

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 26 January 2023
Application reference:	222588
Applicant:	Bellway Homes Ltd (London Partnerships)
Location:	Avenue Road Estate, Waltham Forest, London, E11
Proposed development:	<p>Demolition of the existing buildings and structures and comprehensive redevelopment to provide replacement and additional homes (Use Class C3), replacement and additional community floorspace (Use Classes F2b, Ee, Ef & Sui Generis), new commercial floorspace (Use Classes Ea, Eb, Ec, Ee, Ef & Sui Generis) and new public realm, together with associated car parking, cycle parking, landscaping, highways works, and infrastructure works.</p> <p><i>(Information only: The development shall provide 617 residential dwellings, 810sqm (GIA) of community floorspace and 211sqm (GIA) of commercial floorspace all within buildings of up to 23 storeys only).</i></p>
Wards affected:	Cann Hall
Background document:	EQIA

1. RECOMMENDATION

- 1.1 That planning permission be GRANTED subject to conditions and informatives, Stage 2 referral to the Greater London Authority (GLA), and completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) (S106) with the following heads of terms:

Affordable homes:

- The delivery of 50.3% (by habitable room) of homes as affordable divided as below:
 - 241 units for the existing social rent homes as replacement to the existing estate residents.
 - 1 unit as a social rent home.
 - 8 units as London Affordable Rent homes.
 - 23 units as Shared Ownership homes.
- An early-stage viability review mechanism.
- A Mid-stage viability review mechanism.

- A late-stage viability review mechanism.

Accessibility:

- A wheelchair user dwellings marketing strategy.
- Wheelchair homes delivered as approved.
- The requirement for all wheelchair user dwellings to be exclusively marketed as such for a minimum period of 12 months.

Architecture:

- The ongoing involvement of PRP to monitor design quality through to the completion of the proposed development.

Transport and Highways:

- A financial contribution of £8,000 towards Travel Plan monitoring.
- A S106 contribution of £550,000.0 for the following:
 - towards improvements to access for walking and cycling towards Leyton tube and Drapers Field, with measures such as allowing contraflow cycling on one-way streets, traffic calming at additional junctions and other measures than facilitate car free access.
 - to provide wayfinding around the site and the surrounding area to key destinations for those walking and cycling between High Road E11, Crownfield Road, and Leyton tube.
 - towards a scheme on High Road E11 to provide high quality continuous separated, protected space for people walking and cycling, and will also include sustainable transport improvements and public realm enhancements, and other improvements that facilitate car free access.
- A S106 contribution of £50,000 is requested for CLP monitoring of the agreed CLP measures throughout construction.
- The requirement for the development to be “car free” except for disabled persons car parking.
- A financial contribution of £30,000.0 for the consultation of two Controlled Parking Zones (CPZ) on the extension of CPZ hours to prevent overspill in the surrounding area.
- A S38 agreement will be required for new areas of footway that will dedicated as public highway.
- A S278 agreement will be required, to include but not limited to the highways works listed in section 15. An indicative GA of the S278 works must be appended to the S106 agreement.
- Car Park Management Plan to ensure phasing out of standard car parking spaces as agreed.

Flooding and Drainage:

- A S106 contribution of £15,000 is requested towards a flood study to identify strategic flood mitigation opportunities in the area.
- A S106 contribution of £50,000 is requested towards a future partnership funded strategic flood mitigation scheme for the area.

Air quality:

- A financial contribution of £95,910 towards mitigating the impact of existing poor air quality on the proposed development.

Energy efficiency and carbon reductions:

- A financial contribution of £710,638 towards a carbon offset fund with 100% upfront payment.
- Second COF payment
- Updated Energy Statements on commencement and completion based on As Built energy calculations.
- Measures to secure post-construction monitoring ("Be Seen").
 - a) Prior to each Building being occupied, 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, as per the methodology outlined in the 'As-built stage' chapter / section of the GLA 'Be Seen' energy monitoring guidance (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the 'Be Seen' as-built stage reporting webform (<https://www.london.gov.uk/what-wedo/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>). The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in the 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it).
 - b) 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 as per the methodology outlined in the 'In-use stage' chapter / section of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the 'Be Seen' in-use stage reporting webform (<https://www.london.gov.uk/what-wedo/planning/implementing-londonplan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>). This obligation will be

satisfied after the Owner has reported on all relevant indicators included in the 'In-use stage' chapter of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it) for at least five years. c) In the event that the 'In-use stage' evidence submitted under Clause b) shows that the 'As-built stage' performance estimates derived from Clause a) 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 b) 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.

- Measures to secure post-construction monitoring ("Be Seen").
- Decentralised Energy Network – Connection Ready

Epping Forest:

- A financial contribution of £627 per new homes towards Strategic Access Management and Monitoring (SAMM) with a total of £225,093

Street Trees:

Any tree losses should be mitigated in a replanting program, the Council's own policy is 5 replacement trees for each tree lost. Any tree losses not compensated by 5 trees would amount to a financial compensation relative to the CAVAT of the said trees. Total amount to be agreed with the Parks and Open Spaces department.

Offsite Play space:

- Suitable mitigation for any required offsite play space in nearby facilities. A financial contribution amount is being reviewed by the Parks and Open Spaces Department. This contribution would go to building suitable play space areas from scratch in nearby facilities such as Langthourne Park, Drapers Fields and Chandos Road Gardens.

Training, employment, and business:

- An Employment and Skills Plan.
- The provision of 31 apprentice posts for local residents in the construction trade during the construction phase of the development.
- The provision of seven work placements for local residents in the construction trade during the construction phase of the development.

- Measures to encourage applications for jobs during the construction phase of the development from local residents, with a target of offering 30% of all such jobs to local residents.
- Alternative financial contributions in the event of non-compliance with the recommended apprentice post, work placement, and jobs planning obligations.
- Measures to ensure that all suppliers during the construction phase of development are local to the London Borough of Waltham Forest, with a minimum of 20% being local suppliers, and including attendance at four “Meet the Buyer” events.
- The provision of monitoring information in relation to training and employment planning obligations.

S106 preparation, completion, implementation, monitoring, and compliance:

- The payment of the Council’s legal fees for the preparation and completion of the S106.
- A financial contribution towards the implementation and monitoring of and securing compliance with the S106, equal to £75,000.00)

- 1.2 That authority 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 S106 and to agree any minor amendments to the conditions, informatives, and/or the S106 heads of terms.
- 1.3 That delegated authority be given to the Assistant Director of Development Management and Building Control, to agree a condition or planning obligation, as appropriate, necessary to require amendments to Block C and Building C1 to ensure the provision of two stair cores.
- 1.4 If the S106 is not completed within a reasonable timeframe following the date of Planning Committee, that the Assistant Director of Development Management and Building Control is hereby authorised to refuse this application, if appropriate, in consultation with the Planning Committee Chair. In the absence of the S106 the proposed development would not be able to secure the provision of compatibility with the extant planning permission scheme; affordable homes; accessible homes; high-quality design; appropriate transport mitigation; air quality mitigation; energy efficiency and carbon reductions; acceptable impacts on Epping Forest; and local training, employment, and business opportunities.
- 1.5 In addition, in order to make any subsequent changes to the conditions and/or S106 associated with planning permission reference 151652 required as a result of planning permission being granted for the proposed development, that authority be given to the Assistant Director of Development Management and Building Control, in consultation with the Council’s Legal Services, for the agreement of any application(s) pursuant to Sections 73 and/or 96A of the Town and Country Planning Act 1900 (as amended) (TCPA) and/or Deed of Variation.

2. REASONS REFERRED TO COMMITTEE

- 2.1 Due to the size of the proposed development and the Council's involvement.

3. SITE AND SURROUNDINGS

- 3.1 The site falls to the south of Langthorne Road, between the east of Hall Road and the west of Victoria Road and Snowberry Close, and to the north of the rear gardens of dwellinghouses on Buttermere Close. The site has a size of approximately 16,309 sqm, 1.63 hectares and comprises a council housing estate called Avenue Road Estate. This estate, built in 1960's, is owned and managed by the London Borough of Waltham Forest. The estate contains five residential blocks rising to a uniformed eight storeys in height comprising 241 social rented homes, 17 leaseholder homes, and 784sqm GIA of community floorspace. The estate also includes 83 car parking spaces. The site also comprises two detached buildings, one is used as a centre for performing arts (Nexus Centre) and the other is a vacant children's day nursery.

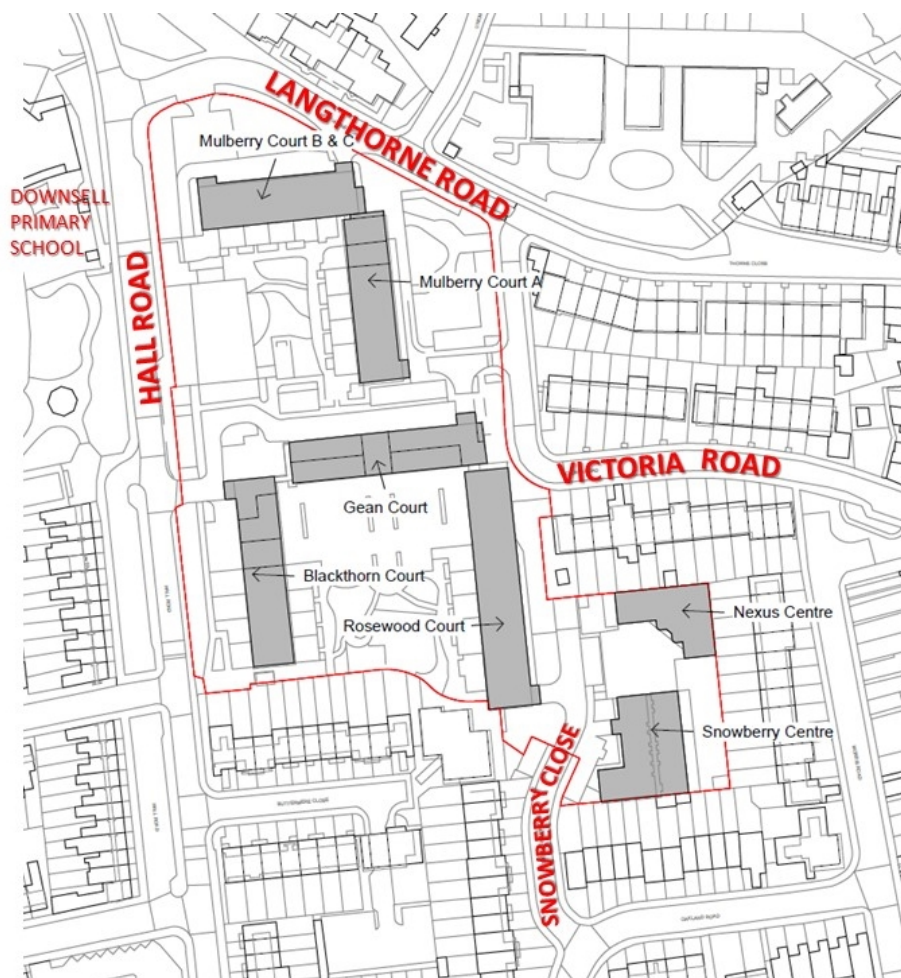


Figure 1:
Site
Location
Plan

- 3.2 The context of the site traverses between different characters, the south of the site sits within two-storey terraced dwellinghouses while the north of the site sits between varied building typology, height and use. Most notably, Donwsell Primary School to the east. Opposite the site to the northeast is the former Langthorne Hospital, which contains three listed buildings and two other buildings that should be considered non-designated heritage assets. The latter are considered to merit non-designated status

due to their association with the listed buildings as well as their own architectural qualities. A number of other heritage assets exists within the wider vicinity of the site, including the Leyton Conservation Area, The Leytonstone War Memorial and Gardens (Grade II listed), Wanstead Park (Grade II* park and garden), and a number of locally listed buildings and structures. The application site is not within an Archaeological Priority Area, but is immediately adjacent to the Leytonstone APA, classified as tier 2.

- 3.3 Epping Forest SSSI located approximately 1.2km to the northeast, with the SAC located approx. 2.3km northeast. Being an already developed with a number of existing buildings, the site itself it is of limited ecological value and none of the existing trees are under tree protection order.
- 3.4 The site is in the Waltham Forest Air Quality Management Area, which covers the entire Borough and is understood to be in place mainly due to vehicle emissions.
- 3.5 The site has a low risk of flooding from most sources; however, it is susceptible to surface water flooding and is withing a groundwater Source Protection Zone (SPZ).

4. APPLICATION PROPOSAL

- 4.1 The proposed development comprises the demolition of all the existing structures on site and its comprehensive redevelopment to provide replacement and additional homes, replacement and additional community floorspace, commercial floorspace, and public realm, together with associated car parking, cycle parking, landscaping, highways works, and infrastructure works. The proposed development followed the Council's brief for the new estate and the planning policy framework sites' allocation brief.
- 4.2 The proposed masterplan would include an enhanced east-west route through the middle of the site linking Hall Road and Victoria Road, with a large area of a public realm in the centre of the site, as well as a new route from this public realm to Union Close in the north-east linking up with Langthorne Park and beyond. The proposed building blocks would frame these new routes and comprise four main elements, some connected in their built form and divided further, as explained below.

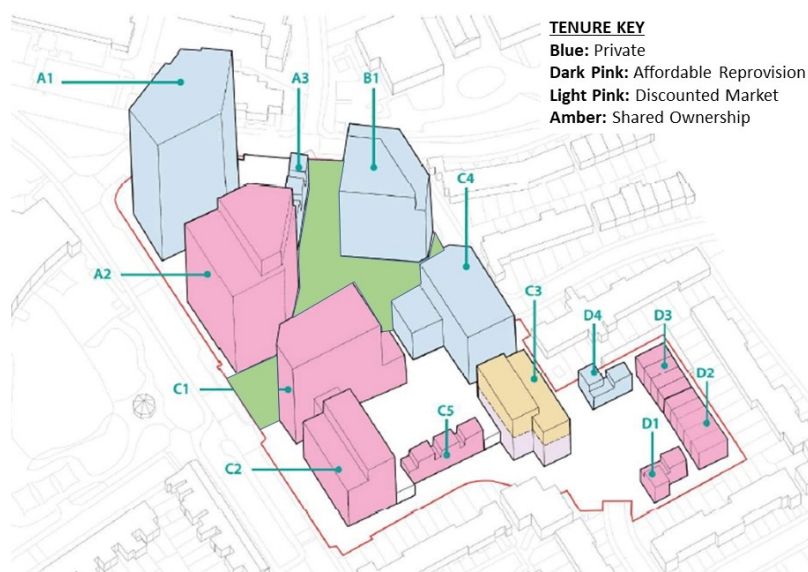


Figure 2: Proposed Blocks Location and Tenure; and the new public realm highlighted in green

- 4.3 The northwest of the site would have A Blocks comprising Blocks A1, A2 and A3. Block A1 would be the tallest within the development at height of 23 storeys; Block A2 would have 19, and Block A3 would have three storeys. Blocks A1 and A3 would have private market tenures, and Block A2 would have affordable reprovion for the existing estate. A podium would link blocks A1 and A3 and comprise an undercroft car parking for 18 spaces, an energy centre plan, cycle and bin stores and a landscaped communal amenity space on its roof. A2 would comprise a community centre, its external space would be the area between A1 and A2 with a gated entrance along Hall Road. The A Block would have the following schedule:

Block	1B	2B	3B	4B	5B	Total
A1	60	90	36	-	-	186
A2	29	45	42	-	-	116
A3	-	-	3	-	-	3
Total	89	135	81	-	-	305

- 4.4 The northeast of the site would have Block B at a height of 12 storeys for private market housing. The ground floor would comprise a community centre overlooking the central square, a corner commercial unit overlooking the public space and Victoria Road. This block would have the following schedule:

Block B	1B	2B	3B	4B	5B	Total
Total	2	60	18	-	-	80

- 4.5 The south part of the site would have C Blocks comprising Blocks C1, C2, C3, C4 and C5. Block C1 would have 14 storeys, C2 would have eight, C3 would have seven, C4 would have ten, and C5 would have three storeys. Blocks C1, C2 and C5 would be for affordable reprovion of the existing estate, Block C3 would include discount market units on lower floors and shared ownership housing on upper floors, and Block C4 would have private market housing. The C Blocks would sit on top of a podium, comprising an undercroft car parking for 51 spaces, a plant, cycle and bin stores, commercial spaces overlooking the public space and a landscaped communal amenity space on its top. The C Blocks would have the following schedule:

Block	1B	2B	3B	4B	5B	Total
C1	19	12	31	13	-	75
C2	12	17	7	-	-	36
C3	15	15	2	-	-	32
C4	26	46	1	-	-	73
C5	-	-	3	-	-	3
Total	72	90	44	13	-	219

- 4.6 The east of the main site would have the D Blocks comprising Blocks D1, D2, D3 and D4. Blocks D1 and D4 would be part-two and part-three storey buildings, and Blocks D2 and D3 would have three storeys. Parts of blocks D1, block D2 and block D3 would be affordable reprovion for the existing estate residents, while part of D1 and block D4 would be for private housing. The D Blocks would have the following schedule:

Block	1B	2B	3B	4B	5B	Total
D1	-	-	1	1	-	2
D2	-	-		4	1	5

D3	-	-		3	1	4
D4	-	-	1	1	-	2
Total	-	-	2	9	2	13

- 4.7 The proposed development would occur through different phases to facilitate decanting existing residents into their new homes. Phase 1 would include the construction of Block A2, and phases 2 and 3 would include the demolition of nominated buildings and the erection of new blocks. The strategy would be that subsequent phases would house residents in their new homes before demolishing their existing (old) homes. This strategy considered the number of existing homes lost as a result of demolition and how many would be re-provided in each phase. The latest phase ends in 2031 and comprises mainly of private market houses.

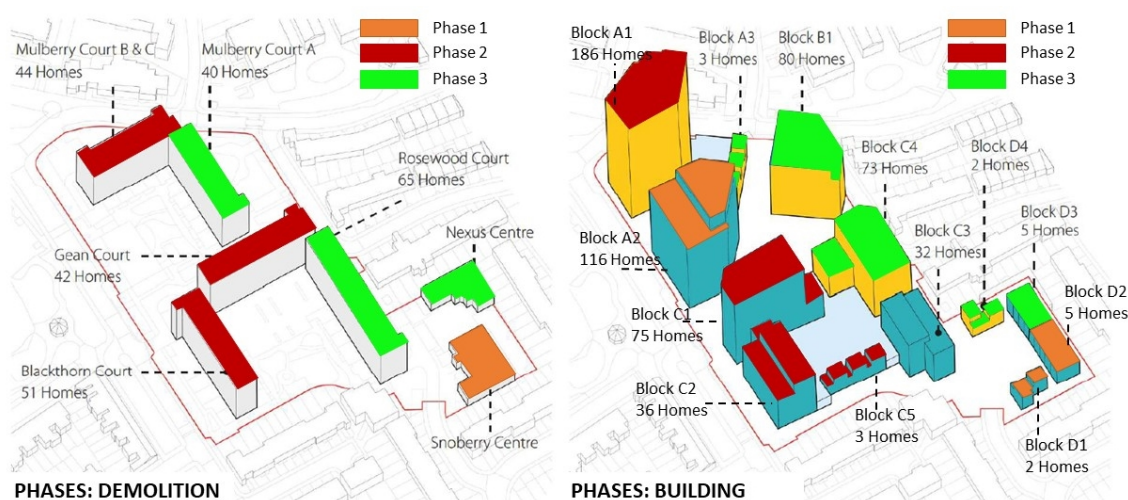


Figure 3: Proposed Phasing of the development, the blue coloured buildings are the re-provision for the decanted residents.

- 4.8 Further detail about the layout of the site, the design of the buildings, and landscaping is set out later in this report and provided in the application submission documents.
- 4.9 The proposed development would deliver 242 affordable re-provided homes, eight homes at London Affordable Rent, 23 homes for shared ownership and 327 homes for the private market. The proposal would deliver a mix of home sizes in different tenures. Further information about affordable housing and home size mix is discussed in the relevant sections of this report and included in the application submission documents.
- 4.10 The proposal would have a total of 83 car parking spaces across Blocks A, C and D. It would also have 1,321 long-stay cycle parking spaces in dedicated secured and sheltered accessible stores across the whole development.
- 4.11 It should be noted that the Council is not the applicant but that it has a Development Agreement with the applicant for the delivery of the redevelopment of the Avenue Road Estate.
- 4.12 Please note that for ease of referencing to the development in this report, the word 'block' would refer to the bigger entity such as A, B, C & D and the word 'building' would refer to the individual structures within these bigger entities, such as A1, C2, etc... Similar approach would follow within proposed conditions for clarity and avoidance of doubt.

5. RELEVANT SITE HISTORY

5.1 Planning history

220352 - Request for EIA Screening Opinion from the London Borough of Waltham Forest in relation to proposed redevelopment at the Avenue Road Estate, Leytonstone E11 – Environmental Impact Assessment Not Required (Issued 04 March 2022).

5.2 *(Proposed Development: Redevelopment proposals to provide up to up to 650 residential units in blocks up to 22 storeys in height and up to 1,250 sqm Gross Internal Area (GIA) of Class E floorspace, including the re-provision of the existing community uses, new public realm and amenity space)*

Pre-application

5.3 The applicant has undertaken extensive pre-application discussions with officers and meetings were held on 01 and 29 November 2021, 15 and 23 February 2022, 25 and 29 March 2022, and 27 July 2022. A pre-application meeting with GLA officers took place on 22 April 2022.

5.4 These pre-application discussions were used as an opportunity for officers to review proposals and seek improvements prior to this application being submitted. The topics discussed included: procedural matters; the principle of development; the housing offer, including affordable housing; housing quality; layout, scale and massing, and architectural approach; landscaping; transport; and impact on neighbouring amenity; and community engagement.

5.5 The scheme was considered by the independent Waltham Forest Design Advice Panel (WFDAP) on 30 November 2021 and 20 April 2022. The WFDAP members were generally supportive of the proposal, which they felt would be a positive addition to the area and help optimise the site for the delivery of new housing. Notwithstanding this, some advice was provided on potential improvements to the scheme including massing and layout to minimise the impact on heritage assets and improved the relationship between blocks. The applicant has developed the designs for the proposed development taking the WFDAP's advice into consideration.

