

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 5 th April 2022
Application reference:	213212
Applicant:	Chand (Rich (c) LLP)
Location:	83-85 Whitehall Road, Chingford, London, E4 6DN
Proposed development:	Demolition of existing two bungalows (Use Class C3) and construction of a four-storey building to provide 8 residential units (6 x 2-bed and 2 x 3-bed) (Use Class C3) with hard and soft landscaping, provision of car parking, bicycle parking and refuse/recycling facilities.
Wards affected:	Hatch Lane
Appendices:	None

RECOMMENDATION

1.1 Recommendation to GRANT planning permission subject to conditions and completion of a Section 106 Agreement with the following Heads of Terms:

- £8000 requested toward improving sustainable modes of transport including walking and cycling in the site's vicinity which will directly benefit new residents in this development.
- £4000 towards future CPZ consultation and implementation
- £500 towards CLP monitoring
- S278 agreement related but not limited to:
 - Renewal of the footway on both frontages on Whitehall Road and Courtland Avenue
 - Removal of the existing crossover on Courtland Avenue
 - Construction of a dropped kerb for refuse use on Courtland Avenue
- A financial contribution towards the Council's Carbon Offset fund in the event the development fails to meet a 35% reduction in carbon emissions over the 2013 Building Regulations and 10% Be Lean carbon savings compared to a Part L 2013 baseline.

Legal Fees:

- Payment of the Council's legal fees for the preparation and completion of the Legal Agreement.
- 1.2 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 Section 106 Agreement and to agree any minor amendments to the conditions or the Section 106 Agreement on the terms set out above.
- 1.3 In the event that the Section 106 Agreement is not completed within 12 weeks 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 the absence of this Section 106 Agreement, the proposed development would not be able to deliver the residential development on the site. The implication of this happening is that the opportunity for securing the additional housing would be lost. Additionally, financial contributions would be lost towards transport related matters which must be secured by the Section 106 Agreement.

2 REASONS REFERRED TO COMMITTEE

- 2.1 There is significant public interest in the application, triggering the threshold of objections to an application requiring presentation to the planning committee.

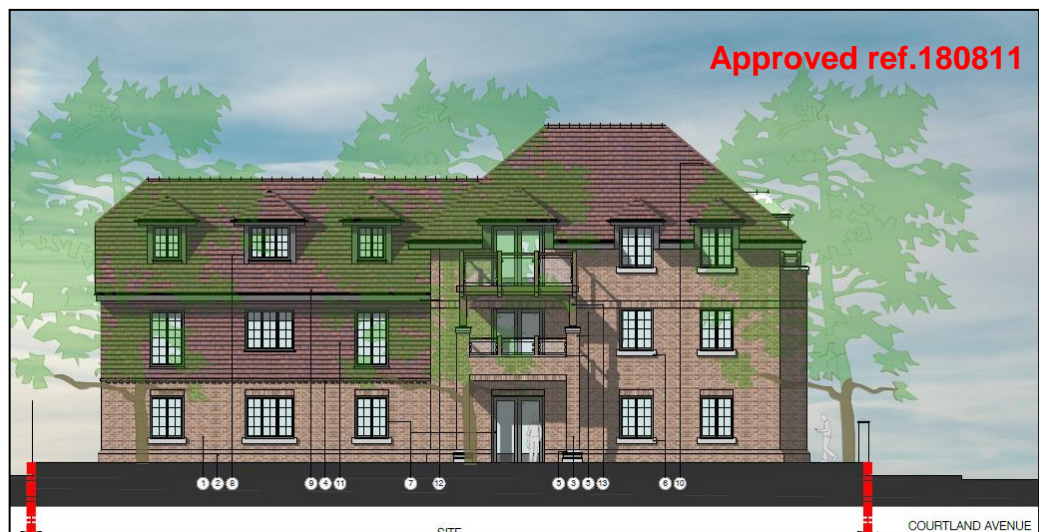
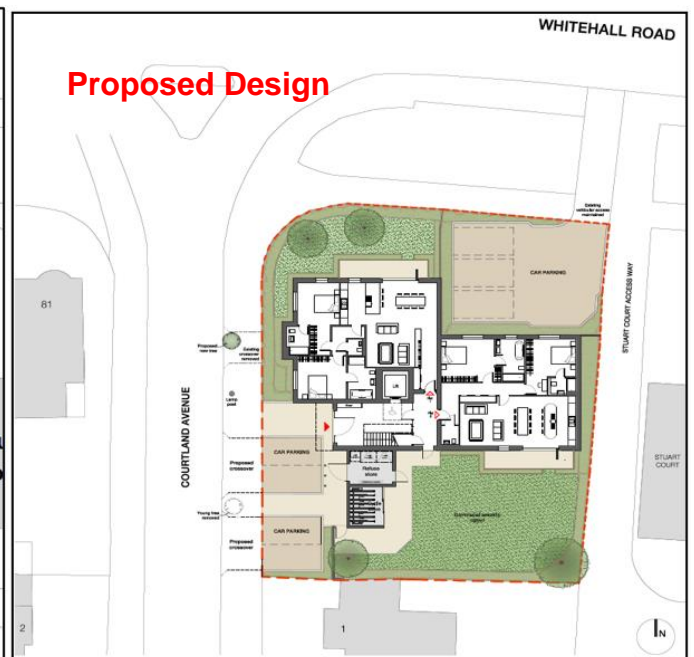
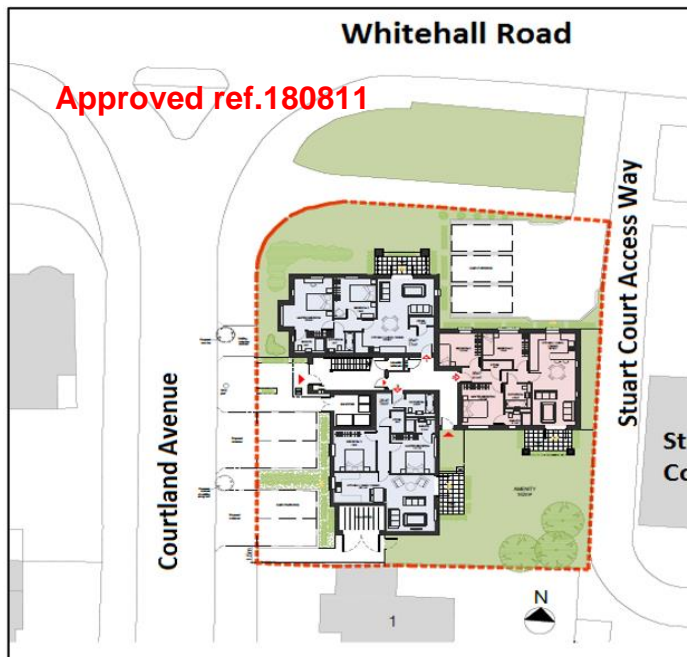
3 SITE AND SURROUNDINGS:

- 3.1 The application site relates to a generous plot of land that comprises a pair of single-storey, semi-detached bungalows, sited on the prominent corner junction with frontages to Whitehall Road and Courtland Avenue. The combined site area of both properties that form the application site is 859m²/0.0859ha.
- 3.2 The surrounding area comprises of residential properties, albeit with differing profiles in regard to their scale, design, and siting.
- 3.3 Towards the north of the site is Whitehall Road, which is set 11.7m from the boundary of the site to the kerb line. The public highway comprises an expanse of mature trees that help to screen the site from Whitehall Road. On the north side of Whitehall Road is a pair of semi-detached bungalows (some 20m away), with semi-detached houses either side.
- 3.4 To the east of the site is a four-storey block of flats ('Stuart Court') that sits 4.2m from the eastern boundary of the application site and consists of a facing flank elevation of brickwork and cladding and contains no windows. A vehicular access way is situated between Stuart Court and the application site.

- 3.5 To the south of the site is a single-storey bungalow (No.1 Courtland Road) that sits 2.8m from the southern boundary of the site, which benefits from a single-storey side garage that abuts the application site. Courtland Road slopes upwards in a southern direction resulting in No.1 sitting on higher land.
- 3.6 To the west of the site, sitting directly opposite is No.81 Whitehall Road, a two-storey family dwellinghouse. The land between the application site and No. 81 rises such that the floor level of the house at No. 81 is approximately 0.9m higher than the floor level of the present bungalows on the application site.
- 3.7 The properties that are the subject of this application are not located within a Conservation Area, are not listed, and are not subject to an Article 4 direction other than the Borough-wide change of use from Class C3 to C4.
- 3.8 The site is not situated within a controlled parking zone (CPZ) and falls within a PTAL 1b which is defined to be of very poor public transport accessibility with Chingford Station (the nearest overground station) situated a 12-minute walk from the site.

4. **PROPOSAL:**

- 4.1 The application proposal relates to:
 - i. The demolition of existing two bungalows (Use Class C3)
 - ii. The construction of a four-storey building to provide 8 residential units (6 x 2-bed and 2 x 3-bed) (Use Class C3)
 - iii. Provision of 7 parking bays, with associated hard and soft landscaping, bicycle parking and refuse/recycling facilities.
- 4.2 The proposal is an alternative submission to development approved for a 3-storey building granted planning permission ref.180811 at the August 2018 Planning Committee.
- 4.3 Pre application discussions were undertaken prior to the current submission. Relative to the approved development including the approved variations, the proposal differs in the following manner;
 - Reduced footprint
 - Amendment from hipped roof to flat roof design
 - More modern aesthetic
 - Increased height by 1.6m – 3m.
- 4.4 The differences are illustrated below;





5. RELEVANT SITE HISTORY:

5.1 A) Planning:

Reference: 180811

Description: Demolition of existing two bungalows and construction of part two, part three storey building to provide 8 residential units (6 x 2 bedroom and 2 x 3 bedroom).

Decision: Granted subject to conditions and informatives (14/08/2018)

Reference: 183766

Description: Non-material amendment to planning application ref.180811 dated 14/08/18 to install two additional roof-lights (one on the front elevation and one to the rear elevation) to serve a relocated bedroom space in the loft of Flat 6

Decision: Granted subject to conditions and informatives (19/12/2018)

Reference: 191091

Description: Non-Material Amendment to planning permission ref: 180811, dated 14/08/18 to allow for reconfiguration of internal flats and alteration to fenestration to elevations

Decision: Granted subject to conditions and informatives (02/05/2019)

Reference: 200548

Description: Variation of condition 2 (approved plans), 11 (hard & soft landscaping plan), 12 (landscape management plan) and 16 (design of cycle store) to allow for relocation of cycle store attached to planning permission reference 180811 granted 14/08/2018

Decision: Granted subject to conditions and informatives (21/04/2020)

Reference: 202477

Description: Variation of conditions 2 (Approved Plans) and 6 (materials) attached to planning permission reference 180811 granted 14/08/18 to allow for amendments to the layout of the approved scheme due to site topography survey.

