issues around viability against the Local Plan policies.
- 1.7. The issue of the A4D is considered to be consistent with the Council's Inclusive Economy Strategy (2019) which has three priorities: 1) Support local neighbourhoods and town centres to thrive and to be inclusive and resilient places; 2) Champion and support local business and social enterprise in Hackney and protect and maximise the delivery of affordable workspace in the borough; and 3) Connect residents to high-quality employment support and opportunities to learn new skills, get good quality, well-paid work and progress their career throughout their working life. It is also consistent with the Council's emerging Economic Development Plan 2025-2030 (April 2025) which sets out 4 missions :
 - Residents are able to participate in the economy and society
 - Hackney's economy is climate resilient and sustainable
 - Hackney's economy is fairer and more inclusive
 - Regeneration and investment benefits more of Hackney's places and communities
- 1.8. The issue of the A4D is considered to be consistent with national, regional and local planning policy and guidance. The London Plan policies recognises the need to protect and manage commercial business activities in support of economic development within the wider London context and sets out specific policies protecting industrial employment land and activities. In turn,

the Local Plan (LP33) encourages development that protects employment land to meet local business needs and the vitality and viability of town centres, seeking to ensure that the communities in the borough are supported by appropriate employment and commercial land and floorspace, in support of business growth and development. The importance of Dalston town centre in general, and Ridley Road in particular to the economy and wellbeing of Hackney is recognised the development and adoption of the Dalston Plan Supplementary Planning Guidance (2025), see section 2 of this report.

- 1.9. The Dalston Plan (2025) identifies Ridley Road as a site allocation and seeks to secure commercial uses and frontages on the ground floor, with the focus being the protection of the market. The importance of Ridley Road as part of Dalston are referenced in the plan, which brings together the key issues, challenges and opportunities, and sets the development objectives, themed strategies and site proposals for the managed growth of the town centre as well as a clear delivery plan on how and when any improvements will happen.

Who are the main people that will be affected?

- 1.10. The A4D is likely to have an impact on people who live, work and visit the Borough, but specifically those who frequent Dalston, and Ridley Road including the street market. There will be local impact for the owners, occupiers, employers, employees, customers, and people who live or work in the Ridley Road, and the surround environs. The street market, and the retail units directly on Ridley Road offer a range of international food and goods, fruits and vegetables and a range of household goods. While other commercial uses provide businesses and employment opportunities.

2. ANALYSING THE ISSUES

- 2.1. The A4D is in line with the Council's Local Plan policy, as well as national and regional planning policy and guidance. The NPPF states that "Significant weight should be placed on the need to support economic growth and productivity" and that this is particularly important "in areas with high levels of productivity, which should be able to capitalise on their performance and potential".
- 2.2. The Council believes that Ridley Road is an integral part of the town centre, the daily street market and the permanent commercial units on the road contribute to the vitality and viability of the area. Ridley Road is at the commercial heart of Dalston, and is designated as the *Primary Shopping Area*. There is only one such designation in the borough as identified in Hackney's Local Plan 2033, and it covers Kingsland Shopping Centre and Ridley Road Market.
- 2.3. The [**Dalston Plan SPD \(January 2025\)**](#) identifies Ridley Road as a site allocation and seeks to secure commercial uses and frontages on the ground floor, with the focus being the protection of the market. The importance of Ridley Road as part of Dalston are referenced in the plan, which brings together the key issues, challenges and opportunities and sets the development objectives, themed strategies and site proposals for the managed growth of the town centre as well as a clear delivery plan on how and when any improvements will happen.
- 2.4. The [**Markets, Shop Fronts and Street Trading Strategy 2024-2029**](#) details at length the importance and significance of Hackney's markets (including Ridley Road) in terms of (1) social and community function, (2) economic contribution and (3) micro-business development. The strategy specifically recognises Ridley Road as an economic and social asset for Dalston Major Town Centre.
- 2.5. In addition to the retail units there are office and other workspaces, which are important for

business and job growth. The Council's policies establish the proportion of office floorspace in the employment areas in order to ensure a vital amount. The new PD rights for the loss of these uses without management through the planning system could undermine the operation of the office planning policies for the proper planning of the Council's area as they may inhibit the Council's ability to ensure that the key employment area retains a sufficient critical mass of office provision accessible by walking, cycling and sustainable transport modes. The Council's employment policies are supported by robust evidence as well as referencing market signals through the submission of marketing evidence.