5.6 The applicant also undertook community engagement prior to the submission of this application, which included 14 different activities between November 2021 and September 2022, in addition to weekly other dedicated events for the residents between May 2019 to August 2022, including two different weekly engagement session from February 2022 onwards. The submitted Statement of Community Involvement details this engagement.

6. PUBLIC CONSULTATIONS

6.1 Following the validation of this application, the Council sent notification letters to circa 946 neighbouring addresses on 13 October 2022. The Council posted six notices around the site on 14 October 2022 and a press notice was published on 14 October 2022. The application did not attract any public comments according to the records.

7. OTHER CONSULTATIONS

- 7.1 The table below summarises the comments received from London Borough of Waltham Forest (LBWF) officer consultees, including some statutory consultees.

LBWF Consultee	Comment
Building control	Reviewed the plans and Fire Statement and satisfied that with progression of the design/s, the principles outlined would be sound and could achieve compliance with the building regulations.
Conservation	Please refer to subsection 10H of this report.
Design	Please refer to subsections 10F, 10G and 10H of this report.
Employment, Business, and Skills	Requested planning obligations related to training, employment, and business opportunities for local residents as part of the s.106.
Environmental health	Please refer to subsections 10N of this report.
Highways	Please refer to subsections 10J of this report.
Housing	Please refer to subsections 10D, 10E and 10F of this report.
Lead Local Flood Authority (LLFA)	Please refer to subsections 10M of this report.
Schools	Noting that impact on Downsell Primary School should be reduced. The development site is in an area where we currently have surplus school places in both primary and secondary schools.
Sustainability and energy	Please refer to subsections 10L of this report.
Transport policy	Please refer to subsections 10J of this report.
Tree preservation and urban greening	Please refer to subsection 10K of this report.

- 7.2 Notifications were also sent to a number of other LBWF officer consultees, but no further responses had been received at the point that this report was submitted for publication.

- 7.3 The table below summarises the comments received from external consultees, which include some statutory consultees.

External Consultee	Comment
City of London (CoL) (Epping Forest)	No response.
Environment Agency (EA)	No response.

<p>Greater London Authority (GLA)</p>	<p>A Stage 1 referral was made to the GLA. Following an initial review of the application, the GLA summarised its own comments as follows:</p> <p>Land Use Principles: The proposed optimisation of this existing estate in an opportunity area for a residential-led mixed use development with commercial floorspace and reprovided community floorspace is supported in principle.</p> <p>Affordable housing: The proposal would deliver an affordable housing provision of 50% (habitable room) comprised of social rent, London Affordable Rent, and shared ownership, which is strongly supported. This should be secured via the legal agreement in line with London Plan Policy H6. Early, mid and late-stage viability reviews will be required given that the scheme is a phased estate regeneration benefiting from public grant.</p> <p>Urban design and heritage: The principle of tall buildings at this site could be acceptable in strategic terms, subject to fully addressing impacts. The applicant should review the proposed wheelchair accessible homes and distribute them more evenly across unit sizes and tenure. The proposed development could result in less than substantial harm to designated heritage assets as a result of development within its setting. At this stage, it is considered that the public benefits could outweigh the identified harm. A full assessment will be undertaken at Stage 2.</p> <p>Fire safety: The proposed buildings over 30 metres in height should make provision for a second staircase to demonstrate highest standards of fire safety in accordance with Policy D12.</p> <p>Transport: Contributions towards step-free and capacity improvements at Leyton station, active travel and road safety should be secured, reflecting the findings of the ATZ assessment, and the increased travel which will be generated by the development. General car parking should only be provided to existing permit holders and phased out as residents surrender permits or move out. Proposals for the reduction of car parking to achieve the aim of a car free development, should be set out in a detailed version of the Parking Design and Management Plan. Further details of cycle parking are required to ensure provision meets London Plan minimum standards.</p> <p>Sustainable development: Further information on the proposed energy strategy, whole life-cycle carbon assessment, and circular economy assessment are required. A commitment to post-completion reporting</p>
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	<p>prior to occupation on whole life-cycle carbon and circular economy matters should be secured.</p> <p>Environmental issues: Further information on urban greening, trees, biodiversity, flood risk, sustainable drainage, and water efficiency is required. Conditions to control the impact on air quality should be attached to any planning permission.</p>
Health and Safety Executive (HSE)	<p>The HSE advised that it is satisfied with the information provided about the proposed development in terms of fire safety design to the extent that it affects land use planning.</p> <p>It will be for the applicant to demonstrate the suitability of design standards adopted for the proposed development at later regulatory stages.</p>
Historic England (HE) Greater London Archaeology Advisory Service (HEGLAAS)	<p>HE GLAAS advised that archaeological remains may exist on site and the development could result in some harm to them. However, given the likely level of significance, it has no objection subject to a condition and informative to ensure appropriate field evaluation and mitigation.</p>
London Fire Brigade (LFB)	<p>No response.</p>
Metropolitan Police Service (MPS)	<p>The MPS advised that it has no objection subject to an appropriate Secured by Design (SbD) condition.</p>
Natural England (NE)	<p>No objection subject to appropriate mitigation being secured.</p>
Thames Water (TW)	<p>TW confirmed sufficient surface and foul wastewater sewerage infrastructure capacity in the existing network for the proposed development but requested a condition to ensure that suitable water supply infrastructure is in place prior to the development being occupied. It also requested an informative to advise that the site is located near to existing underground wastewater and water assets.</p> <p>TW initially requested clarifications in relation to surface wastewater drainage, which were provided by the applicant and deemed to be satisfactory.</p>
Transport for London (TfL) Infrastructure Protection	<p>Recommending that the ATZ identified improvements to be secured through s.106.</p> <p>The Council to decide whether a proportionate contribution for delivering step-free and capacity improvements at Leyton Station.</p> <p>Proposed cycle parking quantum is supported.</p> <p>Car Park Management Plan reduction should be secured and monitored through s.106</p>

	Detailed CLP should be discharged in consultation with TFL. Funding for the implementation and monitoring of a full Travel Plan should be secured in the S106.
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- 7.4 Notifications were also sent to the British Transport Police, HE, the London Borough of Redbridge, the London Wildlife Trust, North London Waste Authority, and other relevant TfL departments, but no further responses had been received at the point that this report was submitted for publication.

8. DEVELOPMENT PLAN

- 8.1 Section 70(2) of the Town and Country Planning Act (1990) (as amended) sets out that in considering and determining applications for planning permission, the Local Planning Authority (LPA) must have regard to considerations including the provisions of the development plan and any local finance considerations, so far as material to the application, and any other material considerations.

- 8.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that “if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

- 8.3 The Development Plan for the site, at the time of this report, comprises the London Plan (2021), and the Waltham Forest Local Plan Core Strategy (2012), and the Waltham Forest Local Plan Development Management Policies (2013). Other planning policies are material considerations.

The London Plan (2021)

- 8.4 The London Plan is the overall strategic plan for London, and sets out an integrated economic, environmental, transport, and social framework for the development of London over a 20 to 25-year period.

- 8.5 The policies considered relevant to this application include:

- D2 - Infrastructure Requirements for Sustainable Densities
- D3 - Optimising Site Capacity through the Design-Led Approach
- D4 - Delivering Good Design
- D5 - Inclusive Design
- D6 - Housing Quality and Standards
- D7 - Accessible Housing
- D8 - Public Realm
- D9 - Tall Buildings
- D11 - Safety, Security and Resilience to Emergency
- D12 - Fire Safety
- D13 - Agent of Change
- D14 - Noise

- H1 - Increasing Housing Supply
- H4 - Delivering Affordable Housing
- H5 - Threshold Approach to Applications
- H6 - Affordable Housing Tenure
- H8 - Loss of Existing Housing and Estate Redevelopment
- H10 - Housing Size Mix
- S3 - Education and Childcare Facilities
- S4 - Play and Informal Recreation
- E11 - Skills and Opportunities for All
- HC1 - Heritage Conservation and Growth
- G1 - Green Infrastructure
- G4 - Open Space
- G5 - Urban Greening
- G6 - Biodiversity and Access to Nature
- G7 - Trees and Woodlands
- SI 1 - Improving Air Quality
- SI 2 - Minimising Greenhouse Gas Emissions
- SI 3 - Energy Infrastructure
- SI 4 - Managing Heat Risk
- SI 5 - Water Infrastructure
- SI 6 - Digital Connectivity Infrastructure
- SI 7 - Reducing Waste and Supporting the Circular Economy
- SI 12 - Flood Risk Management
- SI 13 - Sustainable Drainage
- T1 - Strategic Approach to Transport
- T2 - Healthy Streets
- T4 - Assessing and Mitigating Transport Impacts
- T5 - Cycling
- T6 - Car Parking
- T6.1 - Residential Parking
- T7 - Deliveries, Servicing and Construction

Waltham Forest Local Plan Core Strategy (2012)

- 8.6 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 seek to direct and manage development and regeneration activity to 2026.

8.7 The policies considered relevant to this application include:

- CS1 - Location and Management of Growth
- CS2 - Improving Housing Quality and Choice
- CS3 - Providing Infrastructure
- CS4 - Minimising and Adapting to Climate Change
- CS5 - Enhancing Green Infrastructure and Biodiversity
- CS6 - Promoting Sustainable Waste Management and Recycling
- CS7 - Developing Sustainable Transport
- CS10 - Creating More Jobs and Reducing Worklessness
- CS12 - Protecting and Enhancing Heritage Assets
- 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)

8.8 The Development Management Policies document sets out the borough-wide policies that implement the Core Strategy and deliver the long-term spatial vision and strategic place-shaping objectives.

8.9 The policies considered relevant to this application include:

- DM1 - Sustainable Development and Mixed Use Development
- DM3 - Affordable Housing Provision
- DM5 - Housing Mix
- DM7 - External Amenity and Internal Space Standards
- DM10 - Resource Efficiency and High Environmental Standards
- DM11 - Decentralised and Renewable Energy
- DM12 - Open Space, Sports and Recreation
- DM13 - Co-ordinating Land use and Transport
- DM14 - Sustainable Transport Network
- DM15 - Managing Private Motorised Transport
- DM16 - Parking
- DM17 - Social and Physical Infrastructure
- DM21 - Improving Job Access and Training
- DM23 - Health and Well Being
- DM24 - Environmental Protection
- DM28 - Heritage Assets
- DM29 - Design Principles, Standards and Local Distinctiveness

- DM30 - Inclusive Design and the Built Environment
- DM31 - Tall Buildings
- DM32 - Managing Impact of Development on Occupiers and Neighbours
- DM33 - Improving Community Safety
- DM34 - Water
- DM35 - Biodiversity and Geodiversity
- DM36 - Working with Partners and Infrastructure

9. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework (2021)

- 9.1 The National Planning Policy Framework (NPPF) 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 but does not change the legal status of the Development Plan. It contains a presumption in favour of sustainable development, described as at the heart of the framework.
- 9.2 For decision-taking, the NPPF states that the presumption means "approving development proposals that accord with an up-to-date development plan without delay; or 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: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

National Planning Policy Framework proposed amendments (2023)

- 9.3 The Government is consulting on various proposed changes to the NPPF to enable it to deliver its commitments to building enough homes in the right places with the right infrastructure, ensuring the environment is protected and giving local people a greater say on where and where not to place new, beautiful development. The proposed changes are focussed on plan making rather than decision making.

Affordable Housing and Viability Supplementary Planning Guidance (2017)

- 9.4 The Affordable Housing and Viability Supplementary Planning Guidance (SPG) provides guidance on the application of London Plan policies relating to affordable housing and viability, with the aim of increasing the level of affordable housing delivered through the planning process.

'Be Seen' Energy Monitoring Guidance London Plan Guidance (2021)

- 9.5 The 'Be Seen' Energy Monitoring Guidance London Plan Guidance (LPG) explains the process that should be followed to comply with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan.

Public London Charter London Plan Guidance (2021)

- 9.6 The Public London Charter LPG supplements London Plan Policy D8 and sets out eight principles that would enable new public spaces in London to be safe, accessible, attractive, and inclusive.

Affordable Housing and Viability Supplementary Planning Document (2018)

- 9.7 The Affordable Housing and Viability Supplementary Planning Document (SPD) provides detailed guidance on Waltham Forest Local Plan Core Strategy and Development Management Policies related to affordable housing and viability.

Inclusive Housing Design Supplementary Planning Document (2011)

- 9.8 The Inclusive Housing Design SPD provides further detail in relation to Waltham Forest Local Plan Core Policies concerning the design of accessible housing.

Planning Obligations Supplementary Planning Document (2017)

- 9.9 The Planning Obligations SPD provides detailed guidance on planning obligations and Section 106 agreements and how these work alongside the Community Infrastructure Levy (CIL) to help deliver necessary infrastructure in the Borough, supplementing Waltham Forest Local Plan Core Strategy and Development Management Policies.

The Mayor's Good Practice Guide to Estate Regeneration (2018)

- 9.10 The Mayor's Good Practice Guide to Estate Regeneration provides detailed guidance for appropriate approaches to estate regeneration.

Waste & Recycling Guidance for Developers (2019)

- 9.11 The Waste & Recycling Guidance for Developers is to help those involved in designing new developments to ensure safe and secure refuse and recycling storage and collection.

Waltham Forest Local Plan (LP1) 2020-2035 (Proposed Submission Document) (2020)

- 9.12 Waltham Forest Local Plan (LP1) is intended to eventually replace the current Waltham Forest Local Plan Core Strategy and Development Management Policies. It has undergone consultation and was subject to an Examination in Public in March 2022. Whilst indicating the intended direction of future policy, its draft policies can only be given limited weight in decision making.

Local Finance Considerations

- 9.13 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 CIL. It is noted that:
- It is not thought that there are any grants which have been or will or could be received from central government in relation to this development.
 - The Council expects to receive income from LBWF CIL in relation to this development.

- The Council expects to receive income from Mayoral CIL in relation to this development.

10. ASSESSMENT

10.1 The main issues which shall be addressed within this report are as follows:

- A. Principle of Development and Density
- B. Community Centre and Commercial Uses
- C. Estate Redevelopment
- D. Affordable Housing
- E. Housing Mix
- F. Tall Buildings
- G. Standard of Residential Accommodation
- H. Design and Townscape
- I. Impact on Heritage Assets
- J. Impact on Neighbouring Amenity
- K. Transport, Highways and Servicing
- L. Trees, Landscape and Ecology
- M. Energy Efficiency and Sustainable Design and Construction
- N. Flood Risk and Drainage
- O. Environmental Impact
- P. Impact on Infrastructure
- Q. Safety and Security
- R. Planning Obligations

A. PRINCIPLE OF DEVELOPMENT AND DENSITY

- 10.2 Policy DM1 reflects the NPPF's presumption in favour of sustainable development, as discussed earlier in this report.
- 10.3 Whilst Policies CS1 and CS2 set out housing delivery targets for the Borough, it is noted that these are superseded by the new and ambitious ten-year housing target set out for Waltham Forest in London Plan Policy H1, which aims for the completion of 1,264 new homes per annum.
- 10.4 Policies CS1, CS2, and DM1 seek to direct development, including new housing, towards suitable locations, including key growth areas in the Borough, such as town centres. There is a particular focus in Policies CS1 and CS2 on accommodating development on previously developed land where possible and ensuring that redevelopment makes more efficient use of such land, as well as optimising housing densities. This focus is generally shared by Policy CS5 and London Plan Policy H1.
- 10.5 Policy CS7 seeks to ensure that developments are located in areas that are accessible. London Plan Policy H1 states that new housing should be focused on sites with a PTAL

of between 3 and 6. London Plan Policy T1 sets out that development should make effective use of land, reflecting its connectivity and accessibility by sustainable modes of transport.

- 10.6 Emerging Local Plan Policy 17 states that the Council will support redevelopment and appropriate intensification of existing housing estates where: it leads to an increase in the overall supply of new homes and genuinely affordable homes; any loss of housing will be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace including affordable housing; and it increases the design standards, quality, accessibility and safety of the existing housing.
- 10.7 London Plan Policy D2 sets out that development densities should be proportionate to a site's connectivity and accessibility by walking, cycling, and public transport to jobs and services. It also generally requires that suitable levels of infrastructure are or will be in place to support the proposed density of developments.
- 10.8 London Plan Policy D3 states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. It does not set out a prescriptive approach but rather seeks to ensure that all schemes achieve an appropriate density that responds to a site's context and capacity for growth, setting out considerations relating to form and layout, user experience, and quality and character.
- 10.9 London Plan Policy H3 states that to ensure housing targets are achieved, boroughs should optimise the potential for housing delivery on brownfield sites, especially the sites with existing or planned PTALs 3-6, located within 800 metres distance of a station or a town centre boundary.
- 10.10 London Plan Policy H8 states that the loss of existing housing would only be acceptable where it is replaced by new housing at the same or higher densities with at least the equivalent level of overall floorspace.
- 10.11 The Emerging LP2 identifies the site as part of SA21 with an allocation for a comprehensive estate regeneration scheme to develop new 600 homes, re-provision of health and medical centre, community infrastructure, and delivery of improvements to public realm.
- 10.12 The proposal is for the re-provision of the existing 241 homes on site with 242 new homes of equivalent size or larger, in addition to 375 homes comprising 31 affordable homes. The proposed increase in residential density would adequately replace the existing housing on the site and help to deliver much-needed new housing in the borough, including a mix of tenures and home sizes, as discussed in subsections 10D and 10E of this report. It would do so through the more efficient use of a previously developed site in a sustainable location, which has a convenient walking distance to both local services and Leyton underground station, with a PTAL of 4 to 3.
- 10.13 Subsection 10O of this report discusses the impact on infrastructure in more detail; in summary, the proposed residential densities would be acceptable in the context of existing and future levels of infrastructure. Any effects on infrastructure resulting from the development would be appropriately mitigated, including through planning obligations and conditions and CIL.

- 10.14 This report also discusses all relevant aspects of the design in detail in subsection 10G. Officers note that the proposed residential density arrived through a contextually sensitive and generally policy-compliant design approach seeking estate redevelopment and optimisation of the site to deliver additional housing.
- 10.15 Considering the above, the number of new homes would help achieve the borough's housing delivery targets on an allocated site and in a sustainable location; at a density that would optimise the site with infrastructure and design considerations. The development proposal would therefore comply with Policies CS1, CS2, CS7, CS14 and DM1, DM25, the Emerging Local Plan 1 policies 40,41 and 42 and the Emerging Local Plan 2 allocation and London Plan Policies D2 and D3, H3, and would be acceptable.

B. COMMUNITY CENTRE AND COMMERCIAL USES

- 10.16 Policy CS3 states that the Council would ensure infrastructure provision appropriate to the needs of existing and future population by a variety of measures including maximising opportunities for delivery of additional facilities and requiring new developments to contribute towards the provision of social and other necessary infrastructure, either on-site or through planning contributions.
- 10.17 Policy DM17 states that the Council will resist the loss of an existing community, leisure or educational facility except under some mitigation measures that include a replacement facility securing enhanced re-provision on the site.
- 10.18 The site comprises two community buildings, the Snowberry Children's Centre with an area of 404 sqm and Nexus Centre with an area of 337 sqm: both having a total of 741 sqm of community floor space. The Snowberry Children's Centre is vacant; a commercial leaseholder occupies the Nexus centre. Both spaces fell within former Use Class D1, which includes buildings used for medical and health services, as a nursery, to display art, providing education, as a library, public hall or for public religious worship; the children's nursery would now fall within Class E and the Nexus Centre would be considered a Class F2b use. The scheme would include demolition of these spaces as part of the estate redevelopment.
- 10.19 The proposal would include two community units: unit 1 would sit under Block A2 at 624 sqm, and unit 2 would sit under Block B at 186 sqm. The total community facility spaces proposed would be 810 sqm, an uplift in overall surface area by 69 sqm to that existing. Accordingly, the proposal would have an acceptable re-provision in surface area terms.
- 10.20 The proposal would move the occupiers of the existing Nexus centre into unit 1. This unit would benefit from a dedicated external space, between buildings A1 and A2, a direct entrance from Hall Road to the centre square through the external space. The application seeks flexible use class for these units amongst a range of use classes that fit community facilities such as F2b, Ee, Ef and Sui Generis to ensure the vitality of these units in the future.
- 10.21 For reference, Use Class F2b comprises community hall or meeting place. Class Ee comprises the provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner). Class Ef comprises creche,

day nursery or day centre. All these uses are not retail or residential in nature and encompass a variety of potential community facility uses, which would be acceptable and in line with the definition of community facilities under policy DM17. The decision notice would include a condition to restrict the Sui Generis uses on site to ensure it would be compatible with community uses.