Decision: Granted subject to conditions and informatives (27/10/2020)

- 5.2 In addition to the above, submissions have been made to discharge pre-commencement conditions which have been granted.

- 5.3 B) Enforcement:

There are no enforcement investigations associated with this site.

- 5.4 C) Adjacent Sites:

"Stuart Court", 87 Whitehall Road, Chingford:

Reference: 173772 – Planning permission was granted for the construction of an additional storey on the existing three storeys building together with alterations to the landscaping and additional parking. This permission has been implemented.

- 5.5 D) Pre-Application:

Reference: PRE_20_0027

Reference: PRE_21_0195

6. **PUBLIC CONSULTATION:**

- 6.1 The Council sent out consultation letters to local residents surrounding the site on the 31st October 2021.

- 1 British Legion Road
- 1-17 (All) Courtland Avenue
- 1-19 (Odd) Forest Side
- Stuart Court (All), 87 Whitehall Road
- 1, 2 And 4 Valance Avenue
- 7-20 (All) Rookwood Gardens
- 75-81 (Odd), 82-86 (All), 88-108 (Even) Whitehall Road

6.2 The application was also advertised via a site notice dated 4th November 2021.

6.3 The Council received a total of eight letters of objection from the public consultation. The objections and responses to the objections are outlined within the table below.

Objection Received	LPA Response
<p><u>Principle</u></p> <p>Proposal would result in the:</p> <ul style="list-style-type: none"> - Depletion of a unique housing stock - Not enough bungalows for ageing population 	<p>Officers note the benefit of bungalow units which are useful in providing downsizer homes for the ageing population. However, this benefit needs to be balanced against the overall planning benefit which in this instance provides a net gain of 6 units towards the housing stock, including 2 x 3-bedroom family sized units, optimising this underutilised parcel of land. The principle of the development is further discussed in section 9a of the report.</p>
<p><u>Design</u></p> <ul style="list-style-type: none"> - Proposal would be incompatible with the existing character of neighbouring properties in its design and form - Appears bulky, too prominent, and too big - Red brick design out of keeping - Footprint will change the aesthetics of the area and set a precedent 	<p>The proposal, owing to its corner junction position, noting the adjacent two and four storey developments that face towards Whitehall Road, is considered of an acceptable scale and size, with its overall design well-considered. Where the architecture differs in relation to the surrounding area, it is not considered that this is to a significant detriment, and the overall design is considered a visual enhancement. It is considered the development would be a good example for any future developments to follow albeit it is noted that any future applications need to be judged on their own planning merit</p>

Objection Received	LPA Response
	and precedent alone would not justify any increased scale. The design is further discussed in section 9d of the report.
<p><u>Amenity</u></p> <p>Proposal would harm amenity in respect of:</p> <ul style="list-style-type: none"> - Overshadowing - Loss of privacy - Increased noise pollution and smells - Potential use of terraces for storage/clothes drying which would be an eyesore - Falls contrary to Policy DM29 and DM32 	<p>The proposal, owing to its overall position, separation distance and orientation relative to the surrounding properties would be considered to have an acceptable amenity impact. In respect of the potential for terraces to be used as storage spaces, a condition will be attached to any grant of permission for full details of the balcony treatment to ensure visual amenity is protected. This is discussed further in section 9e of the report.</p>
<p>Highway Impact</p> <ul style="list-style-type: none"> - Inadequate provision of parking - Increase to parking stress and congestion - No provision for visitor parking - No electric charging points - No blue badge parking provided 	<p>The proposed provision of parking is considered to provide an acceptable balance between policy and the local context. Electric charging points would be required in the event of a grant of permission. Blue badge parking spaces are not compulsory as part of this development however any space could be converted to a blue badge bay in the future. These matters are discussed further in section 9f of the report.</p>
<p>Standard of Accommodation (Future occupiers)</p> <ul style="list-style-type: none"> - The well-being of garden spaces is removed for future occupiers - The sqm sizes of the proposed flats are not overly generous - Insufficient amenity space to top floor flats - Flat 2 has limited outlook onto the car park or communal amenity space - Flats 1,3 and 5 main living space is north facing limiting the natural sunlight received and does not comply with BRE requirement. 	<p>Future residents would be afforded good quality accommodation in respect of internal and external spaces. Officers are satisfied the information submitted is accurate. This is discussed further in section 9c of the report.</p>

Objection Received	LPA Response
<ul style="list-style-type: none"> - Communal amenity is shown as 166 not 188sqm as listed 	
No affordable housing statement as required by WF policy	Following a high court judgement this policy is now not a requirement for small scale developments.
Why is the pre application form redacted	This is not material to the planning consideration.
Reduced footprint appears to allow possible future development on the site	In the event of a grant of permission, a condition would be attached to ensure the communal amenity areas and parking spaces remain in use for the benefit of the future occupiers of the site.
No energy sustainability statement	This is not a validation requirement for this scale of development.
No landscaping or planting plan	This has been received by officers with a detailed planting plan to be secured by condition in the event of a grant of permission.
<p>No fire lobbies from communal stairs and lifts. Majority of flats have bedrooms as inner rooms which means the only fire escape routes are through main living spaces to the unprotected stairwell.</p> <p>Issues with vehicle access to Courtland Avenue – emergency vehicles may find it difficult to enter the road</p>	Any grant of permission would require the development to accord with Part B5 of the Building Regulations in respect of fire safety. Separate legislation outside of planning controls review the matters raised.
Removal of greenery and destruction of trees will damage local bird populations and wildlife as would the increased impact of the associated uses of the site.	The site would result in an increase to habitats on sites and overall biodiversity net gain.
No.81 Whitehall Road is shown as much higher in comparison to the proposal 2m taller than reality.	Officers have conducted a site visit and are aware of the site context.
Discrimination and disregarding of many residents as many do not have internet access or understand how to submit online.	Residents are able to submit representations by post.

Objection Received	LPA Response
During the planning meeting, the planning department showed the committee a picture of Courtland Avenue of the even side of Courtland Avenue where there are bungalows with two houses near the top of the road and explained to the committee that two storey buildings are also present in the road, giving the committee an incorrect perception. These houses do not overlook the bungalows either side of them as the new flats will for those living on the odd side of the road.	This is not material to the planning consideration.
Increased burden on local infrastructure particularly drainage, and local health services	The development would incur local and mayoral CIL which would go towards supporting local services. The site would also be considered to have increased resilience to drainage matters owing to its landscaping treatment.
Examples of similar buildings are not in the immediate area or of the same scale	Officers note this comment.

6.4 The following internal and external consultees were consulted.

Consultees	Response	Officer Response
City of London	Representation received, raise objection with respect to adverse harm to Epping Forest as a result of increased air pollution and increased recreational impact from future occupiers.	Officers note the concerns raised however believe the overall planning benefit of the site outweighs the concerns raised. This is discussed further in section 9g of the report.
Designing Out Crime (Metropolitan Police)	Representation received, raise no objection, and recommend any grant of permission is subject to condition requiring SBD compliance.	Officers recommend the use of these conditions.
Environmental Health	No representation received.	No comment.
Highways Development	Representation received. Recommend minor amendments to outline CLP, request S278 works and S106 financial contributions. Previous application parking arrangement is	Officers have secured agreement for the S278 work and S106 contributions. Any grant of permission would be

	noted.	subject to a condition requiring a detailed CLP is submitted.
London Fire Brigade	Representation received, raise no objections, and recommend use of sprinkler system.	Officers recommend the use of sprinkler system.
Sustainability and Energy Efficiency	Representation received, raise no objections, and recommend conditions in relations to Co2 reduction and water efficiency.	Officers recommend the use of these conditions and requirement in s106 for financial contribution where there is deficiency in provision.
Nature Conservation	Representation received, raise no objections and amendments recommended to soft landscaping plan.	Amendments have been undertaken during the submission. No further comments.
Thames Water	Representation received, raise no objection following discussions with the applicant.	No comment.
Transport Policy	No representation received.	No comment.
Waste Strategy	No representation received.	No comment.

7 DEVELOPMENT PLAN POLICIES

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

National Planning Policy Framework (2021)

7.2 The National Planning Policy Framework was revised on 20 July 2021 and sets out the government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. It contains a presumption in favour of sustainable development, described as at the heart of the framework.

7.3 This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018, and updated in February 2019 and July 2021.

7.4 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 "...any adverse impacts would significantly and demonstrably outweigh

the benefits, when assessed against the policies in this Framework taken as a whole".

- 7.5 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'

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

Achieving sustainable development

Delivering a sufficient supply of homes

Building a strong, competitive economy

Promoting healthy and safe communities

Promoting sustainable transport

Making effective use of land

Achieving well-designed places

Meeting the challenge of climate change, flooding, and coastal change

Conserving and enhancing the natural environment

2021 London Plan

- 7.7 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. The 2021 London Plan supersedes the 2016 London Plan, which no longer has any effect.

- 7.8 The relevant policies within the London Plan 2021 are:

GG1 Building strong and inclusive communities

GG2 Making best use of land

GG3 Creating a healthy city

GG4 Delivering the homes Londoners need

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

D6 Housing quality and standards

D7 Accessible housing

D12 Fire safety

D14 Noise

H1 Increasing housing supply

H2 Small sites

H10 Housing size mix

G1 Green infrastructure

G5 Urban greening

SI 2 Minimising greenhouse gas emissions

S1 13 Sustainable drainage

T4 Assessing and mitigating transport impacts

T5 Cycling

T6 Car parking

T6.1 Residential parking

T7 Deliveries, servicing, and construction

T9 Funding transport infrastructure through planning

DF1 Delivery of the Plan and Planning Obligations

Waltham Forest Local Plan Core Strategy (2012)

- 7.9 The Waltham Forest Local Plan Core Strategy (2012) was adopted on 1st March 2012. The Core Strategy contains 16 policies designed to deliver the Council's vision for the physical, economic, environmental, and social development of the Borough. These policies will be used to direct and manage development and regeneration activity up to 2026.

