(Update Item 4.1)

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 01 November 2022
Application reference:	213777
Applicant:	Woolbro Evolution
Location:	806 High Road Leyton, London E10 6AE
Proposed development:	Retention of High Road facade and the demolition of existing buildings on site; construction of three blocks at five and six storeys height comprising a commercial space (Class E) fronting High Road Leyton and 83 residential flats, associated vehicle and cycle parking, servicing and landscaping; and the construction of a two-storey dwellinghouse fronting William Street.
Wards affected:	Forest
Appendices:	None

1 AMENDMENTS/ADDITIONS TO REPORT

1.1 Small amendments or additions to published text are highlighted in ***bold and italics*** font, changed paragraphs and conditions are in *italics* font.

1. RECOMMENDATION

1.2 Following the publication of the report, the applicant explained that the proposed affordable rent was London Affordable Rent and not Social Rent in line with their original offer. The relevant heads of terms will be updated as below:

Affordable homes:

The delivery of 35% affordable housing (by habitable room) with 70% affordable housing (by habitable room) as ***London Affordable Rent*** *and 30% (by habitable room) as London Shared Ownership.*

An early-stage viability review mechanism to be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted or otherwise agreed in writing by the LPA.

1.3 Following the publication of the PAC Report (the Report), the Council Parks and Open Spaces agreed a figure for an offset play space contribution with the applicant. The relevant head of term would be updated as below:

Offset Play Space Contribution:

*A financial contribution of £**25,200.0** towards improving or providing new play facilities in either or all the Parks identified within a distance of 600m from the development.*

1.4 The particulars for some of the proposed heads of terms were discussed and agreed to be amended as below:

Transport:

- *Enabling works will be required to convert the existing dropped kerb access to a construction standard crossover along with an amendment to the existing TMO (traffic management order) to install various parking suspensions along the construction route. A separate enabling works application will be required to be submitted by the developer prior to commencement on site. The enabling works will be carried out by a Minor Highways Agreement funded by the developer and carried out by the Council prior to commencement on site.*
    - *Highway works under a S278 will be required upon completion of the development, prior to occupation.*
    - *An application for Highway Works will be required. Extent of works will include but are not limited to:*
    - *Renewal of the footway along the frontage of the site along St Helier's Road. With full height kerbs.*
    - *Renewal of the footway along the frontage of the site along William Street*
    - *The introduction of suitable street lighting to the new extended footway along St Helier's Road*
    - *Changes to the existing parking provision along St Helier's Road* ***to include exploring increasing the CPZ parking bay area.***
    - *Changes to the existing parking provision along St Heliers Road to include exploring increasing the CPZ parking bay area*
    - *The installation of Highway approved crossovers that meet the existing crossover standards.*
    - *Removal of all enabling works required for construction.*

- *A S106 contribution of £5,500.00 is required towards CLP monitoring.*
- *A S106 contribution of £75,000 is required towards safety improvement for walking and cycling in line with TfL's healthy streets objectives, improving road safety and connectivity for the new occupants of this site.*
- *Waltham Forest will identify opportunities to improve the public realm and Walking and Cycling Improvements in the local vicinity of the site. The improvements will seek to mitigate the impacts that the development will have based on the increased pedestrian and cycling movements as well as the increased servicing and delivery presence that the proposal will generate.*
- *The site will be car-free, residents will not be entitled to parking permits for any CPZ unless disabled/blue badge holder.*

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

Energy efficiency and carbon reductions:

- *To design and construct the whole development* ***(with the exception of the single house fronting William Street)*** *so that it is capable of connecting to a decentralised energy network, including associated reserved areas in the plant room and protected pipework routes within and adjacent to the development.*
- *Updated energy strategies for any phase of the development if details vary from the site energy plan provided.*
- *Updates based on As Built energy calculations for each phase.*
- *A financial contribution of £72,463.00 based on offset rate of £95 per tonne over 30 years (763 tonnes) towards a carbon offset fund. 100% upfront payment of the carbon offset payment to be made on implementation.*
- *Evidence confirming engagement has occurred with an energy supplier working towards registration with the Heat Trust scheme.*
- *Measures to secure post-construction monitoring ("Be Seen").*
- *Post Construction monitoring (be seen):*
    - *A. Within 8 weeks of the grant of planning permission, to submit to the GLA accurate and verified estimates of the 'Be Seen' energy performance indicators.*
    - *B. Prior to occupation, the Owner shall provide updated accurate and verified 'as-built' design estimates of the 'Be Seen' energy performance indicators for each Reportable Unit of the development.*
    - *C. Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit of the development.*
    - *In the event that the 'In-use stage' evidence submitted under Clause c) shows that the 'As-built stage' performance estimates derived from Clause b) have not been or are not being met, the Owner should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'Be Seen' in-use stage reporting webform. An action plan comprising measures identified in Clause c) shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.)*