- 2.6. The A4D will be subject to a 12-month notice and a 6 week consultation period. The occupants and owners of the affected properties will be notified by mail. In addition during the consultation period, the Council will publish a notice of the A4D in the Hackney Gazette, and will also be posted onto the Council website including its consultation and engagement hub. At least two site notices will be displayed for at least 6 weeks. The Secretary of State who has powers to cancel or modify an A4D, will also be notified.
- 2.7. The proposed A4D will be open for consultation to enable the public to respond, once the consultation has closed, the Council will review these and decide whether any modifications need to be made. The consultation will further inform any impact on inequalities, and a further EqIA will be produced to highlight and seek to mitigate those adverse impacts if it is recommended to confirm the A4D. The Council will re-consult for 21 days on any modifications that are made.

3. Equality Impacts

- 3.1. This EqIA has been produced to assess the impacts that may be experienced following the implementation of the A4D on Class E uses in the affected area. The key objective is to maximise the positive impacts and for them to outweigh the potential negative impacts. The positive and negative impacts likely to be experienced are considered below:

Equality Groups	Positive Impact	Negative Impact
Overall	The A4D seeks to protect existing office, retail and community floorspace in buildings and land within their curtilage in key commercial areas in the borough, to ensure that the viability of those areas are not adversely affected, while protecting local jobs and businesses which could be beneficial to all or most equality groups.	The A4D may prevent new residential uses coming forward, however this needs to be balanced against the need to provide housing of a range of sizes, tenure and dwelling mix in the appropriate locations that meets the Borough's housing needs.
AGE	The Article 4 Direction will protect against the creation of poor quality housing through permitted development. Housing produced through permitted development has been evidenced to produce poor quality accommodation. The health and social impacts of poor quality housing disproportionately impacts	The A4D, this may affect housing supply in general, especially families looking for larger housing that may have benefitted from this PD right. It is important that the Council manages the type of housing that is built in the Borough to ensure that family-sized housing is provided in the right location.

	<p>older people and young people. For example, children attain less well at school, have poorer physical health and have increased stress, anxiety and depression.²</p> <p>People on lower incomes are also likely to be positively affected through the retention of this area in particular because the basis set up of the retail units complements and supports the viability of the street market as well as offering more 'affordable' goods themselves. Those with less disposable income tend to be at the opposite ends of the age cohorts. The cost of living affected all age and most social economic groups.</p>	
DISABILITY	<p>Requiring a planning application for a change of use development would mean that applications that are made are assessed against planning policy and may be required to comply with accessibility requirements.</p> <p>The PD right to change uses to residential could have a negative impact on individuals with disabilities as office units were not built primarily in mind. For instance, office, commercial and leisure units may not have safe access for wheelchairs and people with limited mobility could struggle. There may also be limited disabled vehicle spaces.</p> <p>The proposed safeguarding of locations for retail and commercial uses will enable less mobile age groups to access facilities to one of the more public transport accessible centres in the Borough.</p> <p>The Article 4 Direction will mean that housing proposals be scrutinised regarding accessibility and adaptability needs of people with disabilities.</p>	<p>As many of the existing retail and office buildings may not have been built to be accessible, it might be difficult to provide accessible design if a planning application is to be approved, particularly if the building is located in a conservation area or is a listed building.</p> <p>The eastern end of the proposed area lies within the St Mark's Conservation Area, and 89-93 Ridley Road is locally listed. This would be considered on a case by case basis.</p>

GENDER REASSIGNMENT	None specifically identified at this stage.	None specifically identified at this stage.
MARRIAGE AND CIVIL PARTNERSHIP	None specifically identified at this stage	None specifically identified at this stage
PREGNANCY AND MATERNITY	The conversion of offices and retail to dwelling houses can lead to poor quality residential accommodation and amenity for local residents. This A4D has positive impacts on mental health and wellbeing by preventing poor quality conversions to housing for all local residents. Health conditions associated with poor conditions include: respiratory conditions, cardiovascular disease and communicable disease transmission, and increased mortality, increased stress, depression and anxiety.	None specifically identified at this stage
RACE	<p>The A4D will ensure that affordable workspace and retail are provided through the development of new residential units which supports the growth of Small and Medium sized Enterprises and Local Small Businesses. Affordable work spaces are a positive for all residents.</p> <p>The commercial units on Ridley Road and the street market offer a range of international food and goods from African, Caribbean, Asian and European cultures. The market attracts people beyond the borough boundary.</p>	By issuing the A4D, this may affect some minority ethnic groups with traditionally large families that may benefit from this PD right, and therefore fail to benefit from the A4D. However it is important that the Council manages the type and quality of housing that is built in the Borough and its location.
RELIGION / BELIEF	None specifically identified at this stage.	None specifically identified at this stage.