CS1: Location and Management Growth

CS2: Improving Housing Quality and Choice

CS4: Minimising and Adapting to Climate Change

CS5: Enhancing Green Infrastructure and Biodiversity

CS6: Promoting Sustainable Waste Management and Recycling

CS7: Developing Sustainable Transport

CS13: Promoting Health and Well Being

CS15: Well Designed Buildings, Places and Spaces

CS16: Making Waltham Forest Safer

Waltham Forest Local Plan Development Management Policies (2013)

- 7.10 The Local Plan Development Management Policies Document was adopted in November 2013. This sets out the borough-wide policies that implement the Core Strategy and delivering the long-term spatial vision and strategic place shaping objectives. There is an emphasis on collaboration and a positive proactive approach to reaching a balance agreement that solves problems rather than a compromise that fails to meet objectives. The following policies are relevant in this case:

DM2: Meeting Housing Targets

DM5: Housing Mix

DM7: External Amenity and Internal Space Standards

DM10: Resource Efficiency and High Environmental Standards

DM13: Co-ordinating Land Use and Transport

DM16: Parking

DM23: Health and Well Being

DM29: Design Principles, Standards and Local Distinctiveness

DM30: Inclusive Design and the Built Environment

DM32: Managing Impact of Development on Occupiers and Neighbours

DM33: Improving Community Safety

DM34: Water

DM35: Biodiversity and Geodiversity

8. MATERIAL PLANNING CONSIDERATIONS

Shaping the Borough – London Borough Waltham Forest Draft Local Plan Part One (Submission Draft April 2021)

- 8.1 The Draft Local Plan underwent Regulation 18 public consultation between July 2019 and September 2019 and consultation on the proposed Submission Version between 26th October 2020 and 14th December 2020. It has now been submitted to the Secretary of State for examination. This is an early stage of the plan making process and less weight will be given to its policies.
- 8.2 The Draft new Local Plan proposes to be a “combined” document comprising 12 thematic policies and a revised spatial strategy, splitting the borough into North, South and Central Waltham Forest.
- 8.3 The Draft Local Plan clearly sets out the Council’s growth agenda which seeks to facilitate the sustainable delivery of 27,000 new homes and 46,000sqm of employment floorspace over the next plan period. The draft policies relating to housing type and mix are reflective of the London Plan (2021).

Policy 56 Delivering High Quality Design

Policy 58 Residential Space Standards

Policy 59 Amenity

Policy 68 Managing Vehicle Traffic

Policy 81 Biodiversity and Geodiversity

Epping Forest Special Area of Conservation

- 8.4 Natural England issued an Interim Advice Letter on 6th March 2019, in relation to the Epping Forest SAC (Special Area of Conservation), which is based on updated research on the impacts on the SAC and

proposed measures to mitigate those impacts with particular reference to those understood to arise from the recreational impact generated by occupiers of new development. The Local Planning Authority is a “competent authority” under the Habitat Regulations and is legally obliged to take Natural England’s advice into account in decision making and attach great weight to it.

- 8.5 Waltham Forest shares a boundary with the Epping Forest Special Area of Conservation and following research in the form of a visitor survey by Footprint Ecology, has been found to fall within a wider Zone of Influence (ZOI) based on the distance the majority of visitors will travel to visit Epping Forest SAC. This report identified that 75% of visitors travelled up to 6.2Km to the SAC and as result of the whole of the London Borough of Waltham Forest falls within this ZOI for recreational pressure. It is anticipated that new residential development within this ZOI constitutes an LSE (Likely Significant Effect) on the sensitive interest features of the SAC through increased recreational pressure, either when considered ‘alone’ or ‘in combination’.
- 8.6 The Council as Local Planning Authority is obliged to ensure that any grant of planning permission would have sufficient mitigation measures in place so as to ensure that there would be no harmful impact on the Epping Forest SAC arising from LSE.
- 8.7 Natural England’s Interim Guidance assumes that all new residential development within Waltham Forest will create an impact on the Epping Forest SAC which will need to be mitigated. The Interim Guidance suggests that mitigation measures should take a threshold approach whereby development of 100 dwellings or more is treated differently to schemes of 99 dwellings or less.
- 8.8 For schemes of 99 units or less, an initial draft of costed Strategic Access Management Measures (SAMM) has been prepared by the City of London Conservators of Epping Forest. This package of measures is to be used in the interim period until the full Mitigation Strategy has been agreed and adopted. However, as an indication under the interim Strategic Access Management Measures, Waltham Forest is expected to contribute circa £1m towards the mitigation works which equates to 37% of the total.
- 8.9 For applications received after 1st April 2019 a SAMM levy is requested for all new residential developments of 10 units or more to contribute towards the Epping Forest mitigation. This is calculated at £100 per unit. The SAMM levy is not being sought for schemes of less than 10 units as the administrative costs are greater than the amount collected. Natural England is supportive of this approach, provided the total expected contribution is delivered.
- 8.10 This proposal is less than 10 units and therefore Levy would not be applicable.

Other Material Considerations

Department for Communities and Local Government Technical housing standard – nationally described space standard (March 2015).

The National Design Guide: Creating Well Designed Places (2019)

Living with beauty: report of the Building Better, Building Beautiful Commission (2020)

Waltham Forest Supplementary Planning Document - Urban Design SPD (2010)

Waltham Forest Local Plan Planning Obligations Supplementary Planning Document (2017)

Waltham Forest Design Charter 10 Principles for well-designed homes

Local Finance Considerations

- 8.11 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 the Community Infrastructure Levy (CIL).

- i) There are no grants which could be received from central government in relation to this development.
- ii) The Council has not received but does expect to receive an income from LBWF CIL in relation to this development.
- iii) The Council has not received but does expect to receive an income from Mayoral CIL in relation to this development.

9 ASSESSMENT

- 9.1 The main areas which shall be addressed within this report relate to the following:

- A. The Principle of the Development;
- B. The Proposed Housing Mix;
- C. The Standard of Residential Accommodation;
- D. The Design of the Development;
- E. The Impact on Neighbour Amenities;
- F. Impact on Highways, Parking and Servicing;
- G. The Impact on Trees and Nature Conservation;
- H. Environment and Sustainability;
- I. Planning Obligations

A. The Principle of the Development

- 9.2 National, London and Local plan policies all seek to encourage sustainable housing development on appropriate sites in urban areas. In particular, Policy CS2 of the Waltham Forest Local Plan Core

Strategy identifies the need to prioritise development on previously developed or underused land and optimise housing densities.

- 9.3 Policy objectives seek to efficiently maximise the use of land, so long as it is compliant with other policy requirements. Policy H2 of the London Plan (2021) states that boroughs should pro-actively support well-designed new homes on small sites, such as this one.
- 9.4 The application site is situated within predominantly residential surroundings, and whilst the large majority of this housing is found in the form of single-family dwellings, towards the east of the site lies Stuart Court an original three-storey development recently developed with a fourth storey.
- 9.5 The proposal would result in the loss of 2 x 2-bedroom dwellings and whilst there is a presumption against the loss of single-family dwellings, the development would result in a net gain of 6 residential units which includes two larger family sized units and six smaller family units.
- 9.6 The creation of a flatted development provides a greater variation of housing on offer for future residents of the surrounding area and would not be considered harmful to the existing range of housing stock.
- 9.7 The existing site is a spacious plot, similar to that of developed sites in the locality, and its current form is considered at suboptimal density. The development therefore lends itself for redevelopment in contributing towards the overall housing stock within the borough and increasing housing capacity, counting towards meeting the Council's housing target which is set by the London Plan.
- 9.8 The proposed development is therefore considered acceptable in principle in line with policy objectives however, this must be balanced with other matters including; appropriate housing mix, high quality design, standard of accommodation, residential amenity, highway matters, nature conservation and environmental matters which would ensure that any development would be sustainable.

B. The Proposed Housing Mix

- 9.9 National Planning Policy requires new development to deliver sustainable, inclusive, and mixed communities in accessible locations.
- 9.10 Policy H10 of the London Plan seeks to ensure that new residential developments comprise a mix of unit sizes to address the housing needs of the local area. The policy does not, however, specify a precise mix of housing types.

- 9.11 Policy CS2 of the Local Plan sets out that the Council will facilitate sustainable housing growth by 'creating a mixed and inclusive community by enabling a variety of housing types to meet the identified local needs of older and vulnerable people'.
- 9.12 Paragraph 6.6 of the same policy document recognises that the proposed housing mix of new development should be considered on a site-by-site basis, and that LBWF take a flexible approach when applying the preferred housing mix outlined above.
- 9.13 LBWF will consider site specific aspects such as:
- The character and context of the site and surrounding area,
 - The size of the site and constraints; and
 - Financial viability.
- 9.14 Policy DM7 outlines that the Council aims to ensure each development should contribute to the creation of mixed and balanced communities by containing a mix of large and small homes overall. In order to prioritise larger family housing, the Council aims to provide at least 50% of new private and social / affordable rented homes as three bed plus.
- 9.15 The proposed housing mix for the totality of the development including the existing is outlined in the below table:

Unit Type	Number of Units	Total Percentage
2-bedroom 4-persons	6	75%
3-bedroom 5-persons	2	25%
Total	8	100%

- 9.16 The proposed housing mix whilst predominantly weighted towards two-bedroom units, would achieve a relatively acceptable balance of housing on offer. The proposal makes the reprovision of the two-bedroom 4-persons bungalows, providing four additional units of this mix which are considered as smaller family homes, whilst providing an additional two 3-bedroom 5-persons units considered to be the general criteria of a family dwelling.
- 9.17 The proposal therefore provides a mixed form of smaller and larger family sized units, and when considering the relatively modest scale of the development where it is not considered a major development, and noting the existing predominant local character of family housing, the

proposal provides some diversification to the housing on offer to this setting.

- 9.18 The proposal delivers under the threshold (10 units) to be considered as a major development and therefore affordable housing contributions are not sought as part of the proposal in line with the NPPF (2021), the London Plan (2021) and the draft Local Plan (2021).
- 9.19 The proposed development is of a relatively modest scale, adding to the overall housing stock within the borough whilst diversifying the offer in this setting maintaining an acceptable balance relative to the surrounding area. Therefore, the proposed unit mix would be considered acceptable given the context of the site, in line with Policy DM5 of the Waltham Forest Local Plan Development Management Policies (2013).

C. The Standard of Residential Accommodation

(i) Internal Spaces

- 9.20 London Plan Policy D6 states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment.
- 9.21 Local Plan policy DM7 states that the Council would ensure that all new residential development would be of the highest quality both internally and externally in terms of the space provided. The Department for Communities and Local Government Technical Housing Standard – Nationally Described Space Standard sets the requirements for internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy.