4. APPLICATION PROPOSAL

1.5 Any references to Social Rent (SR) should be replaced with 'London Affordable Rent' (LAR).

7. OTHER CONSULTATIONS

1.6 For the 'Housing' comments, any references to Social Rent (SR) should be replaced with 'London Affordable Rent' (LAR).

1.7 The following should be read alongside section 7 (Public Consultations) of the Report:

1.7.1 The response from the NHS was not included in the table under paragraph 7.1, it was received during the course of the application and assessed under paragraphs 10.196 -10.197 of the Report. The Parks and Open Spaces team response was received following the publication of the report.

LBWF officer consultee	**Comment**
NHS Infrastructure Planning	*The NHS would be seeking a s106 capital contribution of £270,069. This has been calculated using the Health Urban Development Units planning contribution model.*
Parks and Open Spaces	*Abbots Park and Leyton Manor are in the locality of the site, they both have ball courts and could be considered as suitable provision for 12-17 years old. Abbots Park ball courts are being completely refurbished so able to accommodate some demand, the outdoor gym is well used but aging and could be invested in.* *Leyton Manor courts are worn, additional demand may push a need for resurfacing. If provision for play space is not accommodated on site, we would like to see some investment in these two parks.*

10. ASSESSMENT:

1.8 Under this section, any references to Social Rent (SR) should be replaced with 'London Affordable Rent' (LAR). This is not a change to the proposed amount of affordable housing, but only its tenure. LAR was the original proposed affordable rent tenure and the application was assessed on this basis. The term SR was written in error across the report.

ASSESSMENT: LOSS OF EMPLOYMENT LAND

1.9 Paragraph 10.18 in subsection 10B (Assessment: LOSS OF EMPLOYMENT LAND) should be amended to clarify appropriate mitigation and would now read as follows:

The above justification would be acceptable; ***the site currently has a maximum of 30 employment opportunities****; it is not used to its maximum employment potential and would not achieve it in the future and, as such, is a surplus to requirement of employment land in the borough.* ***The Council would seek a compensation for the***

loss of these employment opportunities with a £105,000.0 financial contribution under the s.106. *Additionally, the site is allocated for mixed-use residential use as per the current application. Accordingly, loss of employment onsite would be acceptable and in line with policy CS8 and the draft local plan policy 29.*

ASSESSMENT: External amenity and Children Play Space

1.10 Paragraph 10.58 in subsection 10D (Assessment: STANDARD OF RESIDENTIAL ACCOMMODATION) should be amended for correction and would now read as follows:

The GLA population Yield Calculator accounted for 28 children within the development, which would require a total of 280sqm of play space. The proposed play space would sit south of block A and west of block B; this whole section would have an overall area of 259sqm, which would not be sufficient to hold the required play space of 280sqm. The decision notice would include a landscaping condition requiring the final design for the play space to show details of the play space and its equipment. Nonetheless, the available area would fall short of catering to all children of the development. The applicant clarified that the development would cater to children up to 11 years old onsite with children from ages 12-18 expected to be using the existing local facilities. The yield for ages 12-18 is 6.3 children who would require 63 sqm. London Plan Policy S4 accepts that older children who can travel further to access play space and recommends that an offsite play space financial contribution would be an acceptable mitigation for lack of onsite play space. The Council's Parks and Open Spaces team advised that there are suitable facilities in the local area and agreed that a financial contribution of £25,200.0 would be appropriate and would be used towards improving or providing new play facilities in either or all the Parks identified within a distance of 600m from the development. The figure of contribution was based on the particulars of the development and the needs of the identified facilities in the area.