- 10.22 In addition to the above, the development of unit 1 followed direct engagement with the Nexus Centre tenants to ensure the new space would be fit for purpose. The construction of unit 1 would form part of phase 1 of the development, and the demolition of the existing Nexus Centre would be part of phase 3. Accordingly, the proposal would ensure seamless move and transition for existing occupiers without requiring temporary accommodation. The decision notice would include a condition to restrict unit 1's primary and ongoing occupation to the existing business at the Nexus Centre unless otherwise agreed with the Local Planning Authority. This would ensure that the space built specifically for Nexus Centre and continuity of their business as a community asset. Furthermore, the GLA required the s.106 agreement to include Management and maintenance plan for the community space to ensure the operation of the proposed community use is compatible with the proposed residential uses, the quality of the proposed community use is maintained for the lifetime of the development and to facilitate the sharing of facilities for different community uses in accordance with Policy S1 of the LP.
- 10.23 Policy DM26 states that the Council will encourage the development of new town centre uses that support and enhance the viability, vitality and function of the borough's designated centres and parades. It places an onus on development outside the designated centres to confirm that the proposal could not be provided at existing centres and confirm that the proposal would not adversely impact the viability and viability of nearby designated centres and parades. The site falls right outside High Road Leytonstone, which is a secondary shopping frontage, a neighbourhood centre and neighbourhood retail parade and a local retail parade. The site connects with High Rd Leytonstone by Victoria Road to the east with a separation distance of 100 metres.
- 10.24 The proposal would include two new commercial units; unit 1 would sit under Block B with an area of 85 sqm, and Unit 2 would sit under building C4 with an area of 126 sqm. The location of these two units ensures the vitality of the new public space and links with the existing high street. The application seeks flexible use classes for these units amongst a range of classes that fit commercial nature, such as Ea, Eb, Ec, Ee, Ef and Sui Generis, to ensure the vitality of these units in the future.
- 10.25 For reference, class Ea comprises the display or retail sale of goods other than hot food. Class Eb comprises the sale of food and drinks for consumption (mostly) on the premises. Class Ec comprises financial services, professional services (other than health and medical services) and other appropriate services in a commercial, business or service locality. The decision notice would include a condition to restrict the Sui Generis uses on site to ensure it would be compatible with the proposed residential uses.
- 10.26 Officers acknowledge that the site is not part of the High Road Leytonstone parade, which may impact the potential of providing new retail/commercial spaces. However, it has a separation distance of 100 metres from this road through a direct walk distance from Victoria Road. Additionally, the commercial units would aim to serve the new

residents as small convenience businesses. Their size and separation between buildings mean that: a) they would accumulate into one larger space, b) not present a larger shopping centre than the High Road, and c) not represent a pulling magnet away from businesses on the High Road. They would sit at and towards the corners closest to High Road Leytonstone and would appear, in townscape terms, as a natural extension or a gateway to the high street rather than a competing shopping centre.

- 10.27 Furthermore, the proposed size of the overall development naturally produced large swaths of ground-floor frontages facing a new public realm. These frontages would require active elements to ensure the vitality and success of the public realm. The proposed location of these units would be on the corners as an entrance to the public space, that would require enhanced activation.
- 10.28 Considering all the above, the proposed community spaces would provide an appropriate replacement for the demolished community facilities. The provision of small commercial units would be acceptable on the balance of all planning matters. The proposed sought-use classes for the non-residential elements would ensure their future flexibility and vitality. Accordingly, the proposed community and commercial space would be acceptable and according to policies CS3, DM17 and DM25 of the Local Plan.

C. ESTATE REDEVELOPMENT

- 10.29 London Plan Policy H8 requires exploring alternatives to the demolition and replacement of affordable homes. It sets out that demolition of affordable housing would only be acceptable where it is replaced by an equivalent amount of affordable housing floorspace, any social rent housing should be replaced as social rent housing where it is facilitating a right of return for existing tenants, or either social rent or London Affordable Rent housing where it is not facilitating a right of return. The Mayor's Good Practice Guide to Estate Regeneration (GPGER) provides detailed guidance for appropriate approaches to estate regeneration, including 'Better Homes for Local People' principles: i) An increase in affordable housing, ii) Full rights to return or remain for social tenants, and iii) A fair deal for leaseholders and freeholders.
- 10.30 The existing estate comprises 241 social rent homes with an estimated floor space of 20,035 sqm. The proposed development would provide 242 social rent homes, plus 8 London affordable rent homes and 23 shared ownership homes. These would have an estimated total floor space of 29,263.75 sqm, which would be a 26% uplift to the existing estate. Accordingly, the proposal would accord with policy H8 and the first principle of the GPGER.
- 10.31 The proposed development's phasing would ensure that existing residents remain within the estate. The commitment for such is visible whereby phasing shows the affordable blocks developed before the private market blocks and through carrying out single move decant allowing existing tenants to move directly from their home into their new ones. Thus, keeping the community together, reducing moving for the existing tenants who would not need to assume any temporary accommodation. Accordingly, the proposal would accord with the second principle of the GPGER.

- 10.32 The proposed estate regeneration is result of the Council's Housing Needs Survey, which identified requirement for larger family-sized homes. The planning statement explained that as part of the allocation process, residents would be able to put forward their preference in terms of the level of the block, balcony direction and whether the kitchen should be separate from the living rooms. Additionally, the Residents Charter confirms that the applicant would cover reasonable costs of removal, packing and redirection of post, and residents would have access to a home loss payment. Furthermore, secure and assured tenants would retain the same tenancy rights. These procedures would ensure that existing tenants would not be adversely affected by the redevelopment in accordance with the third principle of the GPGER.
- 10.33 The GPGER also sets out that a resident ballot is required where GLA funding is involved. In this case a ballot was held in in January 2021 and 91.5% voted in favour of the proposals for regeneration.
- 10.34 Additionally, the Council considered alternative options to the demolition of existing estate and balanced the impacts against the benefits. It concluded that comprehensive redevelopment would overcome existing issues and deliver wider benefits as properties were found to be in a poor condition, not meeting the modern standards that the Council would expect to provide for its tenants, with high and increasing levels of maintenance expenditure.
- 10.35 On this basis, the proposed development is acceptable and would accord with the London Plan Policy H8 and the Mayor's Good Practice Guide to Estate Regeneration (2018).

D. AFFORDABLE HOUSING

- 10.36 London Plan Policy H4 sets out a strategic target for the provision of 50% of new homes as affordable, listing specific measures intended to achieve this aim, including threshold approach and the use of grant to increase provision beyond normally achievable levels. London Plan Policy H5 states that planning applications for proposals following the viability tested route should include detailed supporting viability evidence, which should be scrutinised to ensure the delivery of the maximum level affordable housing. It also sets out the requirement for early-stage, late-stage, and mid-term stage (for larger phased developments) viability reviews post planning permission for viability tested schemes. The Affordable Housing and Viability SPG sets out additional guidance on the implementation of these policies.
- 10.37 London Plan Policy H6 sets out the requirements for affordable housing tenure. It states that when affordable housing is more than 35% then the tenure would be flexible provided that homes are genuinely affordable, taking in account the need to maximise affordable housing provision along with any preference of applicants to propose a particular tenure. Policy DM3 states that the Council will seek affordable-housing tenure split of 60% social/affordable rented and 40% intermediate. Draft Local Plan Policy 14 states that the Council would expect a tenure split of 70% low-cost affordable rent and 30% intermediate on schemes of 10 or more units.
- 10.38 London Plan Policy H8 sets out that all development proposals for the demolition and replacement of affordable housing, such as that under consideration, should follow the

threshold approach's viability-tested route. This route would ensure that these developments would provide an uplift in affordable housing where viable, in addition to any reprovision.

- 10.39 Local policy DM3 requires that developments are “tenure blind”, meaning that homes across different tenures should not be easily distinguishable based on their external appearance. London Plan Policy D6 has similar requirements, and Policy S4 of the same document states that play space should not be segregated by tenure.

- 10.40 The proposal would include the reprovision of the existing 241 social rented homes, plus an additional social rented home, along with 8 London Affordable rented and 23 shared ownership homes. This would equate to 50% affordable housing provision based on habitable room counts delivering an uplift of 7% in affordable floorspace across the development. Each building, except for C4, would have one form of tenure, as per the image opposite; however, different tenures would mix throughout the development's communal and public areas.



Figure 4: proposed tenure distribution, social rent in pink, LAR & SO in yellow, private market in blue.

- 10.41 The planning application included a financial viability assessment (FVA) which explained that the scheme would generate a deficit of -£32,356,000.0 million against the site benchmark value, with and without grant funding scenarios. Concluding that the 50% by habitable rooms affordable housing offer would be the maximum that the development could economically sustain while remaining commercially viable and contributing to necessary other planning obligations.
- 10.42 The Council appointed a third-party specialist consultant, BNP Paribas (BNP) to scrutinise the FVA. Their review of the inputs of the FVA found a number of these reasonable; however, they identified and made several adjustments to some inputs in line with the normal market facing assumptions. As a consequence of these changes, BNP identified that the scheme generates a smaller deficit of -£28,832,586.0 when compared to the revised BLV of £13,048,532. Accordingly, BNP concluded that given the high level of affordable housing proposed as part of the estate regeneration the development would result in a significant deficit even when including the grant funding. BNP considered that the proposed development with the anticipated levels of

affordable housing would be delivering beyond its maximum reasonable and viable level.

- 10.43 BNP carried out a sensitivity check (sense check) to the development changing where they ran a scenario with reduced delivery time of 6 months for each phase. They concluded that the scheme would still generate a deficit of -£11,202,339.0 when considered in combination with sensitivity testing costs and values. BNP also noted that the proposed development would breakeven when there would be a circa 17.5% increase in sales values or a circa 11% increase in sales values in combination with a 5% reduction in build costs.
- 10.44 The GLA specialist officers carried out their own review to the FVA, the final stage 1 report stated that whilst the scheme meets the threshold level for public land as per London Plan policy H4, in line with Policy H8 GLA officers have viability tested the proposals and have identified a number of issues with the financial viability appraisal. GLA officers are working with the applicant and the Council to resolve the outstanding issues prior to the Mayor's decision making stage, and will report on the final viability position at Stage 2. Adding that the Council should ensure that no conditional lower level of affordable housing would be sought at any stage. The affordable housing should be secured through a legal agreement. The Council should share the wording of this obligation with the GLA prior to Stage 2 referral.
- 10.45 The proposed development would deliver a complete regeneration of the Avenue Road estate. The proposed scheme would deliver 617 new homes, 242 Social Rented, 8 London Affordable Rented and 23 Shared Ownership. The existing social rented homes would be replaced on a like-for-like basis in terms of rent type. The new scheme would deliver a 50% quantum of affordable housing, measured in habitable rooms. The uplift in affordable housing habitable rooms, after the replacement of existing, would be 15%.
- 10.46 The tenure split within the affordable provision would be 98% rented and 2% intermediate. While this would not be in line with local policy targets, the proposed social-rent homes would replace existing social-rented homes; and policy H6 of the LP allows for deviation from the policy requirement in favour of affordable rent. Additionally, the proposed private market and intermediate homes would create mixed and balanced communities, which is one of the main goals of this policy. Accordingly, the proposed affordable housing tenure split would be acceptable.
- 10.47 The submitted Affordable Housing Statement adopted lower rents for the re-provision social rent units in the scheme on the basis that the development would maintain lower rents for the existing tenants. The s.106 would secure these rents to ensure their deliverability and stipulate the definition of social rent, London affordable rent and shared ownership criteria.
- 10.48 Considering all above, officers support the proposal in respect of affordable housing, and planning obligations would secure the delivery of this affordable housing. Officers recommend that planning obligations are used to secure early- and late-stage viability review mechanisms to capture benefits from any future improvements in viability.
- 10.49 The proposed affordable housing would sit along with the private market housing. Blocks A, C & D would comprise all tenures; each building would have one particular tenure type except for building C4. The overall approach to design would seek to

ensure that homes in different tenure types share similar high-quality architectural language, and communal amenity areas per block would be fully accessible to its residents regardless of their tenure type. Play space would be suitably integrated, with different tenures sharing play space in the proposed communal and public external amenity spaces. Accordingly, the proposal would achieve a tenure-blind approach to the design of proposed homes.

- 10.50 On the basis of the above, the overall quantum of affordable housing provision would align with the Council policy requirements. It is further supported by FVA testing which was scrutinised by a third-party assessor. The proposed affordable housing offer, its tenure and the design's tenure-blind approach would be acceptable, subject to planning obligations. As such, the proposed development would comply with Policies CS2 and DM3 and London Plan Policies H4, H5, H6, and H8.

E. HOUSING MIX

- 10.51 London Plan Policy H10 generally requires that development proposals include a range of home sizes. It sets out a range of factors that should be considered when determining the appropriate mix, one of which is more relevant to the scheme being robust local evidence of need where available.
- 10.52 Policy CS2 seeks mixed and balanced community through the delivery of a range of home sizes in new development but prioritises larger homes (with three or more bedrooms). Policy DM5 sets the Council's preferred home size mix, which is as follows:

	One bedroom	Two bedrooms	Three bedrooms	Four or more bedrooms
Market	20%	30%	40%	10%
Intermediate	20%	40%	30%	10%
Social/affordable rented	20%	30%	40%	10%

- 10.53 Emerging LP1 Policy 15, which is based on the most up-to-date evidence in relation to need for homes of different sizes, sets out the following revised preferred home size mix:

	One bedroom	Two bedrooms	Three bedrooms+
Market	20%	50%	30%
Intermediate rent	20%	40%	40%
Intermediate ownership	30%	50%	20%
Low-cost affordable rent	20%	30%	50%

- 10.54 The proposed development would provide the following home size mix:

	One bedroom	Two bedrooms	Three bedrooms +	Total
Social rent	67 (27%)	75 (30%)	108 (43%)	250
Shared ownership	11 (48%)	12 (52%)		23
Market	88 (25%)	196 (57%)	60 (18%)	344

- 10.55 The proposed home size mix for social rent would broadly align with the Council's emerging Local Plan targets. There would be a slight overprovision of rented one-bed homes and corresponding underprovision of three-beds and larger. However, officers

note that 242 of the 250 rented homes would be rehousing the existing residents whose needs dictated the unit mix. As such, the proposed unit mix within the social rent tenure would be acceptable.

- 10.56 The proposed shared ownership would not have three-bedroom or larger homes; however, officers note affordable housing across the scheme would include these larger homes and the delicate viability position of the development.
- 10.57 The proposed market mix would see slight overprovision of one- and two-bedroom homes and a shortage of three-bedrooms homes if compared with policy targets. However, officers note the viability positions and design constraints.
- 10.58 As such, the mix of the proposed homes sizes would be acceptable, particularly as the development would deliver a relatively high proportion of larger homes in social rent tenure. The development would, therefore, comply with Policies CS2 and DM5 and London Plan Policy H10.

F. TALL BUILDINGS

- 10.59 Policy C5 identifies the tall building as ten storeys and above, adding that they may be appropriate on specific sites within certain growth areas. Policy DM31 states that the Council will consider several factors for tall buildings, such as design quality and architecture, construction and materials, detail and impact at ground floor level, impact on privacy and amenity of adjacent properties, local and strategic views, historic context, micro-climate, proximity to transport nodes and services, topography and management regimes.
- 10.60 London Plan Policy D9 places several criteria for tall buildings, such as following an identified location in the development plan, scrutinising the impact on views in general and historic views in particular, their architecture and appearance, safety and internal design, their servicing, accessibility of the site and transport capacity, their environmental impact in terms of wind, daylight and sunlight, air movement and quality, noise.
- 10.61 The Emerging LP1 Policy 57 have similar criteria to the London Plan in relation to tall building design considerations. It states that they would only be supported in identified strategic location and opportunity sites.
- 10.62 This report would assess the matters raised under the above policies separately in relation to design, views, impact on historic views and neighbours, servicing and transport and environmental impact.
- 10.63 The site falls outside stated growth areas under CS15; however, as stated under subsection 10A of this report, the Emerging LP2 identifies the site as part of SA21 with an allocation for a comprehensive estate regeneration scheme and states that this site would be suitable for tall buildings. Accordingly, the principle of tall buildings on site would be acceptable subject to acceptability of all other matters.

G. STANDARD OF RESIDENTIAL ACCOMMODATION

- 10.64 Policy CS2 generally requires that new residential developments are of a high quality in terms of design. London Plan Policy D6 echoes this requirement and places an

emphasis on well-sized and well-laid-out homes that meet the needs of future residents.

INTERNAL AMENITY

- 10.65 Policy DM7 sets out quantitative internal space standards, including minimum floor space requirements for new homes. Policy DM32 requires that suitable levels of outlook and privacy, as well as daylight and sunlight, are provided for new homes.
- 10.66 London Plan Policy D6 provides more extensive quantitative and qualitative internal space standards and specifically seeks design that maximises dual-aspect homes and provides sufficient daylight and sunlight.
- 10.67 The design of the proposed homes would comply with and, in most cases, exceed the London Plan Policy D6 requirements; the submitted flats layouts show spacious well-laid-out floor plans that would be suitable for their occupiers. On this basis, officers consider that the proposed homes would provide an internal environment that would be both comfortable and functional. Additionally, the proposed communal areas would provide adequate amenities and spaces for future residents.
- 10.68 The submitted Design and Access Statement addendum states that 396 new homes would be dual or triple aspect, equating to 64.2% in percentage terms. All three- and four-bedroom and all wheelchair-accessible homes would be dual aspect. The single-aspect homes would be 73% of the one-bedroom flats, 19% of the two-bed/three-person and 43% of the two-bedroom/four-person homes. No single-aspect homes would strictly face north, and only approximately 9% of these homes would face south between Blocks B and C1. All of their habitable rooms would have access to suitable fenestration or private amenity space. Additionally, most of these homes in building C3 and C4 would be stacked maisonettes which would allow air flow across two floors.
- 10.69 Additionally, all homes would have MVHR ventilation systems with cooling provided to any homes that are at risk of overheating. Officers are of the view that this would be acceptable, noting that other indicators of good internal amenity for the proposed homes are generally positive.
- 10.70 The proposed layouts would provide acceptable levels of outlook and privacy. Generally, the buildings would sit around 18 metres apart from each other and/or neighbouring buildings where windows serving habitable rooms within the proposed



Figure 5: typical site wide floorplan showing dual aspect homes in green and yellow, single aspect homes in purple.

development would be affected. This distance is generally accepted as a suitable separation distance in urban environments, allowing suitable outlook and levels of privacy. Some parts of the site plan would pinch points falling below 18 metres, some of which would impact habitable rooms' windows. However, the proposal would adopt privacy mitigation measures such as obscured and staggered windows where distances are below 12 metres.



Figure 6: Examples of separation distances on the left. The right side demonstrates strategy to avoid impact on outlook and overlooking between facing fenestration in short distances appearing on top right.

- 10.71 Considering the above, the proposed impact on outlook would be acceptable overall, not least because all the homes involved would be dual aspect and most the rooms involved would also have dual or triple aspect. Any residual risk of harm to privacy could generally be mitigated through a condition securing the use of obscure glazing and windows that would not open below a certain height where needed as per submitted plans.
- 10.72 Some podium-floor windows serving homes would face out onto landscaped areas. The landscaping and boundary treatment conditions recommended in subsection 10L should be employed to ensure that the final landscaping scheme would ensure acceptable levels of privacy for the relevant homes.
- 10.73 The applicant submitted a Daylight, Sunlight and overshadowing Report (DSO) in support of the proposed development. The Council appointed a specialist consultant (Hollis) to confirm the findings of the DSO. Hollis confirmed that the overall approach to assessment, including methodology and scope, is sound.
- 10.74 The DSO used the illuminance method issued in the BRE guidance 2022 (BRE) for daylight assessment. This method uses site climate data to measure the illuminance from daylight at each point on an assessment grid in the room at hourly intervals over

a typical year. It has targets of 100 lux, 150 lux and 200 lux for bedrooms, living rooms and kitchens, respectively. These targets are median illuminances and should be exceeded over at least 50% of the assessment points in the room for at least half of the daylight hours. The DSO concluded that 66% of these rooms would meet the illuminance target for their respective room use.

- 10.75 Hollis agreed with the DSO on justification of the results. The DSO cited that daylight levels below the recommended targets occurred at rooms with deeper plans with combined kitchen and living rooms where typically the kitchen would sit towards the end of the room; or rooms set beneath balconies or adjacent to façade projecting fins. The BRE recognises the effect that balconies and projecting wings have on daylight availability. It states that they were typical constraints for modern flatted developments and that there would be a common balanced trade-off between: a) provision of well-lit private amenity space, protection from overheating and wind mitigation, and b) daylight within an internal amenity. The deviations should therefore be weighed against these factors and the wider regeneration benefits of the scheme.
- 10.76 The DSO also carried a comparison assessment using the ADF method; this method was the assessment for proposed rooms until the BRE guide 2022 issued in June. Hollis agreed that the ADF analysis would have been the primary assessment method from the outset of the project. The ADF assessment targets are 2%, 1.5% and 1% for a kitchen, living room and a bedroom. The DSO concluded that 85% of all habitable rooms would meet the ADF recommendations for the respective room use.
- 10.77 The DSO carried out a sunlight assessment under the BRE, which recommends that a space should receive a minimum of 1.5 hours on the 21 of March with cloudless conditions (among other dates). The DSO concluded that 94% of the units would have at least one habitable room meeting or exceeding the BRE target levels and explained that the lower sunlight levels were generally marginal transgressions and some were affected by balconies.
- 10.78 Officers note that the BRE is intended to be used flexibly and should not be applied as a strict set of rules to which new development must adhere. The NPPF states that local planning authorities should take a flexible approach in applying policies and guidance relating to daylight and sunlight for new homes, ensuring that providing acceptable living standards is appropriately balanced against the need to make efficient use of a site.
- 10.79 The Major of London's Housing SPG, which provides guidance in relation to policies from the previous version of the London Plan but is still relevant in relation to its comments on the BRE guidance, also states that: *"An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time. The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully*

optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.”

- 10.80 Overall, it is considered that the level of conformity with the BRE guidance for the proposed development is good. Officers understand that a balance between providing amenity spaces, privacy and a suitable climate would improve the overall quality of accommodation to the degree that would allow for transgressions on guiding BRE targets.
- 10.81 In summary, officers consider that the proposed homes would provide an acceptable level of internal amenity for future residents. The proposed development would meet the objectives of all relevant policies through the provision of generally high-quality internal environments. The proposed development would, therefore, accord with Policies CS2, DM7, and DM32 and London Plan Policy D6.

EXTERNAL AMENITY AND CHILDREN PLAY SPACE

- 10.82 Policy DM7 seeks well-designed private and communal external amenity spaces for new homes and sets quantitative space standards. These standards include a minimum of 60 sqm and 70 sqm of private outdoor amenity space for three- and four-bedroom houses, respectively. It also requires a minimum of 10 sqm of private or communal external amenity space for each bedroom in a flatted development, provided some are private and any balconies to have at least 5 sqm. Policy DM31 states that the Council will consider impact on microclimate such as wind, sun and reflection when considering proposal for tall buildings.
- 10.83 Emerging LP1 Policy 58 sets out better aligned quantitative space with the current expectations from developments. It seeks a minimum of 50 sqm of private external amenity space for all houses, and a minimum of 10 sqm of external amenity space for all flats, increasing by 1 sqm for each additional resident in homes containing three or more bedrooms. As with the adopted standards, external amenity space for flats can be private or communal, provided that an individual flat has an element of private external amenity space measuring at least 3 square metres in size.
- 10.84 London Plan Policy D6 requires the design of outside spaces to minimise overshadowing to maximise their usability. The quantitative private external amenity space standards under the London Plan Policy D6 do not apply where a borough has higher local standards, which is the case with both adopted and emerging planning policies in Waltham Forest.
- 10.85 Policy CS5 encourages the adequate provision of quality play spaces. Policies DM7 and DM12 seek the provision of play space in line with London Plan requirements. London Plan Policy S4 sets out that a development should provide at least 10 square metres of high-quality play space for each child, including incidental play space as part of large-scale developments and accessible routes linking the development with existing play space elsewhere.
- 10.86 The proposed development would include a private external amenity space for all homes, with flats having balconies and houses having a garden. All flatted homes would have policy-compliant amenity spaces provision, and all the gardens for

dwellinghouses would exceed the minimum size standard set out in LP1 Policy 58, which is considered generous in an urban context.