	Minimum standards required (sqm)	Flat 1 (2b4p)	Accords
Gross Internal Area (sqm)	70	104	Yes
Double Bedroom	11.5	16 & 16	Yes
Single Bedroom	7.5	N/A	Yes
Combined floor area of living, dining, and kitchen spaces	27	43	Yes
Storage	2	1.05	No
		Flat 2 (2b4p)	Accords
Gross Internal Area (m2)	70	102	Yes
Double Bedroom	11.5	16.7 & 16	Yes
Single Bedroom	7.5	N/A	Yes
Combined floor area of living, dining, and kitchen spaces	27	39	Yes
Storage	2	1.6	No
		Flat 3&5 (2b4p)	Accords
Gross Internal Area (m2)	61	104	Yes
Double Bedroom	11.5	16 & 16	Yes

Single Bedroom	7.5	N/A	Yes
Combined floor area of living, dining, and kitchen spaces	25	43	Yes
Storage	2	1.05	No
Flat 4&6 (3b5p)			
Gross Internal Area (m2)	86	102	Yes
Double Bedroom	11.5	16 & 15	Yes
Single Bedroom	7.5	9.7	Yes
Combined floor area of living, dining, and kitchen spaces	27	36.4	Yes
Storage	2.5	1	No
Flat 7 (2b4p)			
Gross Internal Area (m2)	70	78.7	Yes
Double Bedroom	11.5	15.6 & 11.5	Yes
Single Bedroom	7.5	N/A	Yes
Combined floor area of living, dining, and kitchen spaces	27	32	Yes
Storage	2	1.8	No
Flat 8 (2b4p)			
Gross Internal Area (m2)	70	75	Yes
Double Bedroom	11.5	12.5 & 11.5	Yes
Single Bedroom	7.5	N/A	Yes
Combined floor area of living, dining, and kitchen spaces	27	31	Yes
Storage	2	1.35	No

- 9.22 The table illustrates the minimum space standards required for each unit as per the 'Technical Housing Standards - Nationally described space standard' (2015) and DM7 of the WF Local Plan (2013).
- 9.23 All proposed units would satisfy the minimum space standards set out aside from storage space provision where they would marginally fall short for each unit.
- 9.24 All units would be dual aspect and owing to the design of the internal layout, would all benefit from natural cross ventilation and a greater capacity to address overheating, mitigating pollution, greater flexibility in the use of rooms, and more potential for future adaptability by altering the use of rooms.
- 9.25 The fenestration design and internal layout, together with the position of the proposed terraces ensures all residents are afforded relatively good levels of outlook, natural light, and privacy. Movement throughout the units would not be constrained.
- 9.26 Given the marginal shortfall in the storage provision, the excess in internal space and the acceptability of the internal spaces in all other respects, it is considered the overall quality of internal accommodation would be to a good level.

- 9.27 The development incorporates the provision a lift and the development would therefore be expected to meet the requirements of “Access to and use of Buildings, Approved Document M (2015 as amended), Volume 1: Dwellings, M4 (2): Accessible and adaptable dwellings”, which would be secured by planning condition in the event of a grant of permission.
- 9.28 On the whole, the proposed development would provide a good-quality internal standard of accommodation, meeting minimum space standards, and providing good levels of outlook, natural light, and privacy relative to the site surroundings. This satisfies the objectives of DM7 of the Local Plan (2013).

(ii) Sunlight and Daylight for the occupiers:

- 9.29 All proposed units owing to their orientation and dual aspect nature should allow for good levels of natural light and direct sunlight.
- 9.30 As such, the proposed design ensures a good level of sunlight and daylight for the occupiers in accordance with DM7 of the Local Plan (2013).

(iii) Amenity Space Provision:

- 9.31 Policy D6 of the London Plan (2021) states that where there are no higher local standards in the Borough Development Plan Documents, a minimum of 5 square metres of private outdoor space should be provided for 1 – 2 person dwellings with an extra 1 square metres for additional occupant, with a minimum depth and width of 1.5 metres.
- 9.32 At a local level, policy DM7 of the WFLP Development Management Policies (2013) states that 10 sqm of amenity space should be provided per bedroom and balconies should have a minimum size of 5 sqm. Each flat should include an element of private amenity space, but the overall provision can be a combination of private and communal space. External amenity space should be well-designed, appropriately located, and usable.
- 9.33 The proposed development has a total of eighteen bedroom spaces and would therefore require 180sqm of total amenity space.
- 9.34 The table below outlines the provision of private amenity space provided for each unit against the minimum provision required.

Flat	Minimum private amenity space (sqm)	Proposed private amenity space (sqm)	Accords
Flat 1 (2b4p)	6	11.5	Yes
Flat 2 (2b4p)	6	11.5	Yes
Flat 3&5 (2b4p)	6	10.9	Yes
Flat 4&6 (3b5p)	7	10.9	Yes
Flat 7 (2b4p)	6	5.4	No
Flat 8 (2b4p)	6	5.4	No

- 9.35 Units 7 and 8 would fall marginally short of the private amenity space requirements set out in the London Plan (2021). This should not be considered in isolation however and the total amenity space needs to be considered.
- 9.36 In addition to the private amenity requirement, the total provision of amenity space (private and communal) requires the development to provide 10sqm of amenity space (in total) per bedroom space i.e., 20sqm for a two-bedroom unit and 30sqm for a three-bedroom unit.
- 9.37 The soft landscaped garden, which would be enhanced as a result of the proposed development, provides a total of 188sqm of communal amenity space (in addition to 77.4 sqm of private amenity space). The total 265.4 sqm exceeds the requirements for total amenity space which requires a minimum of 180 sqm for combined private and communal amenity space.
- 9.38 It is considered that with the benefit of the generous communal provision together with the excess gross internal area provision, that the development would provide adequate, practical, and useable living space for the intended future occupiers. The marginal shortfall of Units 7 and 8 is therefore not considered detrimental to the quality of living for the future occupiers.
- 9.39 However, whilst the quantum of amenity space has been considered above, the quality of these spaces also needs to be reviewed. Outdoor amenity space should be usable and have a balance of openness and protection, appropriate for its outlook and orientation.
- 9.40 The proposed terrace spaces are considered well positioned, of a good depth and width, and allow for comfortable use and movement with convenient access for each occupier. At ground floor level, the

submitted soft landscaping scheme details a good quality, biodiverse friendly communal space that is well designed, easily accessible, and unobstructed in its use.

- 9.41 When considered in the balance of the overall standard of accommodation, it is considered that this development, would provide a good level of accommodation for future occupiers of the site. The proposal would therefore comply with the objectives of Policy DM7 of the Waltham Forest Local Plan Development Management Policies (2013).

Summary

- 9.42 In summary the proposed development, given the internal and external spaces and layout of habitable rooms, would be acceptable in accordance with the London Plan (2021), Technical Housing Standards (2015), Policy CS16 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM7 and DM33 of the Development Management Policies (2013).

D. The Design of the Development

- 9.43 Local Plan Core Strategy Policy CS15 and Development Management Plan Policy DM29 state that new developments will be expected to ensure the highest quality architecture and urban design and that they should reinforce and/or enhance local character and distinctiveness, taking account of patterns of development, urban form, and building typology.
- 9.44 Paragraph 126 of the NPPF requires good design within developments which should be of a high quality and design due to the contribution towards making better places for people.
- 9.45 The proposal seeks the construction of a four-storey development together with the provision of hard and soft landscaping, provision of car parking, bicycle parking and refuse/recycling facilities.

Scale, Massing and Layout

- 9.46 The application proposes a four-storey development to this corner junction plot. Corner junction plots are considered key locations that tend to lend themselves to larger developments, which could merit a differing design approach in terms of density, height, and style. They provide reference points and create an impression for the relevant street.

- 9.47 The existing arrangement is bereft of any quality visual merit to this prominent location. The proposed development would enhance the street scene, positively addressing this junction and providing uplift to the area.
- 9.48 The plot comprises circa 858sqm, and the development provides the opportunity to redefine this under optimised space. Similar scaled developments to corner junctions are features of the wider surrounding area, whilst immediately adjacent to the site sits Stuart Court, a four-storey residential development.
- 9.49 The site falls within a section of the road where the main character is dwellings of differing forms and heights, with bungalows to the south, two-storey buildings to the west, and the aforementioned four-storey Stuart Court.
- 9.50 The footprint of the proposed built development would be set 11.4m from No.1 Courtland Avenue and 16.5m from No.81 Whitehall Road. It is therefore sufficiently set away from these developments for any necessity for a consistency, or clear relatability between the ridge lines.
- 9.51 The position of the development therefore relates to the frontage of Whitehall Road, and Courtland Avenue would not, as a result of this development, have its characteristic form and scale compromised. The proposed development would not be harmful to the surrounding urban layout and is considered appropriate to this unique setting to the face of Whitehall Road adjacent to the four-storey development of Stuart Court.
- 9.52 The principle of a four-storey development would therefore be considered appropriate to this setting and would not be considered an unduly out of character addition.
- 9.53 The fourth storey of the development would be setback relative to the footprint of the below storeys, helping break the visual mass, whilst the elevational treatment and detailing, together with the balcony positions also support the break of the visual mass.
- 9.54 The public highway to Whitehall Road is lined with tall, mature trees which helps to limit views of the structure relative to wider surrounding area of Whitehall Road whilst the development would remain subservient to this backdrop.
- 9.55 Noting the above, officers could the overall scale, form, and mass to be appropriate to this context and is therefore considered acceptable.

Detailing and Materials

- 9.56 The proposed appearance of the building responds positively to the aesthetic of the prevailing 1930s architecture, with a vertical emphasis and fenestration treatment.
- 9.57 The palette of materials proposed is considered appropriate for the development, as it is considered it would ensure a high-quality finish, enhancing the aesthetic value of the site relative to its surroundings.
- 9.58 The proposed single-tone brickwork is considered appropriate, having an appearance in keeping with the surrounding area. Cladding is proposed to the setback fourth storey, providing a contrast to the materiality of the predominant bulk of the building, enhancing its overall quality. This would be considered acceptable in principle and reads well visually from street level.
- 9.59 The detailing which includes soldier coursing and cast stone cills to the fenestration are considered high quality features, that together with the brickwork details, header course and parapet coping, all help to accentuate the overall visual quality of the development.
- 9.60 The combination of the material application, elevational treatment, and detailing help to create a visually pleasing development, which adds depth and texture to the faces, whilst creating interest along Whitehall Road and Courtland Avenue. The proposed development sets a quality design precedent for any future developments to strive to exceed.
- 9.61 It is recommended any grant of permission be subject to a condition for full schedule of materials to be provided which will be agreed with the Council to secure quality development.
- 9.62 The proposed car parking is shared across the site, with 4 spaces accessed via the Courtland Road frontage and 3 spaces accessed via the Stuart Court Access Way. The breaking up of this parking allows for greater flexibility in regard to the layout of the proposed building preventing a scenario of a sizeable area solely for parking that would take away from the visual aesthetics of the site.
- 9.63 The design of the proposal is considered to enhance the visual amenities of this site to the benefit of the locality, with the existing site providing opportunity for redevelopment and lacking any real character merit fitting for this prominent junction. The visual relationship of the proposed development with its neighbouring sites has been well considered and designed to ensure there is no harmful impact to the street scene. As such, the proposal is considered acceptable in design terms.