SEXUAL ORIENTATION	Loneliness and social isolation is particularly pronounced in certain groups, including LGBTQ communities ⁴ . The A4D will ensure that active ground floor uses are maintained in the major town centres, ensuring a vibrant public realm and providing opportunities for community building for members of the LGBTQ communities.	None specifically identified at this stage.
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Other Groups	Positive Impacts	Negative Impact
Owners	The owner would need to submit a planning application to change the use of Class E to residential. The final development is likely to be of a higher quality and standard, making it more attractive in the longer term.	The owner would be required to submit a planning application to change the Class E use to residential which otherwise would have required prior approval. A planning application incur more cost and take longer than the prior approval process.
Occupier and employees	If a planning application is received to change from Class E to residential, the occupier / employees, if they are not the owner have the opportunity to make representations; an action that is not required for a change of use under PD. The A4D will not affect that properties already in residential use, it offers a degree of on those units falling within commercial, business and service use.	None specifically identified at this stage
Local Residents/ Community/ Customers	With the A4D, retail would be prevented from changing under PD right to a use that might not be suitable in town centre locations and might have detrimental impacts on the viability and vitality of the centre and impacts on customers who would have used those services, as well as adverse amenity impacts. The A4D would safeguard the opportunity for buildings in the affected areas to be used as retail and may safeguard jobs for local	The A4D may prevent new residential uses coming forward, however this needs to be balanced against the need to provide housing and other services and facilities in appropriate locations to meet local needs for workspace and shopping.

	<p>residents, as well as the prospect of affordable housing being provided.</p> <p>If a planning application is submitted for a change of use to residential, the local residents would be consulted by the Council and invited to submit representations. The Council would also be able to assess the planning application, taking into consideration the impact on local residents.</p>	
Hackney Council	<p>The Council would be able to safeguard commercial uses for employment and economic purposes in Dalston town centre, in line with Policies SD6, SD7, E1 and E9 of the London Plan, and LP27, LP33 and indirectly LP40 of the Hackney Local Plan. Objectives 4 and 5, and opportunity site D6 'Ridley Road' of the Dalston plan will be directly affected by A4D.</p> <p>The Council would be able to manage and plan appropriately, taking account of local needs, through retaining a balance of land uses in key areas of the Borough, for a sustainable community.</p>	
Other groups	<p>None specifically identified at this stage.</p>	<p>None specifically identified at this stage.</p>

A) What positive impact could there be overall, on different equality groups, and on cohesion and good relations?

- The A4D seeks to protect existing commercial including retail and office floorspace in this key area, which is part of one of the most important town centres in the Borough. This could protect local jobs and businesses which would otherwise be at risk by the PD right being applied.
- By issuing the A4D, it would ensure that a planning application is made for the change of use from Class E to C3 use. This would allow the Council to assess the quality of the proposed development against planning policy for the housing mix and tenure, size, amenity space, Lifetime Homes, etc.

- The Council would be able to manage the balance of land uses and health of the town centre, for a sustainable community.
- The housing mix, tenure and amenity space provision of a residential development is particularly of importance for families. The A4D would allow for this type of assessment.
- It is likely that the existing retail and offices would have been purpose built for office use and would therefore not be built to Lifetime Homes standard. By requiring a planning application for a change of use development, when applications are made, they would be assessed against planning policy and be required to be fully accessible.
- If a planning application is received to change the use of Class E to C3, the neighbouring residents (and the owner/occupier/employer if they did not submit the application) would be consulted by the Council and invited to submit representations; an action that is not required for a change of use under PD. The Council would also consider the impact on these groups when assessing the planning application.
- The A4D would lower the negative impact on job security and the chances of job losses in existing offices for current and future employees.
- The A4D would safeguard the opportunity for buildings in Ridley Road to be used for town centres uses, including as offices and other employment generating uses and may safeguard jobs for local residents, as well as the prospect of affordable housing being provided via a planning application.
- With the A4D, offices would be prevented from changing under PD to a use that might not be suitable in certain locations and might have detrimental amenity impacts to the local community, and the street market, which is indirectly affected by the PD right and the Article 4 Direction.
- The Council would be able to safeguard the use of office floorspace and jobs in the affected areas, in line with Policies SD6, SD7, E1 and E9 of the London Plan, and LP27, LP33 and indirectly LP40 of the Hackney Local Plan.