- 10.87 All blocks of flats would have communal gardens for residents, with residents of Blocks A and C having access to podium communal gardens, Blocks A and B having access to the rooftop communal garden and block D having access to a garden square. The whole development would have areas of public spaces which would be accessible to the public.

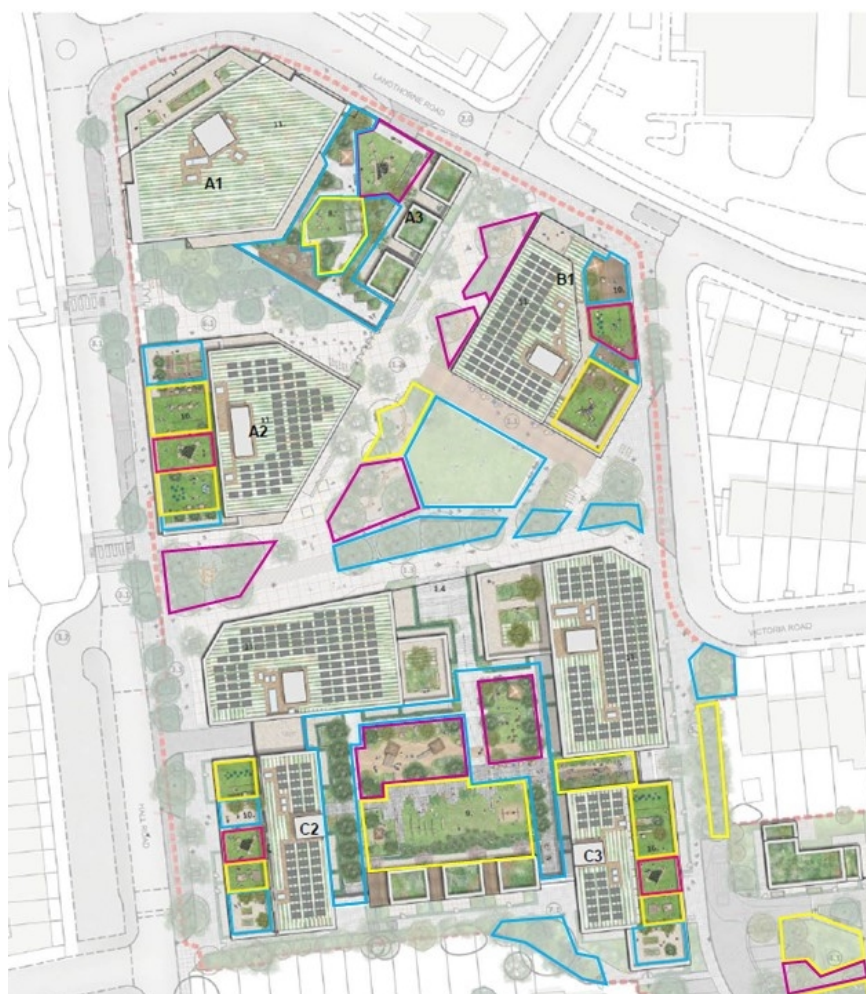


Figure 7:
Communal
amenity areas for
residents in green
and the public
space in red.

- 10.88 In terms of the overall provision of external amenity space, officers are satisfied that the scheme would be acceptable. The proposal would have 1050 sqm, 362.5 sqm and 2407 sqm of communal amenity on podium and roof spaces across blocks A, B and C, respectively. It would also have private amenity spaces in the form of balconies and private gardens with a total of 3330 sqm, 729 sqm and 2057.7 sqm across Blocks A, B and C, respectively. Block D would have private amenity spaces with a total of 906 sqm. The total amount of external amenity space for the whole development would be 10843.5 sqm for a total population yield of 1,533, an average of 7 sqm/person. This would be a generous provision in any urban context and would, on balance, exceed the requirements of local and London policies.
- 10.89 The submitted DSO assessed the sunlight received in the communal areas; using the BRE Sun Hours on Ground (SHOG) methodology. It concluded that most of the spaces would meet the BRE's recommended target of at least 50% of the space receiving 2

or more hours of sunlight on the 21 of March, except for Block A podium area to the north. This space would have a minor deviation of 3%, which would be unrecognisable for future residents. Accordingly, the proposal would be considered to have acceptable levels of external private and communal amenity for future residents.

- 10.90 The application included a Wind and Microclimate Impact Assessment (WM report). This report employed boundary layer wind tunnel testing to conduct a quantitative assessment of the expected suitability of wind conditions based on the industry standard Lawson criteria for pedestrian comfort and safety. It analysed Meteorological data from London Heathrow Airport and London City Airport, adjusted it to the site conditions by modelling the effect of the surrounding terrain roughness on the wind velocities approaching the site. The conducted study had soft landscaping in place; it concluded that the development would be windier than the existing estate but generally suitable for intended pedestrian uses on the ground. Nevertheless, there would be instances of 'strong windows' occurring in regions in and around the site and regions where wind comfort would fall below satisfaction particularly to the north of building A1 and between buildings A2 and C1. The report suggested mitigation measures to improve these conditions on the ground-level amenity spaces, podium-level amenity space, rooftop amenity spaces, and the top six rows of balconies northeast of building A2.
- 10.91 The Council appointed a specialist, Architectural Aerodynamics Limited (ArcAero), to review the submitted report, the methodology, criteria used for the study and its results, and proposed mitigation measures to reduce the impact of windiness on future users of the ground and podium spaces on site.
- 10.92 ArcAero confirmed that the overall methodology employed was a generally robust approach to the derivation of the wind microclimate in and around the site. They raised several queries, which the applicant responded to either in data form or proposing changes to the landscape features. The final report from ArcAero concluded that the development could achieve suitable wind conditions but suggested that further windtunnel testing should confirm the effectiveness of adopted wind mitigation measures indicated in the final design, following the final articulation of the building and landscaping. The decision notice would include this condition prior to above ground works of Phase 1.
- 10.93 The GLA population Yield Calculator accounted for 412 children within the development, which would require a total of 4,121.0 sqm of play space; 3084 sqm of this would be for children aged 0-11 years old. The proposal would have a series of play space areas across the development, some of which would be private for the use of future residents only, and others would sit within the new public space as per the image below:



*Figure 8:
Dedicated play spaces in **red and yellow** – designated areas with play equipment or elements.*

*Playable shared spaces in **blue** – open areas that are expected to be used for play.*

- 10.94 The play space provision for the development would include the following shortfall beyond the requirements of 10sqm per child. These figures did not count the areas shown in amber above which amount to 656sqm across the site.

Age	Provision	Shortfall across the site
0-4	330 sqm on ground, 556 sqm on podium levels, 517 sqm on roof levels	326 sqm
5-11	445 sqm on ground, 445 sqm on podium levels and 212 sqm on roof levels.	346 sqm for building A2 amenity area only; however, meeting standards overall on site
12-18	None	1,036sqm

- 10.95 The Council Parks and Open Spaces team agreed that the playable and incidental space should not count as areas for play as it would lack safety procedures and not provide play value; the development would need to provide the shortfall in a manner of offsite play space contribution. Calculations of this contribution depend on the shortfall of play space per age category and would amount to £316,247.00. This contribution would go to building suitable play space areas from scratch in nearby facilities such as Langthorne Park, Drapers Fields and Chandos Road Gardens.
- 10.96 As such, officers consider that the proposed development would provide suitable amenity and play space provision for future residents, subject to planning conditions

and obligations. The proposed development would, therefore, accord with Policies CS2, CS5, DM7, DM12 and DM32 and London Plan Policies D6 and S4.

ACCESSIBILITY & INCLUSIVITY

- 10.97 Policy CS2 states that new homes should be accessible to all members of the community and capable of adaptation as the needs of future residents change. Policy DM30 requires applying inclusive design principles at the outset of the design process for any new development.
- 10.98 The Emerging LP1 Policy 16 have similar requirements to Policy D7 of the London Plan.
- 10.99 London Plan Policy D5 requires an inclusive design that takes accessibility, diversity, and the need for social interaction into account. It requires inclusive design, including fire evacuation lifts for people requiring level access in all proposed developments with lifts. Policy D7 requires that at least 10% of relevant new homes meet Building Regulation requirement M4(3) for wheelchair-user dwellings, with the remainder meeting requirement M4(2) for accessible and adaptable dwellings.
- 10.100 The proposed development would provide 64 homes that would meet requirement M4(3) which would exceed the 10% target for policy D7 of the LP, and their sizes would vary between one-bedroom to two-bedroom homes of three and four occupants. All other homes would meet requirement M4(2) per policy D7 of the LP.
- 10.101 The M4(3) homes would be in buildings A1, A2, C2, C3 and C4; their tenure type would vary according to the building. The social rent homes would have 24 M4(3) flats, the intermediate homes would have 5 M4(3) flats, and the private homes would have 35 M4(3) flats. Officers note that the affordable requirements follow the needs of the residents of the existing estate and that the existing estate does not have any M4(3) homes. Accordingly, the proposal would be an additional provision of 24 homes to existing residents, and the division of the M4(3) homes across tenures would be acceptable. The proposed affordable homes would be M4(3)(b) category, which means they are ready to move in as wheelchair-accessible homes from the outset. The intermediate and private homes would be M4(3)(a) category, which means they are readily adaptable to wheelchair-accessible homes. This will be secured by condition.
- 10.102 All buildings have repeated floor plans, so the M4(3) flat per block would sit at different levels; however, all building cores would have two lifts serving all residential floors.



Figure 9: Location of M4(3)(b) homes in pink and M4(3)(a) homes in blue.

Blocks A and C would have parking at ground level and communal amenity spaces at podium levels. Accordingly, these flats would enjoy a direct wheelchair-accessible route from parking to home and from home to the amenity spaces. Furthermore, cycle and refuse stores throughout the development would be accessible from within each block or building, giving better accessibility and short travel distance to future occupiers.

- 10.103 The Council assigned a specialist consultant, the Centre for Accessible Environments (CAE), to comments on design matters in terms of internal flat layouts, buildings' entrance, communal and public areas access and design features. Following a number of clarifications provided by the applicant, CAE has recommended that a suitably worded condition could be used to ensure that the proposed homes, including communal entrances and circulation areas, are delivered in accordance with the proposed Building Regulation accessibility requirements. It is noted that the M4(3) homes in social rent tenure would be required to comply with Building Regulation requirement M4(3)(2)(b), to ensure that they are readily usable by a wheelchair user at the point of completion. Planning obligations are also recommended to ensure that M4(3) homes would be suitably marketed.
- 10.104 The submitted draft landscaping scheme would seek to accommodate level changes and provide level access to buildings, amenity spaces, and disabled persons' car parking spaces. This would ensure wheelchair-accessibility outside the proposed buildings and for the proposed public spaces. The proposed landscaping conditions recommended in subsection 10O would allow the Council to secure such level access.
- 10.105 The issue of fire evacuation lifts is discussed in subsection 10Q, and a condition is recommended to secure appropriate provision of such lifts.
- 10.106 In light of the above, and subject to the recommended planning obligations and conditions, the proposed development would be acceptable in terms of the accessibility of the residential accommodation. As such, the proposal would be in accordance with Policies CS2 and DM30, Emerging LP1 Policy 16 and London Plan Policies D5 and D7.

H. DESIGN AND TOWNSCAPE

- 10.107 Policy CS15 seeks the highest quality urban design and architecture for new developments to create functional and attractive places which respond positively to local context and character. Policy CS2 states that the Council will seek high-quality design for all housing developments. Policy DM29 provides further detail, including that proposals should provide clear connections with the surrounding area and a coherent layout with active street frontages, have an appropriate approach to massing and make use of visually attractive architecture and high-quality materials.
- 10.108 The Emerging Local Plan 1 Policy 56 states that development proposals should reinforce or enhance local character, taking into account existing patterns of development, townscape, skyline, urban forms, building typologies, architecture, materials, and other features of local and historical significance. It adds that developments should respond appropriately to their context in terms of scale, height and massing.

- 10.109 London Plan Policy D6 sets out a range of considerations for the design of new housing, including the need to respect the surrounding context and create a legible layout, with street-based activity.
- 10.110 London Plan Policy D5 requires an inclusive design that takes accessibility, diversity, and the need for social interaction into account. London Plan Policy D8 encourages the creation of a well-designed new public realm where appropriate, recognising the role that the spaces between buildings can play in creating successful places and the importance of greening such spaces. London Plan Policy G4 seeks publicly accessible open space as part of development proposals.
- 10.111 It is noted that the design officer has generally reviewed the submission for design-related matters. Officers raised several queries which required revisions to the design. However, these revisions were clarifications and changes within the architecture details. The proposal's size, mass, height and layout did not change from the originally submitted documents.

LAYOUT

- 10.112 The proposed layout for the main part of the site would divide the built fabric into three blocks using a new public realm. This public space would connect Langthorne Road, Hall Road and Victoria Road, offering permeability through the site and improving connections of the estate with its context. The layout around Snowberry Close would mimic the existing built pattern. The layout approach would create six-character areas as per the image opposite:

- 1) Avenue Square
- 2) Langthorne Road
- 3) Hall Road
- 4) Thorne Close/Victoria Road
- 5) Snowberry Close Gardens
- 6) Podium Gardens

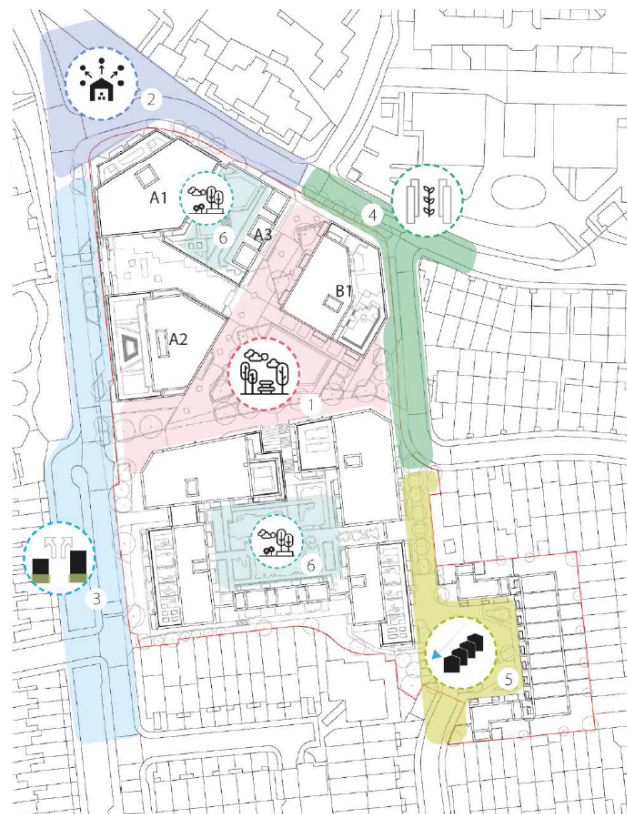


Figure 10: proposed layout and character areas.

- 10.113 These areas separated by location would be distinct in terms of use and landscaping strategy, discussed in subsection 10L below. The proposed layout would locate the residential lobbies towards the corner or the outside edges of the site, thus integrating the development with its context while gaining secure-by-design advantages and shorter walking distances to local transport nodes. The car parking below Block A would have direct access from Langthorne Road, and the car parking below Block C would have access from Hall Road. All servicing and delivery would occur along the

edges of the site, allowing only emergency access and a cycle route to the middle of the site.

- 10.114 The frontages facing the square would include entrances to cycle storage, entrances to houses and the second aspect of residential lobbies, retail and community units. Officers note that the facades along the main square are not fully active, particularly towards the south; however, the density of the development place a higher need for inactive uses such as plant rooms, substations and cycle parking which would sit on the ground floor. Additionally, the square activation towards the south would stem from its visual connection with the Block C podium, which includes a large staircase and seating steps facing the square. Also, the east-west visual and physical connection linking Hall Road and Victoria Road, ending with residential lobbies and retail



Figure 11: Proposed frontages along the ground floor of the main part of the proposal showing the extent of the public square in blue.

corners and passing by the central main square, would provide sufficient activity to eradicate concerns with square edge active uses. The Avenue Square plans to be a through cycle and pedestrian route, with a public garden, seating area and play space at its centre. This would place more importance on landscaping; the decision notice would include a condition requiring the approval of these detail in phases.

- 10.115 It is important to note that the layout puts the public realm as its main driving factor per the site allocation. The proposal has, therefore, prioritised greening and the creation of private, communal, and public external amenity spaces around and between buildings, alongside the optimisation of the site for housing delivery as well highways improvements along Langthorne Road, Hall Road and Snowberry Close following thorough discussion with the Council's Highways Engineering department.
- 10.116 As per Accessibility subsection above, the proposal would adopt accessibility principles within the main square which went through checks by CAE. This demonstrates that the applicant has sought to incorporate inclusive design principles into the development. As well as the provision of a public square and improved legible public realm, the development would provide a layout comprising significant amounts of high-quality communal and public external amenity space, fostering social interaction between diverse groups of people. Accordingly, the proposed development would be acceptable in terms of its inclusivity, per London Plan Policy D5.

- 10.117 As such, subject to planning conditions, the proposed development would be of a high quality in respect of its layout. This layout would deliver a suitable street network, optimise the delivery of housing on the site, and provide a large amount of green external amenity space, including space that is publicly accessible. The development would, therefore, accord with policies CS2, CS15, and DM29 and London Plan Policies D5, D6, D8, and G4.

HEIGHT AND MASSING

- 10.118 Policy C5 defines tall buildings as those with ten or more storeys and states that medium-rise buildings ranging from 5-9 storeys may be appropriate in key growth areas. Policy CS15 requires that proposals take a sensitive approach towards height and scale.
- 10.119 The proposed development would include a contextually sensitive approach to massing that varies across the site in response to character while optimising much-needed housing, including affordable housing. The proposed buildings would range from 23 storeys to 3 storeys. The tallest building would sit to the north of the site, in proximity to the rest of the allocated site for development under the LP2, and closer to the higher buildings in the local context. Heights would decrease towards the south, where the proposal would sit to the rear of two-three storey buildings. The middle of the site would comprise mid-rise buildings and a large centre square, which would relief the scale and massing of the future estate.

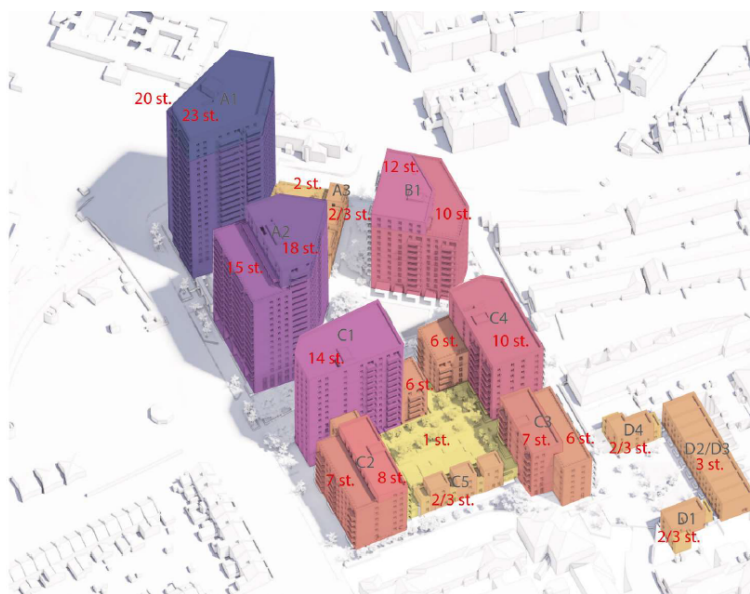


Figure 12: The heights of the proposed blocks represented in colour gradient from amber(low) to purple (high).

- 10.120 The tallest blocks would sit above podium levels, whereby low- or mid-rise buildings would face the centre pedestrian part of the site. Furthermore, the proposed landscape uses and differences in materials between the buildings' base and its upper parts would visually break their scale and humanise the pedestrian experience within the proposal improving the scale and massing of the proposal.



Figure 13: CGI for the main square to the left showing building A2. CGI for the entrance of the estate showing building A3 top right, and buildings B and C4 bottom right.

- 10.121 Other parts of this report demonstrate that the proposed approach to massing would not have unacceptable impacts, including in terms of the quality of the proposed residential accommodation; and impact on nearby heritage assets and neighbouring amenities, as discussed in subsections including 10G, 10I, and 10J.
- 10.122 On this basis, it is considered that the proposed development would be appropriate in terms of its massing, which would be contextually sensitive but would also seek to help optimise the development of the site for housing, including affordable housing, in an appropriate location. It would, therefore, accord with Policies CS2, CS15, and DM29, Emerging LP1 Policy 57 and London Plan Policy D6.

APPEARANCE

- 10.123 The principle of the proposed height is to integrate with its context, where proposed heights would sit closer to counterparts of the area.; the buildings' design would respond in form and articulation to the existing urban environment creating a family of buildings (blocks) with individual character and identity while supporting local character. The proposed articulation and materials stem from studies of the historic vernacular. The submitted Design and Access Statement and addendum set out information about the architectural design intent and proposed approach to detailed design, including materials. The character areas of the scheme would further appear within the proposed articulation and materials pallet.
- 10.124 The proposal pallet would include five main facade brick types mixed with four facade details. The articulation would provide texture and richness to the appearance of the buildings, distinguishing them from each other yet within the same language. The application included bay studies for each of the buildings and blocks. However, these bay studies depended on the original bigger pallet of materials and did not include all the details to allow for design scrutiny. The decision notice would have a phased

condition for detailed bay studies to ensure the materials would be high-quality and maintain the design intent throughout the development.