Summary

- 9.64 In summary it is considered that the proposed development, given its height, scale, design, layout and use of materials, would be acceptable within the existing urban form in the vicinity and the wider locality in accordance with the London Plan (2021), Policy CS15 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM29 of the Development Management Policies (2013).

E. The Impact on Neighbour Amenity

- 9.65 Policy DM32 of the Development Management Policies (2013) states that when considering the impact of a new development on neighbouring amenity, the Council will have regard to access to daylight and sunlight, outlook, privacy and noise and disturbance. LBWF will only find development acceptable where it would not cause an unacceptable loss of amenity to adjoining or future occupiers of the development.

West (No.81 Whitehall Road)

- 9.66 The proposed development is sited on an extensive plot of land, which permits good separation distances with the neighbouring properties. To the west of the site a distance of 16.5m is maintained from No.81 Whitehall Road. Whilst there are street facing windows and balconies, it is considered given the separation of the properties via Courtland Avenue and with the flank of No.81 already overlooked by the street, it is considered there would be limited harm to the occupiers at No.81 Whitehall Road in regard to privacy, outlook, and natural light.



Figure 1 Courtland Avenue (West) Elevation

East (Stuart Court)

- 9.67 To the east of the site there would be a separation of 5m with Stuart Court. The proposal has been designed to ensure there are no windows on the eastern elevation facing Stuart Court, and as result there would be no direct view between any windows of either property.

- 9.68 Where the separation distance is relatively short, the impact of the development is no different to the impact of Stuart Court relative to the existing setting, and noting the position of either building, the separation and absence of east facing windows it is not considered there would be any undue significant harm arising from the development to warrant a reason for refusal.

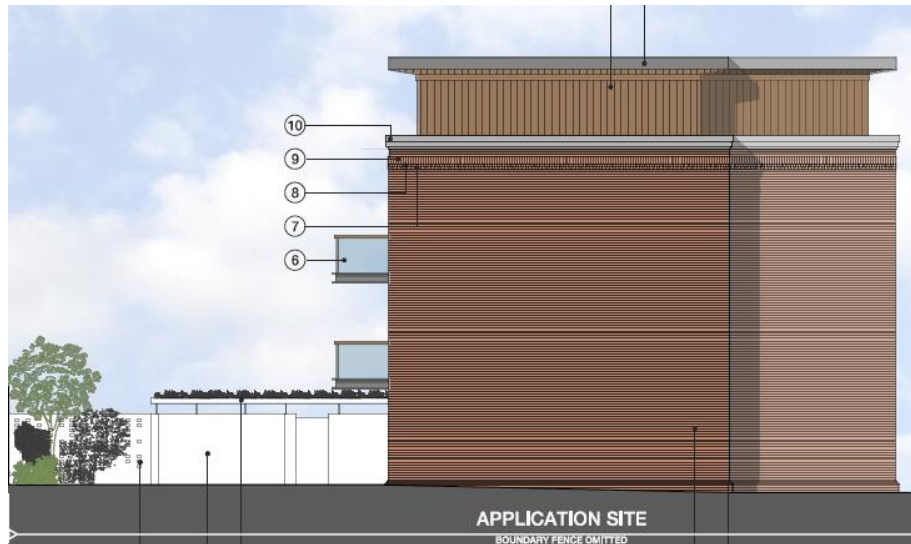


Figure 2 Stuart Court (East) Elevation

South (Courtland Avenue)

- 9.69 To the south of the site sits No.1 Courtland Avenue, a single-storey dwelling. The proposed development would sit 11.4m from the nearest elevation of No.1, with the distance between providing communal amenity space for the proposal site. This measure is increased when considered the nearest elevation of No.1 is that of its garage, and to the closest elevation of the main dwelling, the figure increases to 13.8m, and 14.7m relative to the top floor of the proposed development.
- 9.70 This proposed separation has been designed to ensure mitigation of any potential amenity impact towards No.1, and given the separation, together with the sun orientation whereby the development sits to the north of No.1, it is considered the harm to the neighbouring occupiers in respect of daylight/sunlight would be limited.
- 9.71 The elevation facing No.1 incorporates brick detailing, window openings and terraces and the green roofed cycle store. This provides an elevation of relative interest, and noting the sufficient separation, ensures that residents indirectly viewing this elevation have a relatively pleasant outlook of the proposed building beyond the soft landscaped communal garden.

- 9.72 Where the proposed window openings and terraces give rise to potential privacy concerns, the position of these towards the eastern edge of the site and the separation distance is considered sufficient in ensuring there would be no significant adverse harm. Any view from these would be predominantly over the proposed communal garden. It is accepted that there is some potential however for views to extend over the rear garden of No.1 however, this would be offset by proposed planting along the boundary, a similar arrangement to the existing boundary treatment. This will be secured by a planning condition.
- 9.73 Owing to the orientation of No.1 Courtland Avenue, and that of the other properties this side of the road, there would be no direct view from these properties towards the development.
- 9.74 In addition, as the Courtland Road rises southwards, the height of the development, albeit marginally, is lessened. The bulk of the development is sited towards the northern (Whitehall Road) and eastern (Stuart Court) boundaries and away from Courtland Avenue, thus minimising the impact of its overall scale relative to these properties.

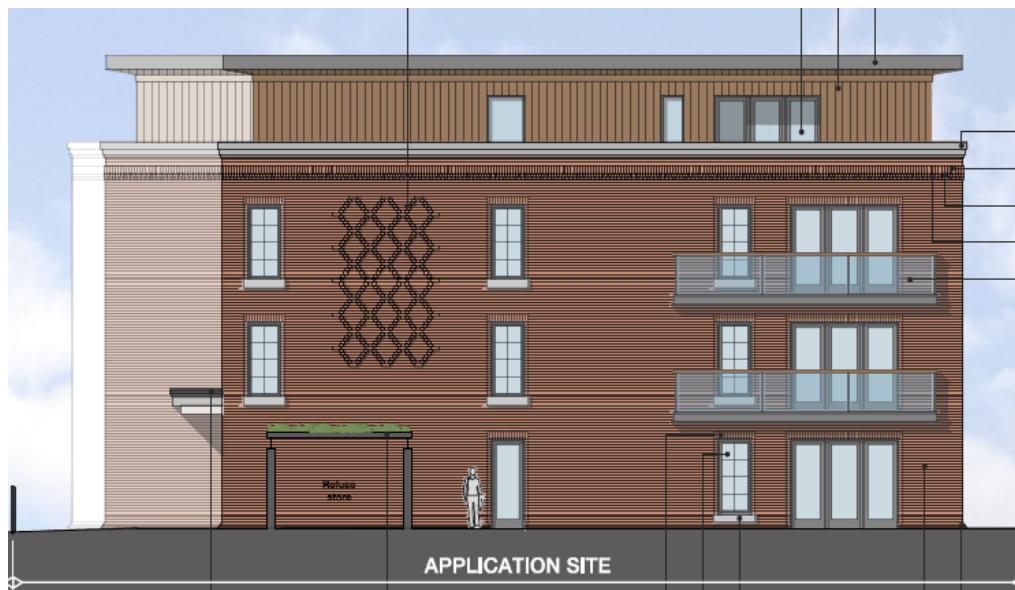


Figure 3 Southern facing elevation

North (94 & 96 Whitehall Road)

- 9.75 Directly north of the site sits Nos.94 & 96 Whitehall Road which are separated from the site boundaries by way of the public highway that is Whitehall Road. These properties, a semi-detached pair of bungalows are sited some 20m from nearest elevation of the proposed development.

- 9.76 Owing to the separation distance, the position of the public highway between the two sites, and the orientation relationship whereby these properties sit north of the application site, it is not considered there would be any significant harm in respect of outlook, daylight/sunlight and/or privacy to warrant a reason for refusal. The level of amenity benefitting these occupiers currently enjoy would not be disturbed to any significant degree and therefore the proposal is considered acceptable in relation to these properties.

Summary

- 9.77 In summary, in relation to residential amenity, it is considered the proposal on the basis of the preceding assessment is considered to have an acceptable level of impact with regards light, privacy and outlook for the occupiers of adjoining residential properties and noise nuisance and would therefore comply with Policies CS13 of the adopted Waltham Forest Local Plan – Core Strategy (2012), Policy DM32 of the Development Management Policies (2013) and The London Plan (2021).

F. Impact on Highways, Parking and Servicing

- 9.78 Policy DM14 (Sustainable Transport Network) states that the Council will actively encourage sustainable travel. Developments should not have a harmful impact on the walking and cycling environment.
- 9.79 Policy DM16 states that the Council would seek to effectively manage parking by encouraging car-free and car-capped development in locations that have high levels of parking stress. Adding that in car-free and car-capped developments, the Council would be limiting on-site car parking for these developments to spaces designed for disabled people and operational and service needs; and introducing controlled parking zones in the vicinity of the development.
- 9.80 Policy T6 of the London Plan states car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity.
- 9.81 Draft Local Plan Policy 68 'Managing Vehicle Traffic' states that whilst all new developments should be car free, in areas of low accessibility, parking provision on site could be considered acceptable subject to a robust transport assessment.
- 9.82 The site is not situated within a controlled parking zone (CPZ) and falls within a PTAL 1b which is defined to be of very poor public transport accessibility albeit Chingford Station (the nearest overground station) is situated a 12-minute walk from the site.

(i) Car Parking

- 9.83 The application proposes the provision of seven off-street parking spaces, four of which would be positioned to the Courtland Avenue frontage of the site and three to a small car park utilising the existing access towards Stuart Court.
- 9.84 This arrangement and provision were agreed with officers as part of the previous granted submission however in the elapsed time revised policy has been adopted, and is emerging. The Council's Highway officers whilst recommending a car free development have not objected to the provision of parking on site.
- 9.85 Whilst the recommendation of the Council's Highway officers is noted, as is Local and Regional Planning Policy which seek to ultimately reduce car dependency, the provision of off-street parking in this context is accepted which would reduce the impact of the development on parking stress in the area.
- 9.86 With the site not currently falling within a CPZ, and the timeline of any CPZ implementation unknown in the short term, removing the car parking would not necessarily reduce car dependency of future occupiers of the site. In the event of off-street parking not being available, future residents would park on street within the immediate locality. The site has capacity to provide adequate parking spaces, and the provision would accord to policy in terms of provision.
- 9.87 With no mechanism to restrict future occupiers of the site from parking in the surrounding area, the development would increase on street parking pressures albeit to a relatively limited degree given the modest scale of the development. Notwithstanding the limited additional pressure, it is considered appropriate that where off-street parking can be incorporated that this be made available to mitigate any harmful impact.
- 9.88 Table 10.3 of Policy T6.1 (Residential Parking) of the London Plan sets out the maximum parking standards for residential development. For an Outer London PTAL 0-1, up to 1.5 spaces per dwelling can be provided for a 2-bedroom dwelling and 1.5 spaces per dwelling for a 3+ bedroom dwelling. The proposed development would comfortably fall within these standards which are not set out as the minimum, rather the maximum. By not exceeding the standards the proposal would satisfy the parking standards set out in Policy T6 of the London Plan (2021).