For this reason it is vital they are protected if Hackney is to remain a balanced and sustainable community providing both necessary housing but also floorspace/ sites for local jobs and businesses.

B) What negative impact could there be overall, on different equality groups, and on cohesion and good relations?

- The A4D does not prevent the change of use from class E to residential, instead it allows all applications to be assessed by the council against its local plan policies and ensure quality housing is provided as part of any change of use and that the retail shopping areas are protected to meet the needs of local communities.
- The A4D may have an impact on large families, including those from ethnic minorities with traditionally large sized families seeking large sized housing who may benefit from this flexibility of the PD rights. However the market may produce more non-family sized housing units that are much more in demand, sell faster and yield higher profits. Therefore it is important that the Council manages the locations of where new housing is built in the Borough to ensure that family-sized housing would also be built to meet the Borough's housing need.
- As many of the existing commercial may not have been built to be accessible, it might be difficult to provide accessible design if a planning application is to be approved, particularly if the building is located in a conservation area or is a listed building.
- The owner/occupier/employer would need to submit a planning application to change the use of an office to residential, which would otherwise have just required prior approval. As the A4D is non-immediate, the owner could not claim compensation.

4. REACHING YOUR DECISION

- 4.1. It is considered that the A4D at this stage would have a mostly positive impact on equalities in

general, as it would potentially safeguard commercial workspace, and allow the Council to fully assess any potential change of use by receipt of a planning application. At this stage there were some negative impacts identified, however these need to be balanced against the need to provide good quality housing in appropriate locations, size and tenure mix which meets the Borough's housing needs.

4.2. The positive impacts from the implementation of the A4D are therefore considered to outweigh the negative impacts, in which actions can be taken to eliminate or mitigate them. The recommendation is therefore to proceed with the issue of the A4D, but it will be considered again after consultation.

5. MAXIMISING BENEFITS AND MANAGING RISKS

Equality and Cohesion Action Planning

No	Objective	Actions	Outcomes highlighting how these will be monitored	Timescales / Milestones	Lead Officer
1	To ensure that local residents and those with an interest in the affected areas are notified of the proposed A4D	Consult via Hackney Today, site notices and the Hackney website.	An equal opportunity for people to provide comments on the proposed A4D	During consultation	
2	To safeguard retail, office and community floorspace in the Ridley Road area, to ensure that the whole of Dalston Town Centre is covered.	By applying the A4D and resisting the loss of commercial, business and service use under PD without a planning application being submitted	The requirement of a planning application to change the use to residential, which could then be assessed by the Council	A4D to be confirmed 12 months after its issuing	
3	To require a planning application from the owner/occupier to change a Class E unit to a dwelling	By requiring a planning application to be submitted for a change of use to allow the Council to assess the potential	Through Development Management and Enforcement	Ongoing	

		impacts			
4	To ensure that the A4D meets the Council's equality objectives before confirmation of the A4D	Another EqIA will be produced before any potential final confirmation of the A4D	The new EqIA will assess any impacts on equalities, particularly with any information gained from the consultation process.	Within 12 months of the issuing of the A4D	

1) Research into the quality standard of homes delivered through change of use permitted development rights Dr Ben Clifford, Dr Patricia Canelas, Dr Jessica Ferm and Dr Nicola Livingstone Bartlett School of Planning, UCL Professor Alex Lord and Dr Richard Dunning Department of Geography and Planning, University of Liverpool July 2020

2) Health Equity in England: The Marmot Review 10 Years On, Professor Sir Michael Marmot Jessica Allen Tammy Boyce Peter Goldblatt Joana Morrison, 2020. Institute of Health Equities

3) Healthy High Streets Good place-making in an urban setting, Sorcha Daly, and Jessica Allen, Institute of Health Equity Public Health England, Institute of Health Equity, London 2018

4) Loneliness - What characteristics and circumstances are associated with feeling lonely? 2018