- 10.125 The proposed materials palette would complement traditional materials used in the local area. The materials would include a variety of bricks in pale buff, light warm buff, red, warm brown and pale warm grey; the façade details would include brick and stone in white, dark grey, dark red, and dark brown colours. The proposed metal would generally have darker tones. The tallest and shortest buildings would have the lighter tones, while the medium-rise buildings would have the darker tones. The decision notice would include a planning condition securing further detail in relation to the proposed materials and their appearance in the final articulation of the buildings.
- 10.126 As such, the proposed development would be acceptable in respect of its appearance, subject to the recommended conditions, in accordance with policies CS2, CS15 and DM29, Emerging LP1 policies 56 and 57 and LP policy D6.

DELIVERY

- 10.127 London Plan Policy D4 requires that measures are put in place to deliver good design, including the use of planning obligations to require the ongoing involvement of the original design team in monitoring the design quality of development through to its completion. The s.106 agreement would include a planning obligation to secure such an outcome. It is, therefore, considered that the design of the proposed development could be successfully delivered, per London Plan Policy D4, subject to the recommended planning obligation.

I. IMPACT ON HERITAGE ASSETS

- 10.128 Paragraph 192 of the NPPF states that Local planning authorities should maintain or have access to historic environment records which contain up-to-date evidence about the historic environment in their areas. These records be used to assess the significance of heritage assets and their contribution to their environment and predict the likelihood that currently unidentified heritage assets will be discovered in the future.
- 10.129 Paragraph 194 of the NPPF states that applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest.
- 10.130 Paragraph 197 of the NPPF states that in determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- 10.131 Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be, irrespective of the level of harm to the asset significance. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset from its alteration or destruction, or from development within its setting should require clear and convincing justification.

- 10.132 Paragraph 201 states that substantial harm to the significance of a designated heritage asset should lead to a refused consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 202 states that less than substantial to the significance of a designated heritage asset should be weighed against the public benefits of the proposal including securing its optimum viable use.
- 10.133 Paragraph 203 of the NPPF states that the effect on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement required to have regard to the scale of any harm or loss and the significance of the heritage asset. Paragraph 205 states that Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.
- 10.134 Policies CS12 and DM28 generally seek to ensure that development proposals have an acceptable impact on the significance of heritage assets, including their settings. Whilst it is encouraged that archaeological heritage assets are preserved in situ, Policy DM28 accepts that loss may be justified, provided that appropriate mitigation is put in place. London Plan Policy HC1 has similar objectives in relation to heritage assets and makes clear that the cumulative impacts of development should be considered.
- 10.135 London Plan Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, and that the cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 10.136 The Council has a statutory duty to have special regard to the desirability of preserving listed buildings or their settings when determining planning applications.

ARCHAEOLOGY

- 10.137 The site is crossed from east to west by the course of the Holt Stream, later called Henniker's Ditch, a now-culverted watercourse which rises at Wanstead and empties into the Lea at Temple Mills. The Holt is shown in Fig 6 of the submitted archaeological assessment and is described as a drainage ditch. The application site also lies on the Lea's Taplow Gravel high terrace, which was favoured for Roman occupation - illustrated by the Roman cemetery recorded 150 metres northwest of the site on Langthorne Road; Saxon or mediaeval archaeology is also recorded less than 100 metres east at Thorne Close.
- 10.138 Subsequent development of the site includes both late Victorian terraces and the current post-war flats. However, archaeological remains, especially in the lower-lying stream valley, cannot be ruled out on current information.
- 10.139 The application submission included an archaeological assessment in line with the NPPF. Historic England reviewed this document and concluded that the development could cause harm to archaeological remains, and that field evaluation would be

necessary to determine appropriate mitigation. However, the archaeological interest and practical constraints could allow for a two-stage condition to provide a safeguard. The condition would require an evaluation to clarify the nature and extent of surviving remains, followed by a full investigation if necessary.

- 10.140 Historic England added that the evaluation submitted through a written scheme of investigation before works begin onsite would clarify required investigations and their timings concerning the development programme. This evaluation would involve exploratory fieldwork to determine if significant remains are present on a site and, if so, to define their character, extent, quality and preservation per paragraph 205 of the NPPF. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential and would include the excavation of trial trenches.

CONSERVATION AREA AND LISTED ASSETS

- 10.141 The site comprises large post-war housing estate of no noted architectural quality. It sits opposite the northeast of the former Langthorne Hospital, which contains three listed buildings and two other buildings that should be considered non-designated heritage assets. The latter merit non-designated status due to their association with the listed buildings, as well as their own architectural qualities. These buildings are:
- Langthorne Hospital (Main Original Block) (Formerly West Ham Union Workhouse), Langthorne Road E11 – Grade II listed
 - Chapel To South of Main Hospital Block (Langthorne Hospital), Langthorne Road E11 – Grade II listed
 - Lodge to Southeast of Main Hospital Block (Langthorne Hospital) – Grade II listed
 - Red Oak Lodge, Langthorne Road E11 – Non-designated heritage asset
 - South Forest Centre, Langthorne Road E11 – Non-designated heritage asset
- 10.142 The vicinity comprises a number of other heritage assets, including the Leyton Conservation Area, The Leytonstone War Memorial and Gardens (Grade II listed), Wanstead Park (Grade II* park and garden), and a number of locally listed buildings and structures. In addition to several other assets in the surrounding area. While there would not be any direct physical impact on heritage assets, the impact on their settings should be considered.
- 10.143 The Conversation Officer (CO) commented that the form and massing of the development went through different options to test its impact on the heritage assets at the pre-application stage. This testing was useful in demonstrating the constraints and challenges of the site to achieve the development's density goals and provide a rationale for proposed heights and their location. It included further works such as chamfering some corners, pulling back higher levels of the taller buildings and testing their views. Officers note that this would follow policy HC1 of the LP.
- 10.144 The CO commented that the proposal would detrimentally impact the setting of the buildings on the Langthorne Hospital site due to the increase in the height and massing of the new blocks. This increase would be visible in some views down Thorne Close, as well as from Langthorne Park looking southwest, where the new buildings would

appear above the roofline of the listed buildings. The change in scale would be noticeable and considered to cause some harm as a result.

- 10.145 The CO added that this impact would amount to less than substantial harm to the designated and non-designated heritage assets. Noting that the views affected are more tangential and secondary and not key or landmark views of the listed buildings. In addition, the existing urban design and architectural quality of the existing estate make little contribution to the setting of the listed buildings, and the proposal would be an improvement. As such, while harm is identified, it would be considered less than substantial and mitigated by other improvements as a result of the proposal.
- 10.146 The CO also concluded that due to the height of the proposed development, there would be potential for impact on heritage assets further afield; however, this impact on locally listed and non-designated heritage assets would be minor and inconsequential. The CO noted that there could a greater impact on Grade II* Wanstead Park and Garden and referred to the need for a consultation response from The Gardens Trust and Historic England. The application submission provided summer views showing the potential impact from Wanstead Park when the trees are in full leaf. The CO requested updated views without tree coverage to better test potential impact and where the proposed buildings would be more obviously visible.
- 10.147 The applicant submitted winter views as requested. The final CO response removed their concerns about the impact on the Grade II Wanstead Park, particularly as the response received from the Gardens Trust and Historic England did not raise any concern about the park.

- 10.148 The GLA carried out their assessment on heritage assets in the area, identified a number of additional assets as per extract opposite. However, confirmed that there were no conservation concerns around the demolition and replacement of the existing buildings on site. The proposed development would cause less than substantial harm at the levels shown to the designated heritage assets; the remedy for this harm is a substantial reduction in the height and massing of the proposals.

Heritage asset	Level of harm	Scale
Langthorne Hospital (main original block) (formerly West Ham Union Workhouse), listed Grade II.	Less than substantial	Medium
Chapel to south of main hospital block (Langthorne Hospital), Langthorne Road, listed Grade II.	Less than substantial	Medium
Lodge to south east of main hospital block (Langthorne Hospital), Langthorne Road, listed Grade II.	Less than substantial	Medium
Rothschild Mausoleum, Jewish Cemetery, listed Grade II	No assessment is possible	Unknown
Fetter Lane Congregational Chapel, Langthorne Road E11, listed Grade II.	No harm	None
Leytonstone War Memorial and Gardens, listed Grade II.	Less than substantial	Low

- 10.149 Paragraph 202 of the NPPF states that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal, including securing its optimum viable use. The development would result in less than substantial harm, as noted above; the applicant presented the following summary of the development's public benefits, most of which are discussed throughout the report:

Social Benefits

- The re-provision of 242 social rented homes which meet the current housing needs requirements of the existing residents, and which meet modern standards.
- A net increase in affordable homes, affordable habitable rooms and affordable floorspace.
- A new Nexus Centre which is fit for purpose, which meets modern standards, and which includes an enhanced area of outdoor space.
- A net increase in community floorspace.
- The provision of two new flexible commercial units which will serve the needs of existing and future residents.
- The introduction of new residents, visitors and employees into the local area which will expand the local community.
- New public realm which will provide space for play, relaxing and events, and which will foster social interactions.
- A local Community Infrastructure Levy payment which can be used by the Council towards social infrastructure within the area.

Economic

- The creation of full time equivalent and indirect jobs during the construction phase of the proposed development. This workforce will boost the local economy through local spending.
- The creation of new full-time jobs during the operational phase of the proposed development through the two new commercial units. This workforce will boost the local economy through local spending. This represents a net increase of jobs when compared to the existing situation at the site.
- The introduction of new residents into the local area which will boost the local economy through local spending.
- A catalyst for growth within the area.

Environmental

- Enhancements to public realm along Hall Road, Langthorne Road and Victoria Road, including enhancements to vegetation cover through new tree planting, low level planters and delivery of enhanced areas of amenity space
- A biodiversity net gain, including: a net increase in trees, Inclusion of biodiverse/bio solar green roofs with additional enhancement features including rope coils, sand piles and cobbles; creation of green walls utilising trellises, tensioned wire systems and climbing plants up any new buildings; use of tree and shrub planting that are of known value to wildlife as well as being resilient to change; Incorporation of bird and bat boxes, integrated into the building elevations, to target London and UK BAP species; and Installation of invertebrate features such as log piles, bee bricks and invertebrate towers within the landscaped areas and on any green roofs

- Measures to encourage the use of more sustainable modes of transport, including: a car-free development for the additional homes, ample cycle spaces and Travel Plans.

10.150 Considering all the above, the potential harm to archaeology would be mitigated by further evaluation. The proposal would have less than substantial harm to adjacent heritage assets from certain secondary views. However, officers consider that the benefits of the scheme would outweigh the anticipated harm particularly as it would not affect key or landmark views for these listed buildings. Additionally, the proposal would not be considered to harm the setting of heritage assets in the wider settings including Grade II listed Wanstead Park. Accordingly, the proposed development would, on balance, be acceptable in respect of its impacts on heritage assets, per Policies CS12 and DM28, and London Plan Policy HC1 and the NPPF.

J. IMPACT ON NEIGHBOURING AMENITY

- 10.151 Policy DM32 seeks to ensure that the impact of new development on neighbouring amenity would be acceptable in terms of outlook and privacy, as well as in relation to daylight, sunlight, and overshadowing.
- 10.152 Emerging Local Plan LP1 Policy 59 states that new development should respect the amenity of existing and future occupiers, neighbours and the surrounding area by avoiding harmful impacts from overlooking, enclosure and/or the loss of privacy, outlook and daylight/sunlight to adjacent residential properties.
- 10.153 The London Plan 2021 Policy D6 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context.

OUTLOOK AND PRIVACY

- 10.154 Officers are satisfied that the designs would generally protect the neighbouring outlook and privacy. The proposed houses and blocks of flats would sit around 18 metres apart from neighbouring buildings, where windows serving habitable rooms in these buildings would be affected. A separation distance of 18 metres is acceptable in urban environments, allowing suitable outlook and privacy. Accordingly, the proposed impact on neighbours' outlook and privacy would be acceptable overall.



Figure 14:
Separation
distances
between the
proposal and
neighbouring
properties.
Below 18
meters
distances
highlighted in
amber circles.

10.155 The instances where there are pinch points between the proposal and neighbouring properties are set out below:

29 Thorne Close

This angled property has first-floor side-facing windows onto the site; currently, these windows sit at a comfortable distance from the existing Mulberry Court A. The proposed Block B would sit 14.5 metres from these windows at a height of ten storeys. This distance would increase to an average of 15.5 metres when considering the angle of 29 Thorne Close and the direct line of vision out of its side windows. This property would be the most affected in terms of outlook and privacy due to this setback. However, officers note that 18 metres is a yardstick and is broken in dense urban environments. Plus, they overlook a road and, in an urban environment, the opposite neighbouring building would sit along the edge of this road. Accordingly, on balance, the impact of outlook and privacy resulting from a three-metres shortage to a yardstick on unneighbourly windows in a tight urban grain would not amount to a reason for refusal of the proposal.

27 Victoria Road

This property does not have any side windows overlooking the site, accordingly, impact on privacy and outlook would not amount to a concern.

24-26 Buttermere Close

This building has windows overlooking the proposal; the corner of building C3 at seven storeys would sit 10 metres from its corner. However, the existing block, Rosewood Court, sits 6 metres away at eight storeys, and the proposal would be providing better outlook to said windows.

Furthermore, the proposed windows facing onto the neighbouring property would be secondary to the proposed corner units of building C3; accordingly, obscure measures to these proposed windows would provide privacy to these neighbouring properties.

8-10 Buttermere Close

These two dwellings have rear windows at a distance of 17.4 metres from the side elevation of Blackthorne Court, an eight-storey building. The proposed building C2 would sit at a distance of 16.8 metres with a height of six storeys. The reduction in setback would not be highly tangible, particularly as the proposed building would be shorter than the existing one. Accordingly, officers do not consider there would be an adverse impact on the outlook of the rear windows of these two properties.

Furthermore, the proposed windows facing these two properties would be secondary to their respective rooms; accordingly, obscure measures to these windows would provide privacy to these neighbouring properties.

- 10.156 In conclusion, the proposed development would have an acceptable impact on the outlook and privacy of neighbouring properties. The decision notice would include a planning condition to ensure obscure measures to windows that would otherwise cause harm to neighbours. The proposals would, therefore, accord with Policy DM32.

DAYLIGHT, SUNLIGHT

- 10.157 Policy DM32 and London Plan Policy D6 state that new development should be designed to allow sufficient daylight and sunlight to neighbouring housing.
- 10.158 The submitted Daylight and Sunlight Report (DSO) assessed the impact of the development on neighbouring properties. The DSO was reviewed by the Council's specialist consultants, Hollis Global. Officers note that the BRE guidance (BRE) should be approached flexibly rather than as a strict set of rules to which development must adhere as per section 10G report.
- 10.159 In accordance with the BRE, the DSO employed the Vertical Sky Component (VSC) and the No-Skyline (NSL) to measure daylight and Annual Probable Sunlight Hours (APSH), only minded to windows orientated 90 degrees south overlooking the development, to measure sunlight. The BRE suggests that noticeable loss would be less than 0.8 times the former value (results as existing) of any of these factors, and measurements only apply to habitable rooms. The submitted assessment looked at neighbouring properties shown in the figure below.



Figure 15: DSO Plan showing all neighbouring properties tested, the most affected properties highlighted in red.

- 10.160 The DSO notes that there would be a degree of change as a result of the significant regeneration scheme; the assessment results generally show that a large portion of neighbouring properties either meet or exceed the 0.8 thresholds of the BRE guidance. The table below discusses the instances where results would fall below BRE. Officers note that the VSC and NSL both provide assessment for daylight; accordingly, their combined results would be an overall image of the impact on a room or a window.

Alfred Apartments

This building is a residential apartment block that sit behind Waterside Lodge to the north of the site.

VSC: All windows would meet the BRE criteria except for W8 on ground floor and W3 on third floor. W8, serves a single-aspect LKD, sits beneath a balcony where the BRE suggest applying a degree of flexibility; additionally, the assessment carried without this balcony proves the window would have minor transgression. W3 serves a dual-aspect LKD within a recessed terrace, and unlikely that its room would suffer from loss of daylight.

NSL: All rooms would either meet or have limited shifts from the 0.8 target. However, the affected rooms would maintain daylight penetration to more than half of their spaces.

ASPH: All of the main living spaces served by windows with a southern outlook within this block would retain good APSH levels, in excess of the BRE 25% target for total annual levels and 5% for winter.

Waterside Lodge

This building is a two-storey recovery centre with front windows overlooking the tallest elements of the scheme to the north of the site. The DSO concluded that most

of the windows facing the site are non-habitable such as bathrooms, circulation, stairwell and utility spaces.

VSC: Some windows serving a sitting room to the front would be affected, but this room benefits from multiple windows, and its principal window would retain approximately 16% of its former value, which would be in line with the mid-teens threshold that is considered typical for residential properties in urban locations.

NSL: All rooms would either meet or have limited shifts from the 0.8 target.

As a recovery centre, the communal spaces are likely to be occupied less than a traditional dwelling or a longer-term residential care home. Given the isolated results and limited effects to the majority of the spaces, the effect of the proposal would unlikely impact the use or the building and would be acceptable.

ASPH: The communal area would be in excess of the 25% and 5% BRE targets.

29 Thorne Close & 27 Victoria Road

These two are end-of-terrace, two-storey dwellinghouses with side windows facing Block B at the east edge of the site.

VSC: All north and south windows would meet the BRE guidance or have limited or minor transgression. Deviations beyond this threshold would occur to the first-floor side windows, these are likely to serve circulation or bedrooms, and the BRE recognise that bedrooms are less important for daylight.

NSL: The results show that these rooms would maintain over 60% of the space, the effects to the flank windows would be unlikely to have a significant impact on the use or the amenity of the space.

Given the results of the NSL and the rooms not being main habitable living spaces, the effect of the proposal would unlikely impact their amenity and would be acceptable.

ASPH: the windows facing the site are not due south; the results for the relevant windows would fully meet the BRE recommendations of at least 25% for total annual levels and 5% during the winter.

51-62 Morris Road and 1-37 Oakland Road

These are two-storey dwellinghouses; they have rear windows overlooking Block D and are relatively close to buildings C3 and C4 to the east of the proposal. Officers note that these buildings enjoy high levels of daylight and sunlight in their existing condition as they back onto single-storey buildings.

VSL: The results show limited change from their existing position, with all windows retaining more than 0.8 of their former value.

NSL: All but 13 rooms across 53-58 Morris Road and 33 Oaklands Road would deviate from the BRE. This deviation would be between 0.6-0.78 of their former value and is considered minor-moderate.

Given the full compliance of the VSC results and the minor to moderate impact on some of the windows, the effect of the proposal would unlikely impact their amenity and would be acceptable.

ASPH: Windows due south within these properties are not facing the site, and these buildings are not in proximity to the taller elements of the proposal. Accordingly, the DSO did not carry out the ASPH assessment.

24-26 Buttermere Close

VSC & NSL: Most of the results show majority of the windows and rooms would retain 0.8 times or experience an improvement in their daylight levels. Deviations would occur in three windows, W10, W11 and W13; W10 appears to be serving a dual-aspect space, which receives light from its east elevation. The DSO explained that these deviations are somewhat driven by the design of the host building, as the windows are near the site boundary or inset. In either case, the BRE recognises that such windows should not fetter development on nearby sites.

APSH: Windows due south within these properties are not facing the site; accordingly, the DSO did not carry out an ASPH assessment.

2-22 Buttermere Close (even numbers only)

This is a terrace of two-storey dwellinghouses that back onto the south edge of the site. The terrace would face buildings C2 and C5.

VSC: The results for most windows would pass the BRE criteria, and the results for the ground-floor windows would sit between 14%-18%. The DSO stated that the mid-teens range is considered broadly typical of urban development in recent planning decisions by the Mayor of London and some appeal decisions within London. Bigger deviations are isolated to first-floor windows sitting below the deep overhang and serving bedrooms, where the results without the overhang increase to approximately 18%-25%. The proposal would not be considered to result in a significant level of harm, and the retained levels of light would be broadly typical for a major urban regeneration scheme in London. Particularly, as the design of the host buildings is a factor in limiting their daylight and the nature of affected rooms as bedrooms.

APSH: Windows due south within these properties are not facing the site; accordingly, the DSO did not carry out an ASPH assessment.

33-34 Hall Road

This is a terrace of two-storey dwellinghouses that overlooks the west edge of the site and would face buildings C2 and C1.

VSC: The results looked at all windows to the front of this terrace, concluded that most isolated windows on the ground floor are secondary to rooms with principle central windows. The results for the principal bay windows and first-floor windows would be approximately within 16%-22%; these results are in the mid-teens level, which is considered acceptable in a typical urban environment.

NSL: All habitable rooms would retain the BRE 0.8 target or have limited to minor deviations down to 0.7 times their existing levels.

Considering these results, the proposal would not result in excessive reduction to the daylight received by these properties.

ASPH: The windows facing the site are not due south; the results for the relevant windows would fully meet the BRE recommendations of at least 25% for total annual levels and 5% during the winter.

2-18 Brierley Road

This is a terrace of two-storey dwellinghouses that sits behind Donwsell Primary School to the northwest of the site at an approximate distance of 60 metres.

VSC: All windows would fall within the BRE criteria, and small numbers of windows to the rear would have some transgressions. These windows sit between rear extensions to their host buildings and normally would be serving bedrooms. The DSO noted that the BRE states that larger reductions might be unavoidable where existing windows sit between projecting wings, as such, a degree of flexibility should be applied.

ASPH: Windows due south within these properties are not facing the site; accordingly, the DSO did not carry out an ASPH assessment.

- 10.161 Considering all the above, the proposal would not result in significant reductions to levels of daylight and sunlight received by neighbouring properties to a degree that would amount to reasons for refusal. Particularly, on the balance of justifications for each of the assumed shortfalls, as per the table above, and their weight against the overall benefits of the development.