- 9.89 Any permission would be subject to a condition to ensure electric charging points are installed to encourage use of electrical vehicles, this would be in line with the Borough's sustainability objectives.
- 9.90 Furthermore, the applicant has agreed to the requested contribution of £8000 towards improving sustainable modes of transport in the area together with a £4000 request towards CPZ consultation and implementation. These contributions seek to support improve the permeability of the surrounding area and would mitigate any potential harmful highway impact arising from the development.
- 9.91 As such, in the absence of a CPZ and noting the poor PTAL context, it is considered that the provision of off-street parking in this instance is considered acceptable.

(ii) Cycle Parking

- 9.92 Local Plan Policy DM16 sets the minimum requirements for cycle parking for new developments at one cycle space/one-bedroom dwellings and two cycle-spaces/two-bedrooms or above. Accordingly, the proposed development would be required to provide sixteen cycle parking spaces.
- 9.93 The proposal provides a secure, sheltered cycle store situated and accessed via the communal garden, which would provide sixteen cycle spaces for the benefit of future occupiers.
- 9.94 The cycle store is considered appropriately positioned to allow for convenient access, storage, and security for users. Sufficient space is provided for users to turn and store their cycle. The store would benefit from good natural surveillance, is sheltered and is lockable, which is considered acceptable and appropriate.
- 9.95 The proposed development provides the sufficient provision of cycle parking, which is secure, sheltered and appropriately positioned. This is considered acceptable in line with the objectives of adopted Local Plan policy DM16.

(iii) Proposed Highways Works:

- 9.96 S278 works are required to facilitate the development. The extent of the works includes but is not limited to the:
- Renewal of the footway on both frontages on Whitehall Road and Courtland Avenue
 - Removal of the existing crossover on Courtland Avenue

- Construction of a dropped kerb for refuse use on Courtland Avenue

- 9.97 As a S106 agreement is required for this development, the S278 works will be secured within that agreement. A highway plan will be required to be submitted prior to the completion of the s106. Works will be carried out by the Council and funded by the developer.
- 9.98 The S278 works have been reviewed and agreed by the developer.

(iv) Construction Activities

- 9.99 An Outline Construction Logistics Plan has been submitted as part of the submission. The Council's Highways team have not objected to the document however have suggested minor amendments to the document and recommend any grant of permission is subject to a pre-commencement condition requiring a detailed plan.
- 9.100 The Construction Logistics Plan (CLP) is a live document that should be updated as necessary during construction as defined in TFL's guidance. The construction logistics plan should help to reduce the impact of construction traffic on the local community, in relation to congestion, pollution and noise. It would be also beneficial to the environment through the promotion of efficient working practices and a reduction in the number of deliveries to minimise disruption.
- 9.101 Officers are satisfied that the Outline CLP sufficiently meets the objectives of the document, and recommend the inclusion of a detailed CLP to be agreed in writing prior to the commencement of any works on site in the event of a grant of permission.
- 9.102 In addition, officers recommend a highway condition survey accompanies any detailed CLP submission, ensuring any damage to the highway is evidenced.

(v) Refuse and Recycle Storage and Collection

- 9.103 Local Plan Policy DM32 states that in managing the impact of new developments on neighbouring amenity, new developments should ensure the provision of facilities for the storage, collection, and disposal of refuse.
- 9.104 The plans illustrate that a formal refuse/recycle store would be constructed towards the front of the site accessed via the Courtland Avenue or via the communal garden.
- 9.105 The proposed refuse store is of a size that can sufficiently accommodate the require volume of bins whilst its position is

considered relatively convenient for all users, and access in and out of the store raises no concerns.

- 9.106 In terms of collection, given the site's position relative to the public highway, no concerns are raised. As such, the storage and collection of refuse is considered acceptable.

(vi) Delivery, Servicing and Access

- 9.107 As above, given the sites proximity relative to the public highway, it is not considered there would be any concerns in respect of delivery, access, and servicing.

Summary of impact on Highways, Parking and Servicing

- 9.108 In summary, officers are satisfied that the proposed development would not give rise to any significant transport safety or highway concerns whilst the S106 contributions secured as part of the development will benefit road and pedestrian users in the surrounding area. The proposal sufficiently accords with Policy CS6 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM14, DM16, and DM32 of the Waltham Forest Local Plan Development Management Policies (2013).

G. The Impact on Trees and Nature Conservation

- 9.109 Local Plan policy CS5 states that the Council would endeavour to protect and enhance green infrastructure and biodiversity and to maximise access to open spaces across the Borough by enhancing the green infrastructure network through better connectivity and the creation of new open spaces while conserving their historic value.
- 9.110 Policy DM35 sets out that planning permission will not normally be granted where development adversely directly/indirectly impacts any land or area within a SSSI, SINCE or SAC.
- 9.111 The application site sits 115m from Epping Forest, a designated SAC< SINC, SSSI and Metropolitan Green Belt land. Owing to the proximity, a preliminary ecological appraisal has been submitted together with a habitat's regulation assessment.
- 9.112 The City of London has been consulted as part of the application process, and has raised an objection to the proposal stating that the development would have an "adverse impact on the integrity of the Epping Forest Special Area of Conservation (EFSAC) due to the proposed vicinity of the development to the Forest SAC".
- 9.113 The objection raises this issue in respect of two aspects;

1) Air pollution: Where the development is not considered car free and results in an increase of residency to eight units without any air quality assessment submitted.

2) Recreation Impact: The site is less than 150m from the EFSAC with no convenient alternative site, and insufficient private amenity space provided.

9.114 The proposed development results in the demolition of two existing bungalows and the net gain of six units. In respect of the demolition, a condition will be attached in the event of a grant of permission to ensure considerate construction practices in respect of air quality. Whilst the increased density is noted and considered, it is unclear as to how the increase would result in any significant adverse impact in respect of air quality. No objections are raised from the Council's Air Quality officer nor of the Nature Conservation officer. An increased level of car ownership on this site could in theory increase air pollution however it is not considered reasonable to suggest that this would warrant a reason for refusal, given the small-scale nature of the scheme, and limited net gain of units.

9.115 Natural England issued an interim advice later in relation to the Epping Forest Special Area of Conservation (EFSAC) in relation to the recreational impact generated by occupiers of new development on the SAC. A SAMM levy was introduced as a result, requiring a £100 contribution per new unit for all developments of 10 units or more to contribute towards mitigation measures. The levy is not sought for schemes of less than 10 units as the administrative costs are greater than the amount collected.

9.116 Where the potential harm is recognised, given the relatively small scale of the scheme, together with the biodiversity measures, and the large communal amenity space, it is considered appropriate to apply the interim EFSAC advice, and it is not considered the development would amount to any significant harm that would warrant a reason for refusal, nor should the levy be applied in this instance.

9.117 With regards to the overall biodiverse quality of the development, the soft landscaping measures result in a significant uplift to the quality of landscaping on site, resulting in an overall net gain of 35.4% exceeding the 10% net gain that would be required by the Environment Act (2021), once Regulations are brought forward. The Council's Nature Conservation officer raises no objections to the soft landscaping proposals which have been amended throughout the lifetime of the application.

- 9.118 Whilst any grant of permission would be subject to further planting detail, the proposed measures are acceptable and appropriate resulting in the appropriate replacement of any loss of vegetation together with a biodiversity net gain on site. The provision of habitat boxes has been agreed in principle and details of these and their placement would be secured by condition.
- 9.119 As such, the proposal would subject to appropriate conditions for planting details, is considered acceptable in accordance with the requirements of Policy CS5 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM35 of the Development Management Policies (2013).

G. Environment and Sustainability

- 9.120 Policy CS4 of the Waltham Forest Local Plan Core Strategy (2012) seeks to ensure high environmental standards of development and sustainable resource management and efficiency to support the long-term sustainability of our environment and respond to climate change in a practical and effective way.

(i) Carbon emissions

- 9.121 The London Plan sets out a CO₂ reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. The Waltham Forest Local Plan DM10 requires developers to submit a self-assessment including calculation of the energy demand and carbon dioxide emissions for both regulated and unregulated energy separately at each stage of the energy hierarchy. This requirement applies to all developments over a threshold of one residential unit and therefore would be applicable to this application.
- 9.122 Policy 87 of the WF Draft Local Plan seeks proposals to demonstrate 10% Be Lean carbon savings compared to a Part L 2013 baseline.
- 9.123 No information has been submitted detailing sustainable design aspects in relation to the development. Therefore, in order to fully comply with Local Plan Policies CS4 and DM10, a pre-commencement condition requiring the development to submit details of the measures adopted to achieve at least a 35% reduction in carbon emissions over the 2013 Building Regulations, 10% Be Lean carbon savings compared to a Part L 2013 baseline together with details of the renewable sources of energy to be incorporated within the development will be required.

(ii) Water Efficiency

9.124 Local Plan policy DM34 states that developments should implement water efficiency measures to achieve usage of less than or equal to 105 litres per person per day for residential use.

9.125 No information has been provided with regards to water efficiency; however, it is considered acceptable to condition any permission to demonstrate how this target would be achieved.

(iii) Air Quality

9.126 The development management policies of the Local Plan 2013 indicate the following policy in relation to air quality policy DM24 which states that new developments should neither contribute to, nor suffer from unacceptable levels of air pollution, measured having regard to DEFRA's Local Air Management Technical Guidance and London Council's Air Quality and Planning Guidance or successor documents. The application is not considered a major application and therefore did not require an air quality assessment to be submitted.

9.127 Demolition would occur as part of the proposal and therefore any grant of permission would be subject to a condition required a construction method statement outlining measures with respect to air quality during the construction process.

(iv) Surface Water Drainage and Flooding

9.128 All new schemes need to be designed to ensure redevelopment will be safe without increasing flood risk and designed to sufficiently manage water run-off as directed by Local Plan Policies CS4 and DM34 and London Plan Policy S1 13.

9.129 The site falls within a Flood Zone 1, which is considered to have a low risk of flooding. The proposed development is not considered to result in any unacceptable increase in flood risk to the site or elsewhere. No objections have been raised by the Council's flood risk officers.