ASSESSMENT: Outlook and Privacy

1.11 Paragraph 10.113 in subsection 10G (Assessment: NEIGHBOURING AMENITY) should be amended for correction and would now read as follows:

Block C and the dwellinghouse would sit in line with their rows and unlikely to have significant outlook impact on neighbouring rear windows. Block C's side windows would have a condition to ensure that they would not be clear nor openable below 1.7 metres to maintain the privacy of neighbouring properties. The dwellinghouse would not have side windows. Accordingly, all proposed blocks would be considered to have an acceptable impact on the outlook and privacy of the neighbouring properties.

ASSESSMENT: Daylight, sunlight and overshadowing

1.12 The following should be read in conjunction with the rest of paragraph 10.118 in subsection 10G (Assessment: NEIGHBOURING AMENITY), the below is amended for correction in relation to 16 William Street and 790-792 High Road Leyton; an image

added in relation to 808 High Road Leyton for clarity. The affected parts of the table would now read as follows:

16 William Street *This property is a single dwellinghouse; the VSC results show full adherence, and the NSL results show one room out of six failing to meet its criteria. However, this deviation would be moderate at a 35% loss. Considering the positive **VSC** results and most of the NSL results, the moderate nature of the NSL deviation on a single room, and the overall results on the property, this would be acceptable and not warrant a reason for refusal.*
790-792 High Road Leyton *A mixed use, three floor building with commercial ground floor and residential above. It shares its northwest boundary with the site. The rear facing windows have direct outlook towards the cinema building. The NSL results show full adherence across all the nine rooms, only one room would fail to achieve **VSC** criteria. However, this deviation would be moderate at a 27% loss. This window is serving a room that has two other windows of similar sizes, accordingly, the mean VSC of the room should be considered and not taken separately per window. On this basis, the changes to the VSC would fall within the BRE guidance, the daylight and sunlight impact for this building would be acceptable.*
808 High Road Leyton *Mixed use, two-floors building with commercial on ground floor and residential on first floor with rear and side facing windows and shares its east boundary with the site. The VSC analysis indicates that three out of five windows would meet the guidance. The two transgressions equate to relative losses of 61% and 27%. The worst affected window (room use not identified) would be reduced in absolute terms from 15.8% VSC to 6.2% VSC. This appears to be a window within the flank wall facing southeast and the impact would be noticeable.*   *The NSL analysis indicates two out of four rooms would meet the guidance. The two transgressions equate to relative losses of 62% and 29%. The worst affected window is the aforementioned window within the flank wall, which will see its view of sky reduced from 48% of its total area to 18% and the impact would likely be noticeable* *The assessment was not able to obtain the detailed floor plans for this property, however, it indicated that it was clear the main habitable rooms of the unit would face onto the road. Officers consider that indications such as the overall depth and width of the property indicate that it is a one-bedroom flat and would translate to the*

main windows facing the front and the rear of the building. Accordingly, the side window would either be secondary or serving a non-habitable room. As such, the impact on this property would be acceptable.

ASSESSMENT: Trees

1.13 Paragraph 10.209 in subsection 10L (Assessment: TREES, LANDSCAPING AND ECOLOGY) should be amended for clarity and would now read as follows:

Therefore, subject to the recommended conditions ***and financial obligation****, it is considered that the proposed development would be acceptable in relation to its impact on trees, with the proposed extensive new tree planting according with Policies CS5, DM12, and DM35, Emerging LP1 Policy 82 and London Plan Policies G1 and G7.*

11. CONCLUSION

1.14 Any references to Social Rent (SR) should be replaced with 'London Affordable Rent' (LAR).

1.15 Paragraph 11.2 amended for correction and clarity; the first point is removed as the trees issue is mitigated through financial contribution. The paragraph it would now read as follows:

Generally, it would be possible to use planning obligations and conditions to mitigate any negative effects that would otherwise be associated with the proposed development. However, it is noted that the development would result in some residual, unmitigated harm, including the following:

- *The minor harm that would be caused to the daylight and sunlight amenities of the above referenced neighbouring properties.*
- *The shortfall in the full provision of blue-badge parking requirement.*

13. CONDITIONS AND INFORMATIVES

1.16 Officers recommend that the following amendments should be made to section 14 (Recommended Conditions and Informatives), these amendments result from receipt of new plans, agreement with the applicant on pre-commencement conditions trigger, further discussions with internal colleagues on their recommended conditions.