OVERSHADOWING

- 10.162 The DSO assessed the scheme's potential effect on overshadowing relevant gardens and amenity spaces using the two-hour sun-on-ground/sunlight amenity assessment for at least 50% of each space. It considered the amenity areas and open spaces in the following addresses:
- Alfred Apartments
 - 29 Thorne Close
 - 15-27 Victoria Road (odds)
 - Waterside Lodge
 - 18-30 Thorne Close (odds)
 - 6-30 Victoria Road (even)
- 10.163 The results show that all but four of the rear gardens or neighbouring amenity spaces would achieve the target of at least 2 hours of direct sunlight to over half their respective spaces. The four areas which would fall below the BRE are 26,27, 28 & 30 Victoria Road.
- 10.164 Areas at 26 & 27 Victoria Road would have minor transgressions, 0.78-0.79 of their former levels, which would not be noticeable to their occupants. The rear garden for No. 30 Victoria Road would 2hrs of sunlight to 48% of its space; accordingly, it would be considered a minor deviation from the 50% space requirement.

- 10.165 The garden for No. 28 Victoria Road would only have 34% of its rear garden achieving the 2hrs target. However, the DSO confirmed that this garden, and that of No.30, would achieve the 2hrs target on 1st of April, approximately one week from the BRE guidance.
- 10.166 The DSO carried out a supplementary analysis on 21st June for the addresses above, which confirmed that virtually all of the amenity spaces would meet the 2hrs target in the summer.
- 10.167 Considering the above, a delay of one week to achieve the BRE targets on the closest property to the site would be acceptable. The proposal would not be considered to have a significant adverse overshadowing to neighbouring properties.

DOWNSSELL PRIMARY SCHOOL

- 10.168 The proposal would provide improvement to the public realm on Hall Road and regeneration of the immediate area which would be considered an overall benefit to the school. The school's building is part two and part three storeys and would face the west side of the development where the taller elements would sit. Its façade contains windows that either overlook or enjoy oblique views to and from the existing housing estate. Accordingly, the presence of taller buildings overlooking the school is established, and more importantly, would not conflict with any planning policies.
- 10.169 Additionally, the DSO carried out daylight, sunlight and overshadowing assessments of the school's building and playground. Stating that the BRE could apply to certain non-domestic neighbouring buildings where the occupants have a particular expectation of daylight, such as schools. The DSO concluded the following:

VSC: The mean effects would either follow the BRE or limited to very minor transgressions from the target criteria.

NSL: The results show that there would not be a material shift in daylight penetration to the rooms.

ASPH: All rooms served by windows with a southern aspect would retain sunlight levels above the BRE due to their maintained outlook to the south along Hall Road.

Overshadowing: The assessment shows that all of the playground and open area facing Hall Road would receive the 2hrs target.

- 10.170 In summary, it is considered that the proposal would not have a significant adverse impact on neighbouring properties and buildings. The transgressions within outlook, privacy, daylight, sunlight and overshadowing would be considered minor, and each has a merited justification. The proposed layout and massing took appropriate consideration to neighbouring amenities in line with DM32, Emerging Policy 59 and policy D6 of the LP and the proposal would be acceptable in this regard.

K. TRANSPORT, HIGHWAYS AND SERVICING

- 10.171 Policy CS7 sets out that the Council will require developments to incorporate sustainable transport measures, including encouragement and facilitation of walking, cycling, and public transport use, and the appropriate management of private motorised transport. It states that transport assessments and travel plans will be

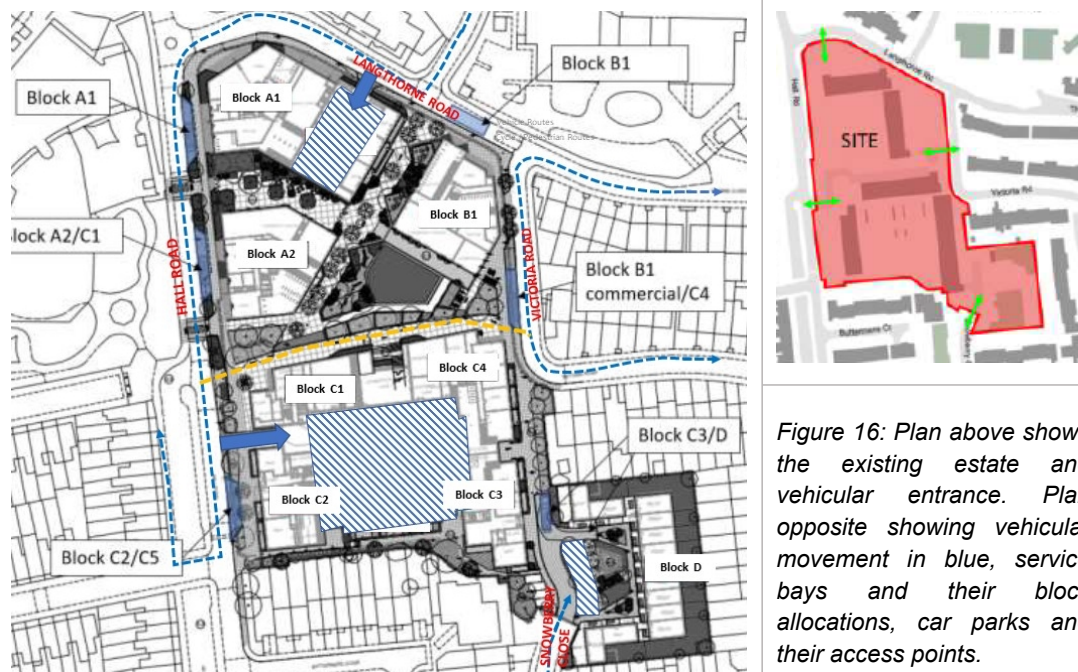
required to help assess development proposals and provide mitigation where relevant. Policies DM13 and DM14 provide further detailed requirements, such as developments should be permeable, with links to the existing surrounding street network; create an attractive on-site environment for walking and cycling; and provide off-site contributions to sustainable transport enhancements, where appropriate. Policy DM15 states that the Council will seek to ensure that streets successfully manage competing activities, including traffic and other urban activities, and that the public highway network is safe.

- 10.172 The Emerging Local Plan LP1 Policy 63 states that all new development will be expected to support a shift to active transport modes and encourage an increase in walking and cycling. Proposals should improve pedestrian environment and contribute and support the delivery of high quality and safe strategic or local cycle networks.
- 10.173 The London Plan is in general alignment with the Council policies. Policy T2 seeks the 'Healthy Streets' approach, and Policy T4 requires the submission of transport assessments for relevant proposals and appropriate mitigation to address any impacts. The application included said documents which were reviewed by the Council's highways and transport policy officers.
- 10.174 The site has a PTAL score of 4 for the northern part of the site and 2-3 for the southern part of the site. The site is close to local bus stops and within circa 800 metres of walking distance of the Leyton Underground Station and circa 950 metres from Maryland Elizabeth Line Station. It also falls within 800m (10 minutes) walking distance of local services and shops, and bus stops on Crownfield Road and High Street Leytonstone.
- 10.175 The proposed layout for the main part of the site includes shared areas for pedestrians and cyclists, linking to most of the proposed cycle stores and temporary cycle stands and linking the new public realm with the existing road network. The proposed layout would also include a route for emergency vehicles north of Block C. Entrance to the proposed car parking under Blocks A & C would occur from outside the site, ceasing private vehicular activity onsite. The proposed layout also includes several service deliveries bays around the site edges linking to the wider road network. Changes to Snowberry Close would include private adoption of the existing public highway, after which it would only be accessible for servicing Block C and Block D dwellings and on-street parking.
- 10.176 The proposed development has been designed to incorporate a range of measures to encourage the use of sustainable transport, including walking and cycling, and is considered appropriate in this respect. The submitted transport assessment (TA), which follows the "Healthy Streets" approach, seeks to demonstrate that the proposed development would be acceptable concerning transport impacts.
- 10.177 The TA included a trip generation assessment utilising an appropriate methodology. The results highlighted the reliance of future residents on the public transport network and assessed existing residents use for public transport and private cars. This highlights the importance of effective travel planning on the site to encourage a reduction in private car use and an increase in active travel, including walking and cycling.

- 10.178 The Transport Planner confirmed their agreement to the car park phasing plan. The number of trips generated by the development would not have unacceptable impacts on walking, cycling, public transport infrastructure; the public highway network; and car parking. Officers agree that the transport impacts of the proposed development would be acceptable, subject to appropriate mitigation measures.
- 10.179 The application included a Travel Plan. The s.106 agreement would have an obligation to secure monitoring of this travel plan which would provide a long-term management strategy for implementing the proposed development's sustainable transport objectives in line with policies.
- 10.180 Financial obligations agreed between Highways and the applicant towards the Council's Active Travel Behaviour Change initiatives and cycle parking infrastructure in the surrounding area. Such contributions would help to mitigate demand for the use of non-sustainable modes of transport that might arise from the development, as well as the fact that the development would result in additional cycling in any case.
- 10.181 As such, subject to the recommended planning obligations, officers consider that the proposed development would have an acceptable overall transport impact and would incorporate an appropriate range of sustainable transport measures, in accordance with Policies CS7, DM13, DM14, and DM15, the Emerging LP1 policy 63 and London Plan Policies T2 and T4.

HIGHWAY DESIGN

- 10.182 The existing site has sporadic car parking spaces with four points of vehicular access from Hall Road, Langthorne Road, Victoria Road and Snowberry Close. The proposal would consolidate parking spaces to three locations: car parking under Block A would have access from Langthorne Road, car parking under Block C would have access from Hall Road, and on-street parking for Block D would have access through Snowberry Close. Service delivery bays would sit around the site, eliminating vehicular movement through the site par from emergency vehicles.
- 10.183 Only pedestrians and cyclists can access the site, with open spaces and landscaping throughout the development. The proposal would seek to enhance the public realm within and around the edges, with improvements to the existing footway/cycleway to its north, east, west, and through the development. These works would include improved pedestrian accessibility, delivering two crossings along Hall Road and extensive public realm provisions such as soft and hard landscaping. The highways officer recommended planning obligations to include legal agreements under sections 38 and 278 of the Highways Act 1980 (as amended) relating to works to new areas of road to be offered up for adoption as part of the public highway network and the surrounding public highway network, respectively.



- 10.184 The highways officer also recommended a planning condition to secure appropriate street lighting and a street naming and building numbering informative. It should be noted that street lighting is discussed below in subsection 10L, where a condition is recommended. In order to ensure that the highway design would provide a safe environment, the highways officer has recommended a condition to secure a Stage 3 Road Safety Audit on the built s.278 scheme.
- 10.185 Subject to the recommended planning obligations and conditions, it is considered that the proposed development would be acceptable in terms of highway design, which would seek to encourage sustainable modes of transport. The proposed development would, therefore, accord with policies CS7, DM13, DM14, and DM15, the Emerging LP1 policy 63 and LP policies T2 and T4.

CYCLE PARKING

- 10.186 Policy DM14 requires facilities for cycling, such as the adequate provision of cycle parking. Policy DM16 provides further detail concerning the Council's cycle parking standards. Emerging LP1 Policy 63 sets out more ambitious cycle parking standards based on up-to-date evidence. London Plan Policy T5 sets out cycle parking standards but also supports the Council's more ambitious approach in emerging LP1 Policy 63. The requirements are a space per studio, 1.5 space per 1-bed unit and two spaces for any other units, and one visitor's short-stay space per 40 units. The requirements also include one cycle space per 50 sqm of commercial space and one short-stay space for visitors per 500 sqm of commercial units. Officers note that the proposal would seek to provide three spaces for three-bed homes and above.
- 10.187 In accordance with the above, the proposal would provide 1,321 long-stay cycle parking spaces for the residential aspect of the site. Some 1,282 spaces would be in secured stores within blocks A, B and C. Access to these cycle stores would be limited to residents only and controlled by a secure key fob. However, Block D located at the south-eastern corner would include a total of 13 three, four and five-bed houses with

private rear garden space where the remainder of residential cycle parking space would sit.

- 10.188 The proposed mix for the cycle parking would follow the emerging local plan requirements and provide a minimum of 5% for cargo bikes, a minimum of 30% and a maximum of 65% of the total spaces for Sheffield stands and two-tiered stands, respectively. Short-stay cycle parking would sit within the landscape, comprising nine Sheffield stands accommodating 18 bikes for residential and commercial visitors. The TFL advised that the development would need to provide 38 short-stay spaces within the public realm and within 15 metres of the main entrances where possible. The decision notice would include a condition for landscaping, a requirement to provide 38 short-stay spaces would be part of this condition.
- 10.189 The decision notice would include a planning condition to secure parking design and management plan (PDMP), including details of cycle parking. Therefore, the proposed development would be suitable in respect of cycle parking, subject to the recommended condition, per Policies CS7, DM13, DM14, and DM16, Emerging LP1 policy 63 and London Plan Policies T2, T4, and T5.

CAR PARKING

- 10.190 Policy DM16 sets out the council's requirements for car parking, including car-free development in accessible locations and electric vehicle charging for proposed parking. Officers note that emerging LP1 Policy 68, based on the most up-to-date evidence available, includes a stronger requirement for all new residential development in the Borough to be car-free standard parking. It sets out that disabled persons' car parking spaces (BB parking) should be provided for 5% of new homes from the outset, with passive provision made for a further 2% of new homes, for example through areas of landscaping that could be converted to additional BB parking should future demand arise.
- 10.191 London Plan Policy T6 requires that, as a starting point, development in accessible locations should be car-free, but also supports the more restrictive approach set out in emerging LP1 Policy 68. It requires all development proposals to have a parking management plan. London Plan Policy T6.1 requires that BB parking spaces are provided for 3% of new homes from the outset, with passive provision made for a further 7% of new homes and includes design and management requirements for such spaces. London Plan Policy T6.1 also requires that 20% of all car parking spaces have electric vehicle charging points from the outset, with passive provision for all remaining spaces.
- 10.192 The Council carried out a parking exercise during the feasibility stage to confirm the current parking provision on the estate and confirmed that parking was 83 spaces; 78 spaces for existing residents and five for the non-residential elements on the site. The area surrounding the estate has controlled parking zones (CPZs); however, there are no parking controls on the estate. Council records confirm that 30 estate residents hold permits for CPZ parking outside the estate boundary. The Council is committed to providing similar or better living standards to existing residents as part of the estate regeneration; accordingly, committed to providing parking spaces to existing residents who use existing parking on the estate. The long-term aspiration would be phasing out standard car parking as existing residents move out of the estate.

- 10.193 In addition to the above, the BB parking requirements, 10%, for the 617 homes, would be 62 spaces. The proposal would provide 80 parking spaces, as a blended figure between 49 standard spaces for existing residents plus 31 bays to allow for initial 5% BB parking for the development. These bays would sit under blocks A and C and outside block D as part of Phase 2 and Phase 3 of the development.
- 10.194 The proposed parking strategy is that Housing Management would implement and manage the Resident Parking Zone (RPZ), noting that any resident with existing access to CPZ parking would not be eligible for its renewal. Existing residents who decanted into a new home on the estate would be eligible to apply for an RPZ permit; when a decanted resident gives up their tenancy, their parking allocation would be removed permanently and not transferred to the new resident. This is an attempt to reduce the number of vehicles parking on the estate over a 10- 15-year period. The redundant car parking spaces would be repurposed into a BB parking if required, or additional cycle parking or storage space for residents for podium parking bays, play space, landscaped space if on-street. The Transport Planning Officer and TFL agreed with the proposed phasing out of standard car parking, TFL requested s.106 to capture this phasing strategy.
- 10.195 The commercial units would mainly serve future residents on the estate and adjacent residential areas. Consequently, one BB parking would be acceptable; it would be on the eastern edge of the site along Victoria Road.
- 10.196 The proposed parking would adhere to the LP electric charging requirements, 20% of the spaces would have active charging, and the remaining 80% would have the infrastructure for future connections when required.
- 10.197 In addition to the above, s.106 agreement would include a car-free obligation, restricting any future resident on the estate from obtaining permits for parking within nearby CPZ. This would reduce parking pressures in the area and subsequently improve the local road network. The decision notice would include a condition to secure the submitted parking management and phasing plan.
- 10.198 The accessibility of the proposed disabled persons car parking spaces is discussed above in subsection 10G, and it is noted that the landscaping planning conditions recommended in 10L would allow the Council to ensure that a suitably accessible environment is delivered.
- 10.199 On this basis, subject to the recommended planning obligations and conditions, the proposed approach to car parking, which would be in general accordance with Policies G7, DM13, DM14, and DM16, Emerging LP1 policy 63, and London Plan Policies H8, T2, T4, T6 and T6.1.

DELIVERIES AND SERVICING

- 10.200 Policy DM16 requires that development makes provision for deliveries and servicing. London Plan Policies T6 and T7 have the same requirements, with the later specifying that a delivery and servicing plan (DSP) should be required for relevant proposals.
- 10.201 Policy CS6 requires that new development provides adequately sized, accessible, and generally well-designed provision for the storage and collection of waste and recycling arising from its operation. Policy DM32 sets out further detailed requirements. London Plan Policies D6 and SI 7 have similar requirements.

10.202 The Council's Waste & Recycling Guidance for Developers provides further guidance on detailed matters.

10.203 The application submission included a DSP and the delivery bays as per the figure opposite. The proposed servicing strategy would occur around the edges of the site as follows: Victoria Road would have one bay serving Block B and building C4; Hall Road would have north and central bays to service Block A and building C1, and a south bay to service buildings C1, C2 & C5; Snowberry Close would have one bay serving Buildings C3 and Block D. All bays would be suitable for medium and larger servicing vehicles.



Figure 17: Plan for the main part of the site shows the servicing bays in purple and bin stores in green.

10.204 The proposed waste and refuse strategy would comprise direct servicing from the allocated bin stores within each block for the main part of the site, as per figure 17 above. These bin stores would sit within the 15-metres drag distance, removing the need for bins collection areas around the site. Block D would have individual dwellinghouses, their collection would occur as other dwellinghouses in the area using servicing bay on Snowberry Close.

10.205 Highways Development team reviewed the submitted DSP which included predicted servicing trips, swept paths analysis for service and delivery vehicles, detailed landscaping arrangements around the service areas to ensure pedestrian and vehicle safety and confirmed it would be suitable for the development. The waste and recycling waste contractor compliance officer raised some concerns to two bays which would sit outside the drag-distance. Accordingly, the decision notice would include a final DSP to ensure full compliance of the development.

10.206 Subject to this planning condition, it is considered that the proposed development would be acceptable in terms of its provisions for deliveries and servicing, as well as in respect of the provisions made for the storage and collection of waste and recycling arising from its operation in accordance with policies CS6, CS7, DM13, DM14, DM15, and DM16 and London Plan Policies SI7, T2, T4 and T7.

CONSTRUCTION

- 10.207 Policy DM13 and London Plan Policy T7 both require that relevant development proposals are supported by a CLP.
- 10.208 The development is multi-phased, and construction works would occur while residents are living on the estate. Accordingly, careful logistics plan would be a key consideration to reduce impact on the highway network. The applicant submitted an Outline CLP; the council's highways officer reviewed this document and advised that it was acceptable in principle, requested amendments and additional information and a condition for a detailed CLP. Highway officers also requested a financial obligation towards monitoring of the detailed CLP. TFL officers also recommended that a planning condition should secure a detailed CLP approved in consultation with their engineers.
- 10.209 Additionally, the highways officer requested a planning condition for a condition survey for the public highways surrounding the site and construction routes close to the site. This would allow the Council to ensure that any damage to the surrounding highway network caused by the construction of the proposed development repaired using funds from the applicant.
- 10.210 Therefore, subject to the recommended planning conditions and obligation, it is considered that the proposal would be acceptable in respect of transport impacts during the construction phase of development, in accordance with Policies CS7, DM13, and DM15 and London Plan Policies T2, T4 and T7.
- 10.211 Considering all above, subject to suitable planning obligations and conditions, the development would not have an adverse impact on highways and parking during construction or operation of the development, it would provide sufficient and acceptable vehicle and cycle parking for future occupiers as well as sound servicing strategy for the development. The proposal would accord with Policies CS6, CS7, DM13, DM14, DM15, DM16, and DM32, the Emerging LP1 Policies 63 and 65, the London Plan Policies D6, SI 7, T2, T4, T5, T6, T6.1, T7.

L. TREES, LANDSCAPING, AND ECOLOGY

- 10.212 Policy CS5 states that the Council will seek to ensure that development protects and enhances green infrastructure and biodiversity. These would occur through the protection of existing healthy trees; provision of new open spaces and landscaping; protection of Lee Valley, Epping Forest, and other biodiversity sites; and the creation of new habitats. Policy DM12 provides further detailed policy requirements. London Plan Policy G1 similarly requires that development proposals incorporate elements of green infrastructure to deliver multiple benefits.
- 10.213 It should be noted that the submission has been reviewed by the Council's tree preservation and urban greening officers (Tree & UG officer) in respect of trees, landscaping, and ecology.

TREES

- 10.214 Policy DM35 requires an arboricultural report where proposals impact existing trees, stating that mitigation and compensation measures would apply if loss of existing trees

was unavoidable. The Emerging Local Plan LP1 Policy 82 states that development proposals must retain and protect significant existing trees. London Plan Policy G7 has similar requirements; it also seeks the planting of additional appropriate, high-quality trees.