9.130 The proposed development would ensure permeable materials are used to all areas of hard landscaping whilst owing to the increased level of planting on site, the site would have an enhanced resilience towards flooding with increased SuDS on site.

9.131 A drainage maintenance schedule would be secured by condition in the event of a grant of permission.

9.132 As such, the proposed development would be considered acceptable in respect of surface water drainage and flood risk in line with Local Plan

Policies CS4 and DM34 and London Plan Policy S1 13. This would represent an enhancement of the existing site.

Summary

9.133 Considering all the points above, the proposal would achieve an acceptable level of sustainable measures for carbon emission reduction, energy and water efficiency and surface water drainage in line with The London Plan and Local Plan policies DM7, DM10, DM11, DM34 and DM35.

I. Planning Obligations

9.134 Section 106 Agreements are a material consideration in the determination of a planning application. The purpose of such an Agreement is to make otherwise unacceptable development acceptable and they should only be sought where they meet all of the following tests:

- (i) Necessary to make the development acceptable in planning terms;
- (ii) Directly related to the development; and
- (iii) Fairly and reasonably related in scale and kind to the development.

9.135 In terms of the s106 Agreement, the required Heads of Terms, having regard to planning policy, the Waltham Forest Local Plan Revised Planning Obligations SPD (2017) and the Waltham Forest Local Plan Affordable Housing and Viability SPD (2018), for this development relate to:

- £8000 requested toward improving sustainable modes of transport including walking and cycling in the site's vicinity which will directly benefit new residents in this development.
- £4000 towards future CPZ consultation and implementation
- £500 towards CLP monitoring
- S278 agreement related but not limited to:
 - Renewal of the footway on both frontages on Whitehall Road and Courtland Avenue
 - Removal of the existing crossover on Courtland Avenue
 - Construction of a dropped kerb for refuse use on Courtland Avenue

- A financial contribution towards the Council's Carbon Offset fund in the event the development fails to meet a 35% reduction in carbon emissions over the 2013 Building Regulations and 10% Be Lean carbon savings compared to a Part L 2013 baseline.

9.136 Legal Fees: Payment of the Council's legal fees for the preparation and completion of the Legal Agreement.

10 CONCLUSION

- 10.1 The introduction of housing is supported within the development site.
- 10.2 The proposed development would offer an acceptable housing mix, which would make a contribution towards housing targets within the borough.
- 10.3 The standard of residential accommodation within the proposed development would be of a good quality.
- 10.4 The proposed building would have proper regard to scale, height and massing. The design and appearance of the resulting building would be of good quality and would complement the locality, as it would provide a satisfactory residential environment for prospective occupiers of the site and its surroundings.
- 10.5 The proposed development would have limited harm on the residential or visual amenity of adjoining residential developments.
- 10.6 The proposed development would have an acceptable impact on highway safety and includes acceptable cycle parking.
- 10.7 The development would incorporate the high environmental standards and would be sustainable relative to the existing context, in that it would deliver acceptable energy and water reduction measures.
- 10.8 The development would improve the resilience of the site to deal with flood risk and surface water drainage.
- 10.9 The development would provide acceptable bin storage facilities that would be conveniently collected.
- 10.10 The development would provide an acceptable landscaping plan that would seek to enhance the green infrastructure of the site and its surroundings.
- 10.11 The conditions set out in the S106 Heads of Terms agreed would ensure that any adverse impact of the scheme is mitigated against and the positive aspects of the proposal advanced by the applicant are carried out through the implementation.
- 10.12 All material planning considerations have been taken into account, including responses to consultation, and it is considered that there are

no material planning considerations in this case that would warrant a refusal of the planning application.

- 10.13 Due to the above considerations and taking into account the merits of the scheme and the consistency of the development when assessed against the Development Plan, the proposed development is considered acceptable in planning policy terms.

11 ADDITIONAL CONSIDERATIONS

Public Sector Equality Duty

- 11.1 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.

- 11.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 11.3 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 which is only one factor that needs to be considered and may be balanced against other relevant factors.
- 11.4 It is considered that the recommendation to grant permission in this case would not have a disproportionately adverse impact on a protected characteristic.

Human Rights

- 11.5 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.

- 11.6 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.

12 RECOMMENDATION

- 12.1 The Planning Committee is recommended to grant planning permission subject to the conditions and informatives below and the prior completion of a S106 legal agreement with the agreed Heads of Terms, as set out in the table below:

CATEGORY	TERMS
Highways	<ul style="list-style-type: none"> • £8000 requested toward improving sustainable modes of transport including walking and cycling in the site's vicinity which will directly benefit new residents in this development. • £4000 towards future CPZ consultation and implementation • £500 towards CLP monitoring • S278 agreement related but not limited to: <ul style="list-style-type: none"> • Renewal of the footway on both frontages on Whitehall Road and Courtland Avenue • Removal of the existing crossover on Courtland Avenue • Construction of a dropped kerb for refuse use on Courtland Avenue • A financial contribution towards the Council's Carbon Offset fund in the event the development fails to meet a 35% reduction in carbon emissions over the 2013 Building Regulations and 10% Be Lean carbon savings compared to a

	Part L 2013 baseline.
LBWF Fees	Payment of the Council's legal fees for the preparation and completion of the Legal Agreement.

12.2 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 Section 106 Agreement and to agree any minor amendments to the conditions or the Section 106 Agreement on the terms set out above.

12.3 In the event that the Section 106 Agreement is not completed within 12 weeks 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 the absence of this Section 106 Agreement, the proposed development would not be able to deliver the residential development on the site. The implication of this happening is that the opportunity for securing the provision of affordable housing would be lost. Additionally, financial, and non-financial contributions would be lost towards the transport related matters which must be secured by the Section 106 Agreement.

12.3 CONDITIONS:

1. The development hereby permitted shall begin not later than the expiration of three years from the date of this permission.

Reason: to comply with the provisions of section 91(1)(a) of The Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans and thereafter maintained as such for the lifetime of the development:

Plan Drawings:

17222_PL001, 17222_PL002, 17222_PL004, 17222_PL005 and 17222_PL006 dated September 2021.

17222_PL013 Rev A dated January 2022.

17222_PL003 Rev A, 17222_PL007 Rev A, 17222_PL008 Rev A, 17222_PL009 Rev A and 17222_PL0010 Rev A dated 14/02/2022.

Documents:

- Design and Access Statement

- Preliminary Ecological Assessment of 83-85 Whitehall Road, Chingford, London, E4 6DN dated January 2022
- Habitats Regulations Assessment dated January 2022
- Biodiversity Net Gain Assessment dated January 2022
- Soft Landscape Design dated January 2022

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

Design

3. Notwithstanding the submitted plans, prior to the commencement of the development, notwithstanding site clearance and investigation works, demolition and construction to slab level, updated samples and/or an updated full schedule of materials to be used in the construction of the external surfaces of the development, including details of the balcony treatment, hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details and thereafter retained as such.

Reason: In order to preserve and enhance the character of the area in accordance with policies CS12 and CS15 of the Adopted Waltham Forest Local Plan – Core Strategy (2012) and policies DM28 and DM29 of the Adopted Waltham Forest Local Plan – Development Management Policies (2013).

4. Notwithstanding the submitted plans, prior to the commencement of the development on site, notwithstanding site investigation and clearance works, demolition and construction to slab level the details submitted relating to the siting, design and height and finish of all new walls, gates, fencing, railings, and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details and thereafter retained as such.

Reason: In the interest of general visual amenity, and amenity of neighbouring occupants, in accordance with Policies CS13 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

5. All window reveals on the external faces of the development hereby permitted shall be set in 115mm (minimum) from the external face of the building and thereafter retained as such.

Reason: In the interest of visual amenity of the design of the building, in accordance with Policy CS15 of the Waltham Forest Local Plan – Core Strategy (2012) and Policy DM29 of the Waltham Forest Local Plan – Development Management Policies (2013).

6. The balconies of the proposed development hereby approved shall not to be used for storage and no materials or makeshift screening shall be installed or erected on the inside by any future occupant.

Reason: In the interest of visual amenity of the design of the building, in accordance with Policy CS15 of the Waltham Forest Local Plan – Core Strategy (2012) and Policies DM28 and DM29 of the Waltham Forest Local Plan – Development Management Policies (2013).

7. Prior to the commencement of the development, notwithstanding site investigation and clearance works and demolition, full details relating to the following shall be submitted to and approved by the Local Planning Authority:

a) All forms of external lighting to be provided on site.

The development shall be carried out fully in accordance with the approved details prior to first occupation of the development and shall be thereafter maintained as such for the lifetime of the development.

Reason: Insufficient details have been provided as part of the planning application and in the interest of security and sustainable development, in compliance with Policies CS6, CS13, CS15 and CS16 of the adopted Waltham Forest Local Plan - Core Strategy 2012 and Policies DM13, DM14, DM23, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

8. All residential units shall be constructed to The Building Regulations (2010) Access to and use of Buildings, Approved Document M (2015 as amended), Volume 1: Dwellings, M4(2): Accessible and adaptable dwellings as far as practicable. Prior to occupation the dwellings shall be provided to the standard set down in at M4(2) of the Building Regulations and thereafter retained as such for the lifetime of the development.

Reason: To provide accessible residential units which can be adapted to residents' changing needs throughout their lifetime in accordance with Policies CS2 and CS15 of the adopted Waltham Forest Local Plan Core Strategy (2012) and Policies DM29 and DM30 of the adopted Waltham Forest Local Plan – Development Management Policies (2013) and Policy 3.8 of the adopted London Plan (consolidated with alterations from 2011).

Landscaping & Ecology:

9. Notwithstanding the submitted plans, prior to the commencement of development on site, details of the hard and soft landscaping to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details

of the retained and proposed planting around the site, including details of planting shown to the southern boundary of the site, and with the requirement to demonstrate that all hardstanding areas are permeable. The development shall be carried out solely in accordance with the approved details and all approved planting shall be carried out in the first planting season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedges, shrubs and greenspaces forming part of the approved scheme which within a period of five years, dies, is removed or becomes seriously damaged or diseased shall be replaced with others of similar size and species.

Reason: To ensure the well-being of the trees and in the interest of biodiversity, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

10. Prior to the commencement of the development on site, notwithstanding site investigation and clearance works, demolition and construction to slab level, a Landscape Management Plan, which includes long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved Landscape Management Plan shall be implemented prior to the first occupation of the development hereby approved and thereafter maintained for the lifetime of the development.

Reason: To ensure the well-being of the trees and in the interest of biodiversity, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

11. Prior to the first occupation of the development on site, details demonstrating compliance with the recommendations of the Preliminary Ecological Assessment of 83-85 Whitehall Road, Chingford, London, E4 6DN dated January 2022 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out solely in accordance with the approved details, and all works shall comply with BS 3998:2010 (Tree Work - Recommendations) and shall be supervised by a suitably qualified Arboriculturalist and any post-construction mitigation measures shall thereafter be maintained for the lifetime of the development.