1.16.1 Condition (number 2) should be amended; following publication of the Report, the applicant submitted final plans where each unit's tenure is marked. The condition would now read as follows:

The development shall be carried out in accordance with the following approved drawings:

- *2172_0001 Rev A*
- *2172_0002 Rev A*
- *2172_0003 Rev A*
- *2172_0004 Rev A*
- *2172_0005 Rev A*
- *2172_0006 Rev A*
- *2172_0007 Rev A*
- *2172_0099 Rev I*
- *2172_0100 Rev U*

- *2172_0101 Rev P*
- *2172_0102 Rev N*
- *2172_0103 Rev N*
- *2172_0104 Rev N*
- *2172_0105 Rev J*
- *2172_0106 Rev K*
- *2172_0200 Rev H*
- *2172_0201 Rev H*
- *2172_0202 Rev F*
- *2172_0203 Rev B*
- *2172_0204 Rev E*
- *2172_0205 Rev B*
- *2172_0206 Rev B*
- *2172_0207 Rev B*
- *2172_0250 Rev D*
- *2172_0251 Rev D*
- *2172_0252 Rev D*
- *2172_0300 Rev C*
- *2172_0301 Rev C*
- *2172_0302 Rev C*
- *2172_0303 Rev C*
- *2172_0303 Rev B*

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

1.16.2 Condition (number 3) is amended for clarity and would now read as follows:

The northwest facing panels of the Block A angled windows on the northern elevation shall be non-openable and obscure glazed. The northeast facing panels of the Block A angled windows on the northern elevation can be fully transparent with an openable top panel.

The Block C side windows on all floors above ground floor shall be non-openable and obscure glazed unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

No occupation of the development shall take place until these windows have been installed, and the installed windows shall thereafter be retained and maintained as such for the lifetime of the development

REASON: To protect the amenities of future and neighbouring residents, in accordance with Policy CS2 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM32 of the Waltham Forest Local Plan Development Management Policies (2013), and Policy D6 of the London Plan (2021).

1.16.3 Condition (number 4) is amended for clarity and would now read as follows:

Prior to commencement of relevant buildings hereby approved, detailed drawings and supporting documentation for the relevant buildings shall be submitted for approval in writing by the Local Planning Authority in conjunction with an appropriately qualified representative (for example a member of National Register of Access Consultants or the Access Association) which demonstrate that the design of the scheme is inclusive and accessible to all persons, including persons with disabilities, including:

A. All residential units shall be built 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 a minimum.
   i. 4 x1-bedroom/1-person units which must comply with Part M4(2)
   ii. 43 x 1-bedroom/2-persons units which must comply with Part M4(2)
   iii. 7 x 2-bedroom/3-persons which must comply with Part M4(2)
   iv. 6 x 2-bedroom/4-persons which must comply with Part M4(2)
   v. 14 x 3-bedroom/5-persons which must comply with Part M4(2)
   vi. 1 x 3-bedroom/6-persons dwellinghouse which must comply with Part M4(2)

B. At least 10% of new housing must meets Building Regulation requirement Part M4 (3) 'wheelchair user dwellings,' this comprises:
   i. 4 x 2-bedroom/3-persons units – Market Sale which must comply with Part M4(3)(2)(a) wheelchair adaptable standards
   ii. 4 x 2-bedroom/3-persons units SR/LAR which must comply with Part M4(3)(2)(b) wheelchair accessible standards

C. All Wheelchair accommodation located within the Social Rented/ London Affordable Rented tenure must be designed to Part M4 (3)(2)(b) wheelchair accessible standards.

D. All Part M4(3)(2)(b) unit layouts shall be provided on 1:50 and 1:20 plans and shall include elevations of kitchens and bathrooms. Details of utility cupboard doors with min 850mm clear door opening widths and minimum 1200mm approach, showing washing machines placed within cupboard so as to be easily accessible once door opened.

E. Detailed drawings and documentation shall include the internal layout of buildings, and external areas (including car parking areas), and proposed details of entry gates.

F. Communal entrances and circulation areas in blocks shall be designed to M4 (3) standards.

G. Where lifts are provided, at least one lift per core should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building, and all communal doors and circulation areas in blocks accommodating M4(3) dwellings shall be built in full accordance with Part M4(3).

Prior to occupation of the relevant phase of development, the scheme shall be completed in accordance with the approved details.

REASON: To ensure that accessible homes would be provided, in accordance with Policy CS2 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM30 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D5 and D7 of the London Plan (2021).