- 10.215 The proposed development would be a regeneration of the estate with a new layout that completely differs from that existing. Accordingly, it would remove all trees on site, except for one, with a total of 54 trees and two tree groups. The submitted Arboricultural Impact Assessment (AIA) categorised the trees and stated that they are three categories B, 50 category C and one category U, i.e., moderate to low quality. The Tree & UG officer reviewed the submitted AIA; they confirmed that a desktop study of the site, their site visit, and the AIA agree that the existing trees are of low quality and landscape value. Noting that these trees unsuitably planted with their largely urbanised environment, subsequently overly managed, and, as such, their Safe Useful Life Expectancy reduced. Accordingly, would not object to the principle of the loss of the existing trees within the estate; and required mitigation in the form of suitable tree planting as part of a high-quality soft landscaping scheme.
- 10.216 The trees on the estate belong to the Council, managed for Housing by the trees service at a similar level to trees on highways. The Council Parks and Open Spaces department commented that they would expect the same level of protection for these trees as laid out in the borough's Tree Strategy. This strategy sets out that any removed tree should be replaced by five trees, otherwise requests a financial contribution for the value (CAVAT) of the non-replaced trees.
- 10.217 The proposal would include planting 97 trees on ground level and 37 trees at podium level, a net increase of 71 trees onsite. While this net increase is positive, it would fall short of the number required to replace removed trees. The Parks and Open Spaces agreed on a compensation figure with the applicant as a mitigation to this shortfall which would form part of the s106 agreement. Accordingly, the proposed removal of existing trees would be acceptable and mitigated in line with policies.
- 10.218 The recommended landscaping planning conditions would secure the planting of appropriate new trees and their ongoing maintenance and management. Therefore, subject to the conditions, the proposed development would be acceptable concerning its impact on trees, with the proposed loss of established trees mitigated through extensive new tree planting, in general accordance with Policies CS5, DM12, and DM35 and London Plan Policies G1 and G7.

LANDSCAPING AND URBAN GREENING

- 10.219 Policy DM12 states that proposals should include long-term management provisions for open spaces and landscaping. Policy DM29 states that, to be well-designed, proposals should include high-quality landscaping. Emerging Local Plan LP1 Policy 79 states that major new developments should provide new high quality and usable open spaces and/or landscape infrastructure on-site.
- 10.220 London Plan Policy D8 relates mainly to public realm proposals but includes the principle that landscaping, including planting, street furniture, and hard-surface materials, should be of good quality. London Plan Policy G5 sets out that development should adopt a range of measures to contribute towards the greening of London.

Requiring a target Urban Greening Factor (UGF) of 0.4 for predominantly residential developments in the absence of an adopted local target.

- 10.221 The submitted landscaping scheme, would follow the site layout six-character areas mentioned in section 10G of this report, their strategy would be as follows:

Avenue Square: This new public square would include 1) a south-facing community centre deck, and informal seat edges to the central green space for incidental rest, events and community use. 2) north-south link with play trail, seating, and planting to reinforce it as principal pedestrian access through the development. 3) east-west pedestrian and cycle link with linear drainage swale planting. 4) stepped access to Block C podium.

Langthorne Road: Public realm improvements include mixed shrubs, perennial and street tree planting.

Hall Road: 1) public realm improvements include mixed shrubs, perennial and street tree planting. 2) potential planting and improvements to the west side of Hall Road.

Victoria Road: Would have SuDS bed, and tree planting.

Snowberry Close: Open green square surrounded by dwellinghouses including SuDS, swale planting, wild play elements, grass mound, raised planting beds and seating.

Podium and rooftop gardens: Secure gardens with amenity areas that form an extension of residents' homes, including play equipment, work pods, meeting and seating areas, trees and shrubs, planter beds and furniture elements to increase sun enjoyment on rooftop spaces.

- 10.222 The proposed landscape plan would result in a UGF score of 0.43, which would meet the LP targets for a residential scheme. The Trees and UG Officer considered the principle of the proposed landscaping acceptable and offered some remarks to its detail. The officer requested a condition requiring soft landscaping details submitted and agreed including species, sizes, densities, specification of any proposed green roofs and living walls, as well as its management and maintenance.
- 10.223 In some cases, the proposed boundary treatments would integrate with the design of buildings and, therefore, have been discussed generally in relation to building design and could be controlled through a condition listing approved plans. In other cases, boundary treatments would form part of the landscaping strategy. Furthermore, final details of seating and hard landscaping features would need to be agreed; accordingly, the decision notice would include a condition requiring the submission and approval of hard landscaping and boundary treatment details.
- 10.224 As such, it is considered that the proposed landscaping would be of high quality, with suitable levels of greening, subject to the recommended conditions, per Policies CS5, DM12, and DM29 and London Plan Policies D8, G1, and G5. Moreover, the proposed high-quality landscaping scheme would help to deliver associated aspects of the proposed development, including private, communal, and public external amenity space; play space; an accessible external environment; new tree planting; and Biodiversity Net Gain (BNG).

ECOLOGY AND BIODIVERSITY

- 10.225 Policy DM35 seeks the avoidance of negative impacts on existing biodiversity resources, including protected sites. Generally, existing habitats should be retained on-site, if possible, and new habitats created through landscaping and other measures. The Emerging Local Plan LP1 Policy 81 states that proposals should seek to protect and enhance biodiversity and geodiversity resources in the borough and will ensure that all development should maximise opportunities to create new or make improvements to existing natural environments, nature conservation areas, habitats or biodiversity features and link into the wider green infrastructure network.
- 10.226 London Plan Policy G6 seeks the avoidance of negative impacts on SINC's and generally requires that development proposals manage impacts on biodiversity and aim to deliver BNG.
- 10.227 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the nature and local environment by minimising impacts on and providing net gains for biodiversity.
- 10.228 As stated in the site description, Epping Forest SSSI sits approximately 1.2km to the northeast, with the SAC located approx. 2.3km northeast. The site itself is of limited ecological value. However, there are trees, landscaped areas and buildings that provide opportunities for nesting birds and roosting bats; additionally, there are two TPO tree designations on the northern site boundary.
- 10.229 The application included a Biodiversity Impact Assessment (BIA) and a Preliminary Ecological Appraisal (PEA). The applicant also submitted a project-level Habitat Regulation Assessment (HRA) during the application. The Trees & UG Officer reviewed the BIA and commented that the proposal would achieve a Biodiversity Net Gain (BNG) of 27% (area based) and, therefore, would meet and exceeds the current BNG minimum target of 10%. The officer explained that the predicted BNG would be achievable through the implementation of an Ecological Management Plan which should detail the strategy for creating the proposed habitat and its management for at least 30 years. The BIA makes several recommendations for site-specific ecological enhancements which includes:
1. Biodiverse/biosolar green roofs with additional enhancement features including rope coils, sand piles and cobbles;
 2. Green walls utilising trellises, tensioned wire systems and climbing plants up any new buildings;
 3. Tree and shrub planting that are of known value to wildlife as well as being resilient to change.
- 10.230 The Trees & UG Officers also reviewed the PEA, which identified the ecological constraints on and adjacent to the site and the wider area. Along with the compensatory measures required in respect of SANGS. The officer explained that a number of site-specific ecological enhancements recommendations were part of the PEA and include:
1. The provision of biodiverse/biosolar roofs on all available flat roof sections
 2. The installation of a range of bird and bat boxes within the buildings and within mature trees retained on site

3. Creation of native climber led green walls, where possible, on site
4. The use of tree and shrub planting with a known value for biodiversity
5. The creation of invertebrates habitat banks and bricks within the landscaped communal areas as well as on the buildings themselves.

- 10.231 The Trees & UG Officers confirmed that they agree with the recommendations of the biodiversity and ecological reports, which showed a thorough assessment of the site's current and potential ecological status. Adding that, the objective should be that wildlife and people living in a biodiverse, biophilic environment. The development should integrate with and enhance nature corridors within the urban landscape, contributing to the wider ecological network. Wildlife rich gardens and greenspaces facilitated by trees, hedges, natural water features, green walls and roofs, native planting and natural hibernacula should form the basis of the soft landscaping details, their management and maintenance. Noting that the responsibilities for the management of the green spaces should be fully detailed, agreed and financed for any transfer of responsibility to the Council's relevant team by respective officers.
- 10.232 Due to the location of the SSSI and SAC in relation to the site, the Council is required by the Conservation of Habitats and Species Regulations 2017 (as amended) to undertake an appropriate assessment to determine if the proposed development, either alone or in combination with other plans and / or projects, would affect the protected features of the SAC and SPA/Ramsar before deciding whether to grant planning permission. Generally, the council would only be able to decide to grant planning permission if adverse effects on the integrity of the SAC and SPA/Ramsar could be ruled out.
- 10.233 The applicant submitted a Report to inform a Habitat Regulations Assessment (HRA), which provided details of mitigation measures in the form of a contribution towards the Strategic Access Management Measures (SAMM). Community Infrastructure Levy (CIL) would secure financial contributions towards the SANGS, allocated to projects within the relevant catchment area, as identified in the strategy. Natural England (NE) reviewed the HRA and stated that there were no objections subject to securing the appropriate mitigation. NE explained that without these mitigations, the proposal would have an adverse effect on the integrity of Epping Forest Special Area of Conservation; accordingly, both Strategic Access Management and Monitoring (SAMM) and Suitable Alternative Natural Greenspace (SANG) should be secured through planning obligations or conditions. The s.106 agreement would contain a head of term in relation to SAMM contribution of £627/net additional home.
- 10.234 Considering all points above, the development would represent an improvement to the landscaping of the area, is likely to provide net gains in biodiversity and urban greening, and the proposed mitigation measures on the SAC would be acceptable. The development would be consistent with policies CS5, DM12, DM29 and DM35, policies D8, G1, G5 and G6 of the LP and the NPPF.

M. ENERGY EFFICIENCY AND SUSTAINABLE DESIGN AND CONSTRUCTION

- 10.235 Policy CS1 states that the Council will seek to ensure that development helps to tackle climate change, and Policies CS4, DM10, and DM11 provide further detail on how this should be achieved.
- 10.236 Policy CS4 and London Plan Policy D11 require that the resilience of development proposals is maximised and potential physical risks, including those related to extreme weather such as flooding, draught, and overheating, should be minimised.
- 10.237 Generally, it is noted that the application was assessed by the Council's sustainability and energy officer and specialist GLA officers.

ENERGY EFFICIENCY AND CARBON REDUCTIONS

- 10.238 Policies DM10 require that development should achieve zero carbon targets through combination of on-site and appropriate off-site measures such as carbon fund contribution and CIL.
- 10.239 The London Plan sets out a CO2 reduction minimum, for regulated emissions only, at 35% and target of 50% against Building Regulations 2021 using SAP10 carbon factors as calculated using the GLA Energy Reporting Tool. It also requires domestic units to achieve 10% and non-domestic to achieve 15% of this target through Be Lean measures.
- 10.240 The SAP10 carbon factors predict the development to achieve 58%, 58% and 43% CO2 reductions for site-wide, residential and non-residential units, respectively, in regulated emissions against the Part L 2021 notional building. Also, the SAP10 carbon factors predict the development to achieve Be lean CO2 reductions of 22%, 22% and 17% for site-wide, residential and non-residential units, respectively, against Part L 2021 notional building. These would improve upon the LP targets and would be acceptable. The decision notice would include a condition requiring a report to demonstrate the measures set out and implemented in the construction of the development to achieve the LP targets.
- 10.241 The submitted Energy Statement estimated the offset contribution of £710,638 based on an offset rate of £95 per tonne over 30 years. This figure matches the calculations of the Council's Sustainability and Energy Efficiency team and would form part of the heads of terms for the s.106.
- 10.242 Policy DM10 requires non-residential development greater than 100 sqm to achieve BREEAM very good or equivalent standards. The application included a BREEAM pre-assessment targeting excellent which would be an improvement above said targets. The decision notice would include a condition to ensure this standard would be achieved.
- 10.243 London Plan Policy SI 3 sets out requirements for developments in Heat Network Priority Areas to have a communal low-temperature heating system, with the source of heat obtained in line with its heating hierarchy. The development will be provided with heating and hot water via a communal heat network, served by air source heat pumps which would be acceptable.
- 10.244 The Energy report confirms that it is not feasible to connect to an existing District Heating Network (DHN). However, the development would be future proofed for

connection to a district heating network. The plant rooms being close to the site boundary provide a reasonable assumption that pipework to the boundary would not be problematic. Future proofing would form part of the clauses in the s.106 agreement.

- 10.245 Other related planning obligations are also recommended to secure appropriate measures for post-construction monitoring of the proposed development's performance.
- 10.246 Therefore, subject to planning obligations and conditions, it is considered that the development would be acceptable in respect of energy efficiency and carbon reductions, in accordance with Policies CS1, CS4, DM10, and DM11 and London Plan Policies D11, SI 2, and SI 3.

WATER EFFICIENCY

- 10.247 Policy CS4 states that development should minimise the use of water. Policy DM34 sets out that residential development proposals should implement water efficiency measures to achieve usage of less than or equal to 105 litres per person per day. Water saving measures and equipment are also generally expected to be incorporated into the design of new development. London Plan Policy SI 5 has similar requirements.
- 10.248 The submitted Sustainability Statement confirmed that the development would seek to achieve water usage of less than or equal to 105 litres per person per day through a variety of detailed design measures. The Council's Sustainability and Energy officer recommended securing this compliance through a suitably worded planning condition.
- 10.249 Therefore, it is considered that the proposed development would be suitable in terms of water efficiency and comply with Policies CS1, CS4, and DM34 and London Plan Policies D11 and SI 5.

CIRCULAR ECONOMY

- 10.250 Policy CS6 sets out that waste is minimised during the construction phase of development.
- 10.251 The GLA advised that the London Plan Policy D3 requires development proposals to integrate circular economy principles as part of the design process. London Plan Policy SI7 requires development applications that are referable to the Mayor of London to submit a Circular Economy Statement, following the Circular Economy Statements LPG.
- 10.252 The applicant has submitted a Circular Economy Statement, however this has been prepared predominantly with reference to the previous GLA guidance and is therefore not in accordance with the current GLA guidance. The applicant should submit a revised Circular Economy Statement in line with the adopted London Plan Guidance: Circular Economy Statements (March 2022). The Circular Economy Statement does not yet comply with London Plan Policy SI7. The Applicant should ensure that all reporting tables are completed in the Detailed Application Stage tab of the GLA Circular Economy template.
- 10.253 There is significant technical input still required from the applicant. In line with the minimum submission requirements for Detailed Stage Applications as per the GLA Circular Economy Guidance, the applicant should provide:

- Pre-Redevelopment Audit;
 - Pre-Demolition Audit; and,
 - Operational Waste Management Plan.
- 10.254 Where the applicant is proposing significant demolition, this should include analysis that fully explores options for retaining existing structures, materials and the fabric of existing buildings into the new development; and the potential to refurbish buildings before considering substantial demolition.
- 10.255 The GLA concluded that A condition should be secured requiring the applicant to submit a post-construction report.
- 10.256 Considering the input from the GLA, subject the recommended conditions, it is considered that the proposed development would adhere to circular economy principles, including during demolition and construction, in accordance with Policies CS1 and CS6 and London Plan Policy SI 7.

N. FLOOD RISK AND DRAINAGE

- 10.257 Policy CS4 states that developments should be directed away from areas at high risk of flooding, and their design should minimise the potential for flooding and incorporate appropriate mitigation. Policy DM34 sets out various requirements for developments to manage flood risk, including aiming to achieve greenfield run-off rates via the maximisation of Sustainable Urban Drainage Systems (SuDS) where possible. The Emerging Local Plan Policy 93 have similar requirements. London Plan Policies SI 12 and SI 13 have similar requirements in terms of ensuring that development proposals minimise and mitigate flood risk and incorporate appropriate provisions for drainage, following the London Plan drainage hierarchy and other priorities.
- 10.258 A Flood Risk Assessment has been prepared by Ardent. According to the EA flood maps, the site is in Flood Zone 1. Under the NPPF, the proposed development is classified as 'more vulnerable', is located within a sequentially appropriate fluvial and tidal flood zone and does not require the application of the exception test.
- 10.259 The potential risk of flooding from other sources, include surface water, groundwater, sewers and artificial sources, are considered medium under the current arrangements. This risk would fall to low following the mitigation measures implemented into the design of the scheme. The surface water drainage strategy would manage flood risk by restricting surface water to 13.6l/s for all return period events upto and including the 1 in 100-year critical event (including a 40% allowance for climate change). The surface water from the site would be attenuated and temporarily stored within cellular storage, with a total volume of circa 775 m³. The foul flows from the development would discharge into Thames Water combined sewer. The peak foul flow would increase from existing to proposed; however, this would be considered mitigated through the proposals, which, on completion, would remove all onsite surface water run-off from the combined network. A management company would be appointed to maintain the SuDS within the development.
- 10.260 The scheme has been designed to protect the proposed vulnerable uses from extreme flood risk events. Similarly, the proposed sustainable urban drainage systems

implemented as part of the development would ensure that delivery of the site would not increase surface water flood risk on site and for neighbouring properties. The proposals would wholly align with the requirements of the London Plan and adopted Emerging Local Plan policies and would be acceptable.

- 10.261 The Council's Lead Local Flood Authority (LLFA) officer has reviewed the proposal and has advised that it would be acceptable. It is recommended that a condition is attached to any planning permission requiring the submission and approval of a detailed drainage scheme in line with the proposed drainage strategy.
- 10.262 The LLFA requested financial contributions towards: a) towards a flood study to identify strategic flood mitigation opportunities in the area; and b) a future partnership funded strategic flood mitigation scheme for the area. Stating that, in relation to (b), the LLA is gathering S106 contributions from developers within critical drainage areas (CDA's) to provide match funding for Thames RFCC funding bids to deliver strategic flood mitigation schemes within the Thames RFCC's current flood programme. Flood study area relevant to this site is Leytonstone Corridor CDA. A potential strategic flood mitigation scheme is being considered for the Downsell Primary School area which is a high risk for surface water flooding. Developer contributions towards the flood studies will potentially enable enhanced flood mitigation measures to be implemented which will benefit residents of the wider community. Flood mitigation projects usually provide additional benefits such as improvements to local habitats, enhanced biodiversity, ecology, improved local amenity spaces, benefits to health and wellbeing and also provides other climate related benefits.
- 10.263 Thames Water (TW) has confirmed that there is no objection concerning surface water drainage if the developer follows the sequential approach to the disposal of surface water. Adding that the developer would require prior approval from TW Developer Services before discharging to a public sewer.
- 10.264 As such, officers consider that the proposed development would be acceptable in terms of flood risk and drainage, subject to the recommended condition, in compliance with Policies CS1, CS4 and DM34, Emerging LP Policy 93, and London Plan Policies D11, SI 12, and SI 13.

O. ENVIRONMENTAL IMPACT

- 10.265 Policy CS13 seeks to create healthy and sustainable places and communities by ensuring that development conforms to appropriate environmental standards, including contamination, air quality, noise, light, and water quality.
- 10.266 The applicant submitted a CEMP, which provided an overview of the development, construction programme, logistics strategy and environmental controls and identified any risks from external elements during construction. This CEMP considered the anticipated programme of works associated with the proposed development and identified several measures and protocols for further consideration by the contractor (once appointed). It referred to other reports submitted within the application, such as Air Quality Assessment and Noise Assessment and Construction Logistics Plan. The decision notice would include a condition to ensure adherence to this document where relevant.

GROUND CONTAMINATION AND WATER QUALITY

- 10.267 Policy DM24 requires that proposals for sites that are potentially contaminated should ensure that development can be safely constructed and used. It also requires that measures are put in place to overcome any risk posed to water quality by new development.
- 10.268 The Emerging Local Plan LP1 Policy 92 states that the Council will manage contaminated land by: ensuring that site investigation and desk-based research for new developments on contaminated or potentially contaminated land, and agreeing remediation proposals; ensuring new developments address the impacts of contamination on/off-site during the construction and operation phases; and, requiring developments that has the potential to contaminate land to include mitigation measures to prevent any adverse impacts on people and the environment, and to monitor any impact where appropriate.
- 10.269 The application submission included a Phase 1 Geo-Environmental Assessment; the Council's Environmental Health – Pollution officer reviewed this document and approved its finding. The officer requested a phased pre-commencement condition to obtain their agreement to a suitable preliminary risk assessment, ground investigation and a verification report. To ensure risk from land contamination to future users and neighbouring land are minimised, together with any risk to controlled waters, property and ecological systems, and to ensure that the development would be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policies.
- 10.270 TW advised the applicant that their development boundary falls within a Source Protection Zone for groundwater abstraction and encouraged them to read the Environment Agency's approach to groundwater protection. TW explained that these zones might be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and TW would use a tiered, risk-based approach to regulate activities that may impact groundwater resources. TW also recommended that petrol/oil interceptors be fitted in all car parking/washing/repair facilities, stating that failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.
- 10.271 The existing buildings were built before 2000; accordingly, the officer requested a condition regarding asbestos. This condition would include an intrusive pre-demolition and refurbishment asbestos survey following HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers.
- 10.272 Based on the above, and subject to the planning conditions recommended, officers are satisfied that the proposed development would be acceptable in terms of the risks posed by contamination and associated impacts on water quality, as required by Policies CS13 and DM24 and Emerging LP1 Policy 92.

AIR QUALITY

- 10.273 Policy DM24 sets out that new developments should neither suffer from nor contribute to unacceptable levels of air pollution. The Emerging Local Plan LP1 Policy 90 states that new developments should mitigate any adverse air pollution impacts and be supported by Air Quality Assessment (AQA). It should be noted that the site is in the

Waltham Forest Air Quality Management Area (AQMA), which covers the entire Borough and is in place due to vehicle emissions. Developments which may have a significant impact on air quality or, in an area where the existing air quality environment is poor or will have a significant impact on the development; will require a contribution towards implementation of the Air Quality Action Plan.

- 10.274 London Plan SI 1 sets out rigorous air quality standards for new development, including that it must be at least air quality neutral. It also puts in place requirements for during the demolition and construction phases of development.
- 10.275 This application submission included an Air Quality Assessment (AQA), which discussed the construction and operation phases of the development. The construction phase discussed the air quality conditions during construction and that the mitigation measures under the CEMP would offset the impact to make it 'not significant'. The operational phase included the impact of operational traffic associated with the development on sensitive human receptors and nearby designated ecological sites. It also assessed the impact of pollutants concentrations within the site on future residents, which was proven to be below the relevant objectives and, therefore, concluded that the site would be suitable for its end-use.
- 10.276 The Council's Environmental Health – Air Quality officer reviewed the submitted information and agreed with its findings. The officer commented that the development is likely to cause deterioration in local air quality and is near a location of high relative exposure. Accordingly, an s.106 financial contribution would apply for £95,910.0 towards the Council's air quality action plan.
- 10.277 This contribution would fund implementations of AQAP measures, maintenance of the AQ monitoring network, predictive AQ modelling, education, research, the installation of electric charging points and bike hire schemes or car club feasibility.
- 10.278 The officer also recommended conditions to ensure the development would adhere to the mitigations stated within the AQA, and another regarding non-road mobile machinery (NRRM). The officer also requested a pre-commencement condition requiring submission and review of an air quality and dust management plan (AQDMP).
- 10.279 Therefore, the development would be acceptable in respect of its impact on air quality and the impact of existing air quality on future residents and other users, per Policies CS13 and DM24, Emerging LP1 Policy 90 and London Plan Policy SI 1.

