

**LONDON BOROUGH OF WALTHAM FOREST
MINUTES OF THE PLANNING COMMITTEE**

07 March 2022 at 7.05 pm

PRESENT:

Chair: Councillor Jenny Gray

Vice-Chair: Councillor Sally Littlejohn

Committee Members: Councillors Marie Pye and Keith Rayner

Councillors in Attendance: Councillors Shabana Dhedhi, Gerry Lyons and Jennifer Whilby

Officers in Attendance:

Stewart Murray	Strategic Director, Economic Growth and Housing Delivery
Ian Rae	Commercial Director – Regeneration, Planning and Delivery
Justin Carr	Assistant Director - Development Management and Building Control
Matt Duigan	Planning Manager
Alpa Depani	Design and Conservation Lead
Esther Drabkin-Reiter	Legal Advisor
Perminder Purewal	Democratic Services Officer

1. APOLOGIES FOR ABSENCE AND SUBSTITUTE MEMBERS

Apologies for absence were received from Cllr Alan Siggers.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. DEVELOPMENT MANAGEMENT

The Committee considered an application for planning permission received by the Assistant Director – Development Management & Building Control under the Town and Country Planning Act 1990 and took into account the oral representations made by members of the public and applicants and their agents.

The update report of the Assistant Director – Development Management & Building Control was noted in accordance with the urgency provisions of Section 100 B (4) of the Local Government Act 1972 to ensure that Members had before them all the relevant facts and information about the planning applications set out in the agenda.

The Committee resolved that, in the event of recommendations being amended at the meeting in light of debate, or other representations made by members of the public, applicants or their agents, the task of formalising the wording of conditions and/or reasons for refusal is to be delegated to the Assistant Director – Development Management & Building Control.

4. LEA BRIDGE STATION SITES (212685)

The Committee expressed concern about the length of marketing for wheelchair housing and asked that this be increased from 6 months to 12 months. The Committee also asked that the play areas across the development are open to all residents in the scheme.

That Planning Permission be granted, in line with the recommendations, conditions, reasons and informatives as set out in the committee report and update report for application 212685 for demolition of existing structures and redevelopment of three land parcels to deliver 345 x residential units (Use Class C3), commercial floorspace (Use Class E) and community floorspace (Use Class F.2) in buildings of up to 26 storeys. Associated development including new public realm areas, tree planting and landscaping, accesses, parking and servicing facilities subject to conditions and informatives detailed in the committee report and update report, Stage 2 Referral to the Greater London Authority (GLA) and completion of a Section 106 Legal Agreement (S106) with the following Heads of Terms:

Affordable Housing Provision

- 50% of units (by habitable room) as affordable housing which is proposed to be delivered with the assistance of grant, which the GLA has agreed to in principle.
- 50% of affordable units (by habitable room) as London Affordable Rented homes
- 50% of affordable units (by habitable room) as Shared Ownership homes
- Early-stage review mechanism.

Wheelchair Housing

- Wheelchair housing in any private/SO units to be exclusively marketed to disabled occupiers for a minimum period of 12 months from launch.
- Prepare a Wheelchair Accessible Dwelling Marketing Strategy for the Development that sets out how the wheelchair homes will be promoted and advertised during the exclusivity period - to be agreed prior to commencement

Air Quality Action Plan

- Financial contribution of £57,570 towards mitigating the impact of the development on air quality.

Healthcare Improvements

- A financial contribution of £175,908 is necessary to increase the capacity of local health care provision.

Education

- A contribution of £105,000 for early years is necessary to increase the capacity of secondary schools in the local area.

Play Space

- Contribution of £250,000 towards capacity enhancements to offsite play space for children over 11 years of age, made necessary by the development.

Local Labour, Employment and Skills Training

- Employment and Skills Plan - To be prepared and submitted to by the Local Planning Authority at least 6 months prior to implementation. No development to take place until the plan has been approved.
- Construction Jobs – To ensure that 35% of all jobs available for the construction or fit-out of the Development during the Construction Phase are fulfilled by Local Residents. Local Residents defined as residents of Waltham Forest. This definition extending to include residents of Enfield, Haringey, Hackney, Tower Hamlets, Newham, Redbridge, Havering, (Essex) in the event no residents of Waltham Forest are found to fill roles.
- Apprenticeships - Provide a minimum of 75 Apprentice Posts or Equivalents at the site. Equivalents would include the following:
 - CSCS Card: upskilling local candidates with a career ready qualification recognised by the Construction Skills Certification Scheme (CSCS)
 - Traffic marshals' tickets: upskilling local candidates with a traffic marshal ticket qualification recognised by the Construction Skills Certification Scheme (CSCS)
 - DEC sponsorship: Sponsor a local school (or schools) to deliver the Design, Engineer, Construction programme (DEC) to support take up of construction related STEM Subjects.
- Work Placements - To provide a minimum of 15 Work Placements, paid at London Living Wage (LLW)) in the construction trade during the Construction Phase of the Development with such posts being first offered to Local Residents through the Council's Employment, Business and Skills Service.
- To use reasonable endeavours to ensure that as a minimum, 20% of suppliers during the construction, fit out and end user Phases of the Development to be local to the London Borough of Waltham Forest.
- Subject to reasonable endeavours not being undertaken to achieve employment obligations, default Payments – as set out in LBWF's adopted Planning Obligations SPD.

Car Free Housing

- No residential unit will be eligible for a parking space unless disabled/blue badge holder.

- Each new Residential Occupier of the development must be informed prior to occupying any residential unit that they shall not be entitled to a residents parking permit unless blue badge holder.