1.16.4 Condition (number 5) is amended to clarify the trigger and would now read as follows:

No above ground works for the development (excluding demolition) shall take place until details of all materials to be used in its external surfaces have been submitted to and approved in writing by the Local Planning Authority. The details shall include a schedule and samples, as agreed with the Local Planning Authority. The materials shall be based on the indications shown on the approved drawings and in Design and Access Statement Addendum – Summary of Amendments – August 2022, prepared by RMA Architects. No development shall take place except in accordance with the approved details, which shall thereafter be retained and maintained as such for the lifetime of the development.

REASON: To ensure that the appearance of the development would be satisfactory, in accordance with Policies CS2 and CS15 of the Waltham Forest Local Plan Core

Strategy (2012), Policy DM29 of the Waltham Forest Local Plan Development Management Policies (2013), and Policy D6 of the London Plan (2021).

1.16.5 Condition (number 8) is amended to clarify the trigger and correct errors; it would now read as follows

No above ground works for the development (excluding demolition) shall take place until a Parking Design and Management Plan (PDMP) has been submitted to and approved in writing by the Local Planning Authority. The PDMP shall include design details related to cycle parking; cargo bike provisions; disabled persons car parking (including active provision for 3 such spaces and passive provision for a further 1); electric vehicle charging points (including 20% active provision as a minimum, with passive provision for the remainder of spaces). The PDMP shall include management details for access, appointment and maintenance of the provided spaces to future occupiers.

The approved PDMP shall be fully implemented, and the implemented measures shall thereafter be retained and maintained as such for the lifetime of the development.

REASON: To encourage sustainable transport and ensure accessibility, in accordance with Policy CS7 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM14, DM15, and DM16 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies T2, T5, T6, and T6.1 of the London Plan (2021).

1.16.6 Condition (number 9) is amended to clarify the trigger and correct errors; it would now read as follows:

No above ground works for the development (excluding demolition) shall take place until a Delivery and Servicing Plan (DSP), has been submitted to and approved in writing by the Local Planning Authority. The approved DSP shall be fully implemented, and the implemented measures shall thereafter be retained and maintained as such for the lifetime of the development. The DSP shall be based on the following submitted documents, unless otherwise agreed with the Local Planning Authority:

- *Outline Delivery and Servicing Management Plan, report Ref: 2102671-04, dated: November 2021, prepared by Ardent Consulting Engineers; superseded by*
- *Transport Technical Note – Report Ref; 2102671-09, dated September 2022, prepared by Ardent Consulting Engineers.*
- *Refuse Vehicle Swept Path Analysis Drawing – September 2022.*

REASON: To encourage sustainable transport and ensure road safety and adequate provisions for the storage and collection of waste and recycling, in accordance with Policies CS6 and CS7 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM14, DM15, DM16, and DM32 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D6, SI 7, T2, T4, T6, and T7 of the London Plan (2021).

1.16.7 Condition (number 10) is amended to rectify a typing error; it would now read as follows:

No development shall take place until a detailed Construction Logistics Plan (CLP), based on the 806 High Road Leyton, Leyton – Outline Construction Logistics Plan, Report Ref: 2102671-03A, dated July 2022 and prepared by Ardent Consulting Engineers, has been submitted to and approved in writing by the Local Planning Authority. The CLP shall discuss all phases of the development including: i) site setup, ii) demolition of existing buildings, iii) below ground works, iv) above ground works. No development shall take place except in accordance with the approved detailed CLP.

REASON: To ensure considerate construction and road safety and protect the amenities of neighbouring residents, in accordance with Policy CS7 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM13 and DM15 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies T2, T4, and T7 of the London Plan (2021). The objectives and purposes of this condition are such that it is required to be complied with before commencement of development.

1.16.8 Condition (number 11) is amended to rectify a writing error; it would now read as follows:

A. No development shall take place until a pre-commencement highway condition survey has been undertaken and submitted to and approved in writing by the Local Planning Authority.

B. No occupation of the development shall take place until a post-completion highway condition survey has been undertaken and submitted to and approved in writing by the Local Planning Authority.

C. Any damage to the highway incurred as a result of demolition and construction works for the development, shall be re-instated by the Local Highway Authority but funded by the developer, in accordance with the details approved in the highway condition surveys.

The highway condition survey shall include a site location plan highlighting the location of the photographs, its scope of the survey shall cover:

i. 30 metres either side of the frontage along William Street,

ii. 50 metres either side of the frontage along High Road Leyton,

iii. Belmont Park Road, and

iv. St Heliers Road.