Reason: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted

Waltham Forest Local Plan – Development Management Policies (2013).

Highways:

13. No development shall take place on site whatsoever, until a detailed Construction Logistics Plan has been submitted to and approved by the local planning authority. The logistics plan shall include details of site access, journey planning, access routes, hours of delivery, temporary traffic arrangements or restrictions, site operation times, loading and unloading locations and material storage. This document should include all stage of construction including all demolition and site clearance. This would need to be submitted using the TfL template and guidance found here: www.constructionlogistics.org.uk.

All works shall be carried out in accordance with the approved details throughout all demolition and construction works.

Reason: To ensure considerate construction and to protect the amenities of the nearby residents to ensure that disruption is kept to a minimum and does not affect highway traffic flows to comply with Policies CS7 and CS13 of the adopted Waltham Forest Core Strategy (2012) and Policies DM14 DM15, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

14. Prior to the commencement of development on site, notwithstanding site investigation work, clearance and demolition, a SUDS (Sustainable Urban Drainage System) to deal with all surface water drainage from the site, including details of proposed rainwater harvesting systems, green roofs and proposed soakaway designs together with infiltration test results, recommended soakage rates, and maintenance schedule shall be submitted to and approved by the Local Planning Authority. The SUDs will be expected to achieve greenfield run-off rates.

The approved SUDS shall be fully implemented prior to first occupation of any building and thereafter maintained in accordance with the agreed details for the lifetime of the development.

Reason: To prevent the increased risk of flooding, both on- and off-site ensure that adequate drainage facilities are provided in accordance with Policies CS4 and CS15 of the adopted Waltham Forest Local Plan - Core Strategy (2012) and Policy DM34 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

15. Prior to the commencement of development on site, the developer is required to carry out a condition survey of the adjoining carriageway and footways on Whitehall Road and Courtland Avenue. This will be

required prior to the commencement of any works to include a wider scope than the developments immediate frontage to include all junctions using for vehicle routing.

The condition survey will need to be submitted to the Council's Highways team for records and will need to include a site plan showing the location of the photographs. The condition survey will be required in addition to the highway works, to ensure, if the public highway is damaged as a result of the construction works this would be reinstated by the Council and funded by the developer.

Reason: To ensure considerate construction and to protect the amenities of the nearby residents to ensure that disruption is kept to a minimum and does not affect highway traffic flows to comply with Policies CS7 and CS13 of the adopted Waltham Forest Core Strategy (2012) and Policies DM14 DM15, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

16. Works of demolition and construction shall be carried out during normal working hours, i.e., 08:00 to 18:00 hours Monday to Friday, and 08:00 to 13:00 hours on Saturdays, with no noisy working audible at the site boundary being permitted on Sundays or Bank Holidays.

Reason: To ensure considerate construction and to protect the amenities of the nearby residents from excessive noise and dust and to comply with Policies CS7 and CS13 of the adopted Waltham Forest Core Strategy (2012) and Policies DM14, DM15, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

17. The vehicle parking spaces as shown on plan drawing 17222_PL003 Rev A dated 14/02/2022, shall all benefit from access to electric vehicle charging points. The parking spaces and charging points shall be retained as such thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of effective provision of safe and well-designed parking facilities in accordance with Policies CS7, CS15 and CS16 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM16 of the Waltham Forest Local Plan Development Management Policies (2013).

18. Prior to commencement of development (other than demolition, enabling and groundworks and development below DPC level) and notwithstanding any indication on the submitted drawings, details of electric vehicle charging point locations and technical specifications shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with

the approved details and retained as such thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of effective provision of safe and well-designed parking facilities in accordance with Policies CS7, CS15 and CS16 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM16 of the Waltham Forest Local Plan Development Management Policies (2013).

19. Prior to the commencement of development on site, notwithstanding site investigation and clearance works and demolition, a plan showing the position, depth and width of the proposed dropped kerbs shall be submitted. The approved scheme shall be implemented before the development hereby permitted is brought into use and thereafter retained as such for the lifetime of the development.

Reason: In the visual amenity of the street scene and highway safety, in accordance with Policies CS7 and CS15 of the Waltham Forest Local Plan - Core Strategy (2012) and Policies DM13, DM14, DM16 and DM29 of the Waltham Forest Local Plan – Development Management Policies (2013).

20. No development shall take place whatsoever, until a Construction Method Statement including any demolition works, has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period. The Statement shall provide for the:

- i. parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control emissions, dust, and dirt during construction
- vii. recycling/disposing of waste resulting from demolition and construction works

Reason: To ensure considerate construction and to protect the amenities of the nearby residents from excessive noise and dust and to comply with Policies CS7 and CS13 of the adopted Waltham Forest Core Strategy (2012) and Policies DM14, DM15, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Sustainability:

21. Prior to the commencement of the development on site, notwithstanding site investigation and clearance works, demolition and

construction to slab level, details of the specific measures to be adopted to achieve at least a 35% reduction in carbon emissions over the 2013 Building Regulations, 10% Be Lean carbon savings compared to a Part L 2013 baseline together with details of the renewable sources of energy to be incorporated within the development, shall be submitted to, and approved in writing by the Local Planning Authority. Any subsequent shortfall shall be compensated by payment to the Council's Carbon Offset Fund. The approved measures shall be incorporated into the development, and thereafter maintained in accordance with the approved details for the lifetime of the development.

Reason: To ensure the development is sustainable and to comply with Policy CS4 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM10, DM11 and DM24 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

22. Prior to the first occupation of the development, a scheme detailing measures to reduce water use within the development, to meet a target water use of 105 litres or less per person, per day, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme and thereafter retained as such for the lifetime of the development.

Reason: To ensure the development is sustainable and to comply with Policy CS4 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM10, DM11 and DM24 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Air Quality:

23. No NRMM shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).

Reason: To ensure that air quality is not adversely affected by the development in line with London Plan (2021) policy SI and Policy CS13 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policy DM23, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Noise:

24. Noise from all new building services plant for the lifetime of the development shall be controlled to a level not exceeding 10dB(A) below the typical underlying background noise level (LA90) during the time of plant operation at a position one metre external to the nearest

noise sensitive premises. The underlying background LA90 shall be determined in the absence of the new plant noise.

Reason: To protect the amenities of adjoining occupiers and the surrounding area in order to comply with Policy CS13 of the Waltham Forest Local Plan – Core Strategy (2012) and Policies DM24 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

Water

25. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

Fire Safety

26. The development shall fully accord with Part B5 of the Building Regulations.

Reason: In order to protect the living conditions and safety and security of the occupants in line with London Plan (2021) Policy D12, Adopted Policy CS1 of the Waltham forest Local Plan Core Strategy (2012) and Policy D11 of the London Plan Policies (2021).

Secure by Design

27. Prior to above ground works, details of the measures to be incorporated into the development demonstrating how the development can achieve Secure by Design Certification including details regarding window and door sets, entry control, security lighting and CCTV, shall be submitted to, and approved in writing by the Local Planning Authority, in consultation with the Metropolitan Police Designing Out Crime Officers. The development shall be carried out in accordance with the agreed details and maintained thereafter.

Reason: To ensure safety and security of the site users, in accordance with Policies CS15 and CS16 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM33 of the

adopted Waltham Forest Local Plan – Development Management Policies (2013).

28. Prior to the first occupation of the site, the development shall achieve a Certificate of Compliance to the relevant Secure by Design Guide(s) submitted to and approved in writing by the Local Planning Authority in conjunction with the Metropolitan Police. The development shall be carried out in accordance with the approved details and thereafter shall be fully retained and maintained as such for the lifetime of the development.

Reason: To ensure safety and security of the site users, in accordance with Policies CS15 and CS16 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM33 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

12.3 INFORMATIVES:

1. To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which offers a pre planning application advice service. The scheme was submitted in accordance with guidance following pre application discussions and the decision was delivered in a timely manner.

2. A legal agreement has been entered into with the London Borough of Waltham Forest in conjunction with this grant of planning permission, in relation to improving sustainable modes of transport in the area, future CPZ consultation and implementation, construction logistics plan monitoring, minor highway works and carbon emission efficiency measures to ensure that the development is acceptable.

Community Infrastructure Levy

3. The approved development is liable to pay Mayoral Community Infrastructure Levy (CIL) and Waltham Forest CIL. A 'CIL Form 1 (Assumption of Liability)' must be completed prior to commencement, at which time a Liability Notice, stating the payable amount, will be issued by the Council. A 'CIL Form 6 (Commencement Notice)' must be submitted to the Council prior to commencement of development, at which time a Demand Notice, stating the payment method and deadline, will be issued. You should note that any claims for relief, where they apply, must be submitted, and determined prior to commencement of the development. Failure to submit the necessary forms and follow the CIL payment process may result in penalties. More information on Waltham Forest CIL, including copies of all CIL forms, is available at: -

<https://walthamforest.gov.uk/content/community-infrastructure-levy>.
The Planning Portal provides general advice about CIL. This is available at: -
https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy

Highways matters

4. Noise from all new building services plant for the lifetime of the development shall be controlled to a level not exceeding 10dB(A) below the typical underlying background noise level (LA90) during the time of plant operation at a position one metre external to the nearest noise sensitive premises. The underlying background LA90 shall be determined in the absence of the new plant noise. This assessment shall be completed in accordance with BS4142: 'Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas'.

5. Construction activities must not affect traffic flows on the highway. No materials can be stored on the highway and no construction related activities can take place on the highway. It is an offence to place scaffolding, skip or hoarding on the highway without permission. Early contact with the Council's Network Operations is advisable, as it may affect the construction programme.

Air Quality

6. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit "<http://nrmm.london/>".

Water

7. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Should you require further information please contact Thames Water.
Email: developer.services@thameswater.co.uk

8. There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

9. With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water, we will have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

10. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

11. Thames Water would advise that with regard to WASTEWATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

The proposed development is located within 15 metres of our underground wastewater assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921

(Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

12. If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/building_water.

Fire Safety

13. The applicant is advised that the London Fire Brigade strongly recommends that sprinkler systems are considered for new development. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers and can reduce the risk to life.

14. It is developer's responsibility to ensure all signage associated with the proposed development i.e. street nameplates, building names and door numbers are erected prior to occupation, as agreed with the Councils Street Naming/Numbering Officer.

15. 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.

This notice is without prejudice to your responsibilities under any other legislation

16. **IMPORTANT:** Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a Certificate of Lawfulness.

13.BACKGROUND DOCUMENTS

None