Transport and Highways

- Not to occupy the development on Site 1 until the development approved in 202850 has been built and is operational.
- Car free development.
- Controlled Parking Zones (CPZ) review £25,000.
- A contribution of £75,000 towards drainage and flood mitigation for the Dagenham Brook.
- Walking and Cycling £188,000
- CLP monitoring contribution £22,500
- Wayfinding contribution of £14,000.
- Lighting £60,000
- £60,000 is proposed for CCTV enforcement cameras at the entrances to the 3 sites

Total Transport and Highways financial contributions: £444,500

Public Highway

- Site 1
 - Two stopping up orders
 - Two land transfers
- Site 2
 - One stopping up order
 - One S38 agreement
- Site 3
 - One stopping up order

S278 works will be required upon completion of the works relating to the development prior to occupation. An application for Highway Works will be required. Extent of works will include but are not limited to:

- Site 1
 - Renewal of the footway on all frontages of the site including Lea Bridge Road, Argall Way.
 - Renewal and repositioning of the cycle track on Lea Bridge Road and Argall Way and any accommodation works in relation to the traffic signals
 - Construction of the rerouted cycle track along Network Rails boundary fence.
 - Construction of a dropped kerb to facilitate vehicular access on Argall Way
 - Review of the waiting and loading restrictions on Lea Bridge Road and Argall Way
 - New lighting design
 - Double yellow lines on Argall Way as required

- Site 2
 - Renewal of the footway on all frontages of the site including Lea Bridge Road and Orient way
 - Construction of the rerouted footway on Orient Way
 - Renewal of the cycle track along Lea Bridge Road and Orient Way
 - Construction of a dropped kerb to facilitate vehicular access on Orient Way
 - Review of the waiting and loading restrictions on Lea Bridge Road and Orient Way
 - New lighting design
 - Construction of a new Toucan crossing on Orient Way

- Site 3
 - Renewal of the footway on all frontages of the site including Lea Bridge Road and Orient way
 - Renewal of the cycle track on Lea Bridge Road and Orient way
 - Construction of the rerouted cycle track along Network Rails boundary fence.
 - Repositioning of the width of the footway and cycle track along Orient Way as discussed and agreed with Highways at the pre application stage
 - Construction of the repositioned footway and cycle track along Orient Way
 - Construction of a dropped kerb to facilitate vehicular access on Orient Way
 - Review of the waiting and loading restrictions on Lea Bridge Road and Orient way
 - New lighting design
 - Construction of a new Toucan crossing on Orient Way

Works to be carried out by the Local Highway Authority and funded by the developer.

Travel Plans

- Travel plan for non-residential elements
- Travel Plan for residential elements
- Monitoring contribution of £8,000– one off payment

Replacement planting

- A contribution towards offsite tree planting equating to the CAVAT value of trees to be lost: £600,000.

Retention of Architect

- Scheme architects (Hawkins Brown) to be retained in a design advisor role.

Sustainability

- A financial contribution of £514,846 towards a Carbon Offset Fund. Payable on implementation.
- Development to be made ready for connection to a Decentralised Energy Network (DEN).
- The feasibility of connection to a DEN to be tested and reported in Updated Energy Statements. Connection if feasible.
- Updated Energy Statements on commencement and completion based on As Built energy calculations for each phase.
- Connection of each phase to the energy centre for that phase, providing full heating to the domestic units and the option to connect to the shell-only non-domestic units in line with the energy strategy.
- Post-construction monitoring (be seen):
 - A. Within 8 weeks of grant of planning permission to submit to the GLA accurate and verified estimates of the 'be seen' energy performance indicators.
 - B. Prior to occupation the Owner shall provide updated accurate and verified estimates of the 'be seen' energy performance indicators for each the Development.
 - C. Upon completion of the first year of Occupation and for the following four years, to provide accurate and verified annual in-use energy performance data for all relevant indicators.
 - In the event that the 'In-use stage' evidence submitted under Clause C shows that the 'As-built stage' performance estimates derived from Clause B have not been or are not being met, the Owner should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'Be Seen' in-use stage reporting webform. An action plan comprising measures identified in Clause C shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.

Epping Forest

- Financial contribution of £34,500 towards SAMMS to mitigate against recreational impacts to the Epping Forest SAC.

Lee Valley Regional Park/SANGS

- Financial contribution of £250,000 towards measures to improve access and biodiversity (including tree planting) and to mitigate against recreational impacts in the LVRP.

Monitoring and Implementation

- £60,000 contribution towards monitoring, implementation and compliance of the Section 106 legal agreement.

Legal Fees:

- Payment of the Council's legal fees for the preparation and completion of the Legal Agreement.

Minor Amendments

That authority to be given to the Assistant Director of Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the Legal Agreement and to agree any minor amendments to the conditions or the Legal Agreement on the terms set out above.

In the event that the Section 106 legal agreement is not completed within a reasonable timeframe following the date of Planning Committee, the Assistant Director of Development Management and Building Control is hereby authorised to refuse the application, if appropriate, in consultation with the Chair. In the absence of the legal agreement the Council would not be able to ensure that:

- Affordable housing would be delivered;
- The integrity of the Epping Forest SAC is not compromised;
- The aims of policies seeking the creation of employment opportunities and jobs growth are met;
- Sufficient capacity exists in educational, health and play facilities to cope with additional demand from the development;
- Necessary highway works are undertaken;
- Measures are in place to improve the public realm and promote sustainable travel options and reduce car use;
- The development is car free;
- Carbon emissions are offset and the site is sustainable; and
- Tree loss and air quality impacts are appropriately mitigated.

5. PUBLIC SPEAKERS

Szilard Vincze
 Rogert Montaut
 Ricca Gowing-Scopes
 Len Welson
 Solene Fabios
 Celia Coram
 Chloe Saunter
 Cllr Gerry Lyons
 Cllr Jennifer Whilby

The meeting closed at 9.25 pm

Chair's Signature _____

Date _____