REASON: In the interests of highway safety, in accordance with Policy CS7 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM14 and DM15 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies T2 and T4 of the London Plan (2021).

1.16.9 Condition (number 13) is amended to follow the Environmental Health Officer request; it would now read as follows:

Prior to commencement of construction works, a scheme including the following components (where applicable) to address the risk associated with site contamination shall be submitted to and approved in writing by the Local Planning Authority (LPA).

A. A Desk Study report including a preliminary risk assessment and conceptual site model.

B. A ground investigation based on the findings of the Desk Study Report to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

C. The results of the investigation and revised risk assessment and based on these, in the event that remediation measures are identified necessary a remediation strategy shall be submitted giving full details of the remediation measures required and how they will be undertaken.

D. A verification report providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete.

Any investigation and risk assessment must be undertaken in accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR11). In the event that additional significant contamination is found at any time when carryout the approved development it must be reported immediately to the LPA.

For the avoidance of doubt, this condition can be discharged on a section-by-section basis.

Reason: To ensure the risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS13 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM24 and DM34 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

1.16.10 Condition (number 16) is amended to clarify the trigger and correct errors; it would now read as follows:

No occupation of the development shall take place until details of any form of external illumination and/or external lighting on buildings and around the site have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to the occupation of the development and thereafter be retained and maintained as such for the lifetime of the development.

REASON: To protect the amenities of future users of the site and neighbouring land, and ensure safety, in accordance with Policies CS7 and CS13 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM14, DM15, and DM24 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies T2, T4, and D8 of the London Plan (2021).

1.16.11 Condition (number 18) is amended to correct errors in its reason; it would now read as follows:

No occupation of the development shall take place until noise mitigation measures have been fully implemented, and the implemented noise mitigation measures shall thereafter be retained and maintained as such for the lifetime of the development. Noise mitigation measures shall produce internal noise levels specified in table 4 section 7.7 of BS8233 and meet the WHO night-time noise standard of 45 dB LAmax. Where mechanical ventilation systems are required, they shall meet or exceed the

specifications set out in clause 6, schedule 1 of the Noise Insulation Regulations 1975 (as amended) with regard to acoustic performance and airflow rates.

REASON: To protect the amenities of future residents in accordance with Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM24 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D13 and D14 of the London Plan (2021).

1.16.12 Condition (number 19) is amended to make document reference more concise; it would now read as follows:

Prior to the occupation of each block hereby permitted, a Final Energy Report (including a summary of the modelling work output i.e. Building Regulation UK Part L and, TER/DER worksheets for dwellings). Demonstrating how the scheme reduces the carbon dioxide emissions of the development by at least 35% compared to the 2021 Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall reference the measures set out in the Approved and Updated Energy Statements accompanying the planning application and shall explain what measures have been implemented in the construction of the development.

A statement of verification from a suitably qualified expert shall be provided to the LPA and agreed in writing to confirm compliance with the provided details prior to occupation of 20% units/ block. The development and energy efficiency measures shall thereafter be retained and maintained for the lifetime of the building.

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) and Policies SI2 and SI3 of the London Plan (2021).

1.16.13 Condition (number 20) is removed as its requirements are part of the s.106 would be a s.106 obligations for 'Energy efficiency and carbon reductions'.

1.16.14 Condition (number 21) is amended to follow the Council's standard condition; it would now read as follows:

Prior to the commencement of 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 (plus 5 litres for external use), 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.

Reason:

To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand in accordance with Policy CS4 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM34 of the Waltham Forest Local Plan Development Management Policies (2013) and Policy SI5 of the London Plan (2021)

1.16.15 Condition (number 22) is amended to clarify the trigger; it would now read as follows:

No above ground works for the development (excluding demolition) shall take place until details of a drainage scheme based on the Flood Risk Assessment and Drainage Strategy, ref: 2106671-01, prepared by Ardent Consulting Engineers, dated November 2021, have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include details of its design, implementation, adoption, maintenance, and management. It shall also include an infiltration test in accordance with BRE Digest 365 to determine whether permeable paving can be designed for the site and show consideration to the provision of a rainwater harvesting system that can be used for external irrigation of the landscaped areas

No development shall take place except in accordance with the approved details, which shall be installed prior to the occupation of the development and thereafter be retained and maintained as such for the lifetime of the development.

REASON: To mitigate the risk of flooding, ensure that the development is adequately drained, and minimise the use of water within the development, in accordance with Policies CS1 and CS4 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM34 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D11, SI 5, SI 12, and SI 13 of the London Plan (2021).

1.16.16 Condition (number 23) is amended to rectify a typing error; it would now read as follows:

The development shall adhere to the mitigation measures stated within the Flood Risk Assessment and Drainage Strategy, ref: 2106671-01, prepared by Ardent Consulting Engineers, dated November 2021.

REASON: To mitigate the risk of flooding, ensure that the development is adequately drained, and minimise the use of water within the development, in accordance with Policies CS1 and CS4 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM34 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D11, SI 5, SI 12, and SI 13 of the London Plan (2021).

1.16.17 Condition (number 25) is amended to rectify typing errors; it would now read as follows:

A. *No above ground works for the development (excluding demolition) shall take place until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be based on the submitted Landscape Masterplan, drawing number; 06-1039-301 Rev G, dated 18/07/2022, prepared by ENPLAN, and shall include details of biodiverse roofs, the greening of boundaries, play space details, and level access to buildings, amenity areas, and disabled persons car parking spaces. No development shall take place except in accordance with the approved details.*

B. *All planting approved as part of the hard and soft landscaping scheme shall be carried out in the first planting season following the practical completion or first occupation of the development, whichever is sooner. The approved hard and soft landscaping scheme shall otherwise be installed prior to the occupation of the development.*

C. *No occupation of the development shall take place until a Landscape Maintenance and Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Landscape Maintenance and Management Plan shall include long-term design objectives, management responsibilities, and*

maintenance schedules for the approved hard and soft landscaping scheme, and a commitment that any planting that dies, is removed, or becomes seriously damaged or diseased within a period of five years following the practical completion or first occupation of the development, whichever is sooner, shall be replaced with others of similar size and species. The approved hard and soft landscaping scheme shall be retained and maintained in accordance with the approved landscape maintenance and management plan for the lifetime of the development.

REASON: To secure the amenities of future residents and other users of the site; accessibility; and suitable landscaping, including urban greening, tree planting, and biodiversity net gain, in accordance with Policies CS2 and CS5 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM7, DM12, DM29, DM30, DM32 and DM35 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D5, D6, D8, S4, G1, G5, G6, G7, and T6.1 of the London Plan (2021).

1.16.18 Condition (number 27) is amended to clarify the trigger; it would now read as follows:

A. *No development shall take place except in accordance with the recommendations contained within the Ecological Impact Assessment, ref: WOOL23524, dated; 19.11.21, prepared by ACD Environmental.*

B. *No above ground works for the development (excluding demolition) shall take place until details of the number, siting, and type of bat, bird, and bee boxes and bug hotels have been submitted to and approved in writing by the Local Planning Authority. Provision shall be made for a suitable range of species. No development shall take place except in accordance with the approved details, which shall be installed prior to the occupation of the development and thereafter be retained and maintained as such for the lifetime of the development.*

REASON: To protect and enhance biodiversity on the site and in the surrounding area, in accordance with Policy CS5 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM12 and DM35 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies G1 and G6 of the London Plan (2021).

1.16.19 Condition (number 28) is amended to clarify the trigger; it would now read as follows:

A. *A. No above ground works for the development (excluding demolition) shall take place until details of the measures required to achieve Secured by Design Certification have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Metropolitan Police Service. No development shall take place except in accordance with the approved details, which shall thereafter be retained and maintained as such for the lifetime of the development.*

B. *B. No occupation of the development shall take place until it has achieved Secured by Design Certification, or otherwise agreed with the Local Planning Authority.*

REASON: To ensure that designing out crime measures are incorporated to the development, in accordance with Policy CS16 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM33 of the Waltham Forest Local Plan Development Management Policies (2013), and Policy D11 of the London Plan (2021).

General

1.17 Officers note that there are some other minor typographical errors in the report. However, it is not considered that these have a material impact on its comprehension and it is not intended for any further corrections to be provided here.

1.18 Some of the conditions issued under the decision notice would have different numbers following the removal of condition 20.

2 RECOMMENDATION

2.1 The officer recommendation remains unchanged subject to the amendments to the conditions and informatives set out above.