NOISE

- 10.280 Policy DM24 states that noise sensitive uses such as residential should be situated away from major sources of noise pollution unless it provides suitable mitigation. The Emerging Local Plan LP1 Policy 53 states that developers will be required to demonstrate the impact of their developments on the noise environment and, where appropriate, provide a noise assessment. Adding that the layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing.
- 10.281 London Plan Policy D14 seeks the avoidance of adverse noise impacts through similar measures and highlights that development proposals should reflect the agent of

change principle as set out in London Plan Policy D13, given the potential for complaints from new noise sensitive uses about existing noisy uses.

- 10.282 The application submission included a Noise Assessment (NA), which looked at the principal sources of environmental noise and concluded that noise results from vehicular movements along Hall Road, Langthorne Road and Victoria Road. The NA undertook an initial assessment of noise for the facades anticipated to be at higher risk of overheating, their modelling indicated that while the affected units would have mechanical ventilation, windows would be openable to provide additional ventilation without adverse impact on the amenity of future occupiers.
- 10.283 The NA assessed the impact on neighbours in relation to the plant and machinery installed on site and the proposed acoustic attenuation and mitigation measures to ensure the noise conditions for the neighbouring receptors would not exceed the measured background noise level of 10dba. It also outlined mitigation recommendations for the glazing on the residential, commercial and community elements to achieve suitable internal noise standards that would not impact neighbouring properties.
- 10.284 The Council's Environmental Health- Noise Officer reviewed the NA and agreed with its findings. The decision notice would include a condition to ensure the development would adhere to the listed mitigation measures.
- 10.285 As such, it is concluded that the proposed development would be acceptable in terms of the noise impact onto future residents and neighbouring properties subject to a planning condition. The proposed development would therefore accord with Policies CS13 and DM24, Emerging LP1 Policy 53 and London Plan Policies D13 and D14.

EXTERNAL LIGHTING

- 10.286 Policy DM24 seeks to ensure that external lighting is kept to appropriate levels to avoid light pollution. The Emerging Local Plan LP1 Policy 53 states that light pollution will be minimised by design measures that would ensure external lighting schemes should only illuminate intended areas. London Plan Policy D8 has similar requirements concerning lighting in the public realm.
- 10.287 The application did not include any information on the proposed lighting strategy within the red line boundary. The development would require appropriate security lighting, including internal and external lighting for all surrounding areas. The lighting strategy would require consultation with the MPS Designing out Crime Officer (DOCO) to ensure that lighting levels should be applicable to the operational need of an area, lighting should be uniform, avoiding shadows and large changes. The decision notice would include a phased pre-commencement condition requiring details for lighting specification, and lighting calculations to demonstrate appropriate lighting levels for public areas.
- 10.288 On this basis, subject to a suitable condition, it is considered that the proposed development would be acceptable in terms of light pollution, in accordance with Policies CS13 and DM24, the Emerging LP1 Policy 53 and London Plan Policy D8.

P. IMPACT ON INFRASTRUCTURE

- 10.289 Policy CS1 generally seeks to ensure that growth is supported by the timely delivery of essential infrastructure. Policy CS3 requires that new development contributes towards the provision of any necessary infrastructure, including social, utility, and other types of infrastructure. Policy CS13 Policy DM34 specifically sets out that proposals for new development must either demonstrate that sufficient water supply and wastewater infrastructure exists, or that sufficient extra capacity would be provided.
- 10.290 Policy DM17 states that the Council would seek improvements to social infrastructure either onsite or offsite via planning obligations according to policy DM36. Policy DM23 states that the Council will support major applications with positive health impacts demonstrated through the use of Health Impact Assessment (HIA). Policy DM34 specifically sets out that proposals for new development must either demonstrate that sufficient water supply and wastewater infrastructure exists, or that sufficient extra capacity would be provided.
- 10.291 The Emerging Local Plan LP1 Policy 51 states that the development of 100 new homes or more will be expected to submit a Health Impact Assessment. Emerging LP1 Policy 70 states the Utility infrastructure and connections must be designed into the development from the outset wherever possible.
- 10.292 London Plan Policy SI 5 requires that new development ensures adequate wastewater capacity is provided. London Plan Policy SI 6 requires that developments make adequate provision for digital connectivity infrastructure.
- 10.293 The application included a Health Impact Assessment (HIA) which used Healthy Urban Development Unit's (HUDU) Healthy Urban Planning Checklist (2017) following the council's requirements. This HUDU aims to promote healthy urban planning by ensuring that the health and well-being implications of major planning applications are consistently considered in line with the Mayor of London's Social Infrastructure Supplementary Planning Guidance (2015). The HIA included an assessment of 'Vibrant Neighbourhoods' which considered healthcare services, education, access to social infrastructure, local employment and healthy workplaces, and access to local food shops and public buildings and spaces.
- 10.294 In general, the submitted HIA concludes that the proposed development would not result in adverse health and well-being impacts and would include several positive impacts. This demonstrates that proposal would accord with Policies CS13 and DM23, which seek the delivery of healthy places which would raise an argument that the proposed design would help to reduce pressure on healthcare infrastructure overall.
- 10.295 The Council's Schools department did not raise any concerns about the development in relation to impact on education infrastructure. The Childcare early years department commented that Cathall ward currently faces shortages in full day care or term time care provision, this shortage occurred recently following earlier discussions with the Council prior to the submission of the application. Accordingly, they would welcome the possibility of s.106 or CIL funding to explore other options for a standalone nursery or suitable commercial space in the vicinity.
- 10.296 Thames Water has confirmed that they would not have any objection concerning foul water sewerage network infrastructure capacity. However, they advised that the

existing water supply infrastructure network does not have sufficient capacity for the proposed development. As such, a condition was requested to ensure that the development would only be occupied when suitable water supply infrastructure is in place. Thames Water also requested informative advising that the site is near existing underground wastewater and water assets, to help ensure that these assets are adequately protected.

- 10.297 In terms of impacts on other types of infrastructure, it is noted that the development is part of the planned growth of the borough and a draft site allocation. It would contribute towards infrastructure provision generally through any local and Mayoral CIL income. Also, the scheme would contribute to infrastructure provision in several ways, including in the form of high-quality public open space on the site and through the recommended planning obligations, which would secure highway improvements, and enhancements to open spaces elsewhere in the Borough. As discussed in subsection 10K above, the impact of the proposed development on public transport infrastructure would be acceptable, and TfL was consulted and has not raised any objection to the proposed development in respect of such impact. Moreover, it is noted that any Mayoral CIL income from the development would be allocated to be spent on public transport infrastructure.
- 10.298 It should be noted that the potential impacts of the proposed development on infrastructure in combination with other developments have been considered where relevant. Funding received via local and Mayoral CIL would be able to help address potential cumulative impacts.
- 10.299 Therefore, it is considered that the impact of the proposed development on infrastructure, including social and utility infrastructure, would be acceptable, subject to the recommended planning condition. It is also noted that the proposal would deliver some infrastructure, both on-site and off-site via recommended planning obligations and any local and Mayoral CIL income. The proposed development would accord with policies CS1, CS3, CS13, DM17, DM23, DM34, DM36; Emerging LP1 Policy 51, Policy 71 and LP SI 5, SI6.

Q. SAFETY AND SECURITY

DESIGNING OUT CRIME

- 10.300 Policies CS16 and DM33 aim to improve community safety and cohesion and designing-out crime measures, including the incorporation of Secure by Design (SbD) standards. The Emerging Local Plan LP1 Policy 60 states the council would require all forms of new development to incorporate 'Designing out Crime' and SbD and require all major developments to apply for SbD accreditation. London Plan Policy D11 also requires measures to design out crime.
- 10.301 The proposed development would incorporate features that discourage criminal activity, such as individual entrances to ground-floor flats were levels allow to help create active frontages and natural surveillance. The MPS Designing Out Crime Officer reviewed the application and met with the architectural team. Their final response confirmed that a staged condition would ensure SbD/crime prevention continues to be discussed throughout the development while not causing obstructions to the

occupation of the finished buildings. The officer also raised some points for the applicant concerning access control and compartmentation within the buildings. In line with advice from the MPS, the decision notice would include a condition requiring details of measures ongoing review per phase and evidence of achieving the SbD certification.

- 10.302 Therefore, subject to the recommended condition, it is considered that the proposed development would be acceptable in terms of the measures proposed to design out crime, in accordance with Policies CS16 and DM33, Emerging LP1 policy 60 and London Plan Policy D11.

FIRE SAFETY

- 10.303 London Plan Policy D5 sets out the requirement for the inclusion of fire evacuation lifts for people requiring level access in all proposed developments where lifts are to be installed. This additional requirement goes beyond the Building Regulations.
- 10.304 London Plan Policy D11 states that the design of development proposals should ensure resilience and minimise potential physical risks including fire. Policy D12 of the same document requires that all development proposals should achieve the highest standards of fire safety. Planning applications for major development proposals should include a Fire Statement. While fire safety compliance is covered by Part B of the Building Regulations, the policy aims to ensure that fire safety is factored into building design from an early stage.
- 10.305 The application submission included a Fire Safety Strategy and a subsequent HSE Fire Statement Form as per the request from the Health and Safety Executive (HSE). The HSE reviewed the submitted information and confirmed that the tallest buildings, A1 & A2 would have two staircases each, and the shorter blocks B & C would have one staircase per building; adding that the fire statement confirmed the adopted fire safety design is Approved Document B. The HSE concluded their response stated that they were satisfied with the fire safety design to the extent that it affects land use planning; adding that the applicant would have to demonstrate the suitability of design standards adopted for the development at later regulatory stage.
- 10.306 The Council's Building Regulations team reviewed the submitted drawings and documents and the applicant's confirmation that sprinkler tanks and generators would be available to all blocks. The BR team concluded that they were satisfied with the progression of the design and that the principles outlined would be sound and would achieve compliance with the relevant building regulations.
- 10.307 In December 2022 the Government proposed changes to the Building Regulations that will require residential buildings over 30m to include two stair cores. This is in response to concerns raised about the need for two stair cores in tall buildings and the lack of clarity regarding when this may be required. Although this is a consultation until 17th March 2023, the Government has stated that it is proposing a very short transition before implementing the changes and encourages all developments to prepare for this change now. It is therefore very likely that this change will be implemented before this scheme is registered for building control. In addition, it is understood that any GLA grant funding will be dependent on meeting this requirement.

- 10.308 This new requirement would affect two buildings, Block B and building C1, within the proposal which are currently above 30 metres with a single staircase. In order to give comfort that the scheme will meet the highest standards of fire safety it is recommended that a suitably worded condition or planning obligation is applied to prevent commencement of these two blocks until plans have been submitted and approved, which provide two staircases each. The applicant has reviewed the submitted plans for these two blocks and is confident that two staircases can be achieved and that the necessary changes could be sought via a non-material amendment.
- 10.309 In light of the above, and provided that the condition or obligation is attached to any planning permission, it is considered that the proposed development would overall comply with London Plan Policies D5, D11, and D12 in respect of fire safety, including by providing means of escape for people requiring level access.

R. PLANNING OBLIGATIONS

- 10.310 Policy CS3 requires that new development contributes towards the provision of any necessary infrastructure. DM36 sets out the Council's approach to securing such infrastructure and other relevant mitigation through planning obligations, with further guidance provided in the Planning Obligations SPD.
- 10.311 Additional policies and guidance specifically relevant to planning obligations related to affordable housing are set out subsection 10D of this report.
- 10.312 The NPPF sets out that a planning obligation should only be used where it is not possible to address unacceptable impacts through a planning condition and it would be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 10.313 Heads of terms for the recommended planning obligations, which would be captured in a S106, are set out in section 1 of this report.
- 10.314 Generally, discussion of and justification for the recommended planning obligations is set out in the relevant subsection in this section. However, it should also be noted that planning obligations are recommended to ensure that the development provides economic benefits in accordance with Policies CS10 and DM21 and London Plan Policy E11, which seek to maximise training, employment, and business opportunities available to local residents. Planning obligations are also recommended in relation to the preparation, completion, implementation, and monitoring of and securing compliance with the S106.
- 10.315 It is considered that the proposed planning obligations would accord with Policies CS3, CS10, DM21, and DM36 and London Plan Policy E11, as well as policies relevant to affordable housing and other relevant policies, and also conform to the requirements of the NPPF.

11. PLANNING BALANCE AND CONCLUSION

- 11.1 Officers consider that the proposed development would provide the following significant benefits:
- The delivery of 617 much-needed, high-quality, new homes in a mix of tenures and sizes, including a re-provision of 241 existing homes in a modern, safe and high-quality accommodation.
 - The delivery of 272 new affordable homes, which would represent 50%, by habitable rooms, of the whole development. 241 of these homes would be social rent for the existing residents, in addition to additional eight London Affordable Rent homes and 23 shared ownership homes.
 - The delivery of a substantial amount of high-quality, green, external amenity space within the public realm, and the extensive greening of adjacent street network.
- 11.2 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 result from lack of three-bed plus homes in shared ownership tenure.
 - The minor harm that would result from 44% of the rooms not achieving the BRE guidance illuminance levels for some of the proposed homes.
 - Less than substantial harm to the significance of a designated heritage assets.
 - The minor harm in terms of the impact on outlook and privacy for the first-floor side windows of 29 Thorne Close.
 - Minor harm to the daylight levels to three windows at 24-26 Buttermere Close, ground-floor windows at 2-22 (even) Buttermere Close and some windows to the rear of 2-18 Brierley Road.
- 11.3 On balance, it is considered that the significant benefits of the proposed development would outweigh the relatively small amount of residual, unmitigated harm.
- 11.4 As such, officers recommend that planning permission is granted for the proposed development, subject to planning obligations and conditions and informatives, for the following reasons:
- The development is an estate regeneration of an allocated site under the emerging LP2 document.
 - It would be acceptable in principle and would deliver much-needed additional new homes over and above the existing number of homes within the estate.
 - The demolition and replacement of affordable homes strategy on the Avenue Road Estate would be acceptable.
 - It would deliver the maximum reasonable amount of affordable housing, which would represent a significant number of additional affordable homes, including some additional social rent homes.
 - It would include a good mix of homes sizes, including relatively high proportion of family-sized social rent homes.

- It would provide an overall high standard of residential accommodation, including in terms of internal and external spaces and play space; the residential accommodation, and other parts of the site, would be generally accessible, and any residual, unmitigated minor harm would be outweighed by its significant benefits.
- Its design would be both high-quality and inclusive, including in respect of its layout, massing, and detailed design matters related to the proposed final appearance of the development.
- It would have an acceptable impact on heritage assets, with any residual, unmitigated minor harm being offset by its considerable benefits.
- It would have an, overall, acceptable impact on the amenities of neighbouring properties, with any residual, unmitigated harm being outweighed by its substantial benefits.
- It would have an overall acceptable impact in terms of transport-related considerations and would be “car free” for all new residents except for blue badge parking spaces.
- It would make acceptable provisions for the storage and collection of waste and recycling arising from the operation of the development.
- It would provide high-quality landscaping, including new trees to compensate for the loss of existing trees, which would deliver urban greening and biodiversity net gain.
- It would have an acceptable impact on ecology, including in relation to the Epping Forest SAC, nearby SSSIs, other biodiversity sites, and on the site.
- The development would meet expectations in relation to energy efficiency and its approach to sustainable design and construction.
- It would have an acceptable impact on infrastructure, itself delivering some on- and off-site infrastructure.
- It would be designed to be safe in terms of the risks of crime and fire.
- The recommended use of planning obligations, as well as conditions, would be appropriate.

11.5 Overall, and for these reasons, officers consider that the proposed development would be of a high quality and accord with the development plan, and should, therefore, be approved without delay.

12. ADDITIONAL CONSIDERATIONS

PUBLIC SECTOR EQUALITY DUTY

12.1 In making its decision the Planning Committee must consider the public sector equality duty (PSED) under S149 of the Equality Act 2010 (as amended). This means that the Council, in the exercise of its functions, must have due regard to the need to:

- eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equality Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 12.2 To advance equality of opportunity there should be due regard to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it, including steps to take account of disabled persons' disabilities; and
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 12.3 There should be due regard to the need to tackle prejudice and promote understanding to foster good relations.
- 12.4 The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 12.5 The Planning Committee must consider the PSED in making its decision. However, the PSED is only one factor and may be balanced against other material considerations as part of the planning process.
- 12.6 It is considered that a decision to grant planning permission, as recommended, would comply with the PSED. Officers have set out the relevant issues throughout this report.
- 12.7 An initial screening exercise of the equality impact of this decision was undertaken and determined there was no on the Council's equality duty. The EQIA is appended to this report.

HUMAN RIGHTS

- 12.8 In making its decision the Planning Committee must also be aware of and consider any implications that may arise relating to the Human Rights Act 1998 (as amended). Under the Human Rights Act, it is unlawful for a public authority, such as the Council, to act in a manner that is incompatible with the European Convention on Human Rights.
- 12.9 The Planning Committee is referred specifically to Article 8 of the Convention Rights and Freedoms (the "right to respect for private and family life") and Article 1 of the First Protocol (the "protection of property"). It is not considered that a decision to grant planning permission, as recommended, would interfere with the right to respect for private and family life, including the home, 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, as would be the case if a decision were made to grant planning permission, as recommended. Again, this report sets out the relevant issues, including in subsection 10I.

13. RECOMMENDED CONDITIONS AND INFORMATIVES

- 13.1 It is recommended that planning permission be GRANTED subject to conditions and informatives, Stage 2 referral to the Greater London Authority (GLA), and completion

of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) (S106).

- 13.2 Recommended S106 heads of terms for planning obligations and most other details relating to this recommendation are set out in section 1 of this report. The recommended conditions and informatives are set out below:

CONDITIONS

1. Time Limit

The development shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Approved Drawings

The development shall be carried out in accordance with the approved drawings listed under document titled: Drawing Register and Issue Sheet, project title: Avenue Road Estate, Project Code BA9594, prepared by PRP, Issue: 16.09.2022, Design Update: 11.01.2023.

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

3. Obscure and Non-Openable Windows

Windows shown in green under approved drawing number: ARE- PRP- CZZ- ZZ- SK-A-00001 shall be obscure-glazed and non-opening 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).

4. Accessibility

- A. All dwellings shall be constructed to the Building Regulations 2010, Access to and use of Buildings, Approved Document M, Volume 1: Dwellings (2015 edition incorporating 2016 amendments), optional requirement M4(2), Sections 2A and 2B, as a minimum except for those units stated under points B and C below.
- B. All dwellings identified in blue under submitted document titled: Avenue Road Estate – Location of M4(3)(2)9a) & M4(3)(2)(b) UNITS, dated January 2023,

prepared by PRP and Bellway; shall be constructed to the Building Regulations 2010, Access to and use of Buildings, Approved Document M, Volume 1: Dwellings (2015 edition incorporating 2016 amendments), optional requirement M4(3),

- C. All dwellings identified in pink under submitted document titled: Avenue Road Estate – Location of M4(3)(2)9a) & M4(3)(2)(b) UNITS, dated January 2023, prepared by PRP and Bellway; shall be constructed to the Building Regulations 2010, Access to and use of Buildings, Approved Document M, Volume 1: Dwellings (2015 edition incorporating 2016 amendments), optional requirement M4(3)(b).

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).

5. Bay Studies

No above ground works for the relevant phases for the development shall take place until:

- A. No above ground works for Phase 1 shall take place until detailed bay studies for external surfaces for Phase 1 buildings, have been submitted to and approved in writing by the Local Planning Authority.
- B. No above ground works for Phase 2 shall take place until detailed bay studies for external surfaces for Phase 2 buildings, have been submitted to and approved in writing by the Local Planning Authority.
- C. No above ground works for Phase 3 shall take place until detailed bay studies for external surfaces for Phase 3 buildings, have been submitted to and approved in writing by the Local Planning Authority.

The phases shall accord with the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway.

The detailed bay studies shall include plan, elevation, and section drawings at a scale of 1:20, or otherwise agreed with the Local Planning Authority. The detailed bay studies as a minimum, shall be based on the approved drawings and documents titled: Avenue Road Estate – Design and access statement, dated 16/09/2022, Reference BA9594, prepared by PRP, and document titled: Avenue Road Estate - Response to Highways & Urban Design, dated 14/12/2022, prepared by Bellway.

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).

6. Materials

- A. No above ground works for Phase 1 shall take place until details of all materials to be used in its external surfaces for Phase 1 building, have been submitted to and approved in writing by the Local Planning Authority.
- B. No above ground works for Phase 2 shall take place until details of all materials to be used in its external surfaces for Phase 2 building, have been submitted to and approved in writing by the Local Planning Authority.
- C. No above ground works for Phase 3 shall take place until details of all materials to be used in its external surfaces for Phase 3 building, have been submitted to and approved in writing by the Local Planning Authority.

The phases shall accord with the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway.

The details to be submitted shall include a schedule of materials, samples, and corresponding drawings showing the location of these materials on all external surfaces, as agreed with the Local Planning Authority.

The materials shall be based on the indications shown on the approved drawings and documents titled: documents titled: Avenue Road Estate – Design and access statement, dated 16/09/2022, Reference BA9594, prepared by PRP, and document titled: Avenue Road Estate - Response to Highways & Urban Design, dated 14/12/2022, prepared by Bellway.

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).

7. Archaeology

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. Where appropriate, details of a programme for delivering related positive public benefits
- C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

REASON: In order to adequately mitigate any harm to the significance of heritage assets of archaeological interest, in accordance with Policy CS12 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM28 of the Waltham Forest Local Plan Development Management Policies (2013), and Policy HC1 of the London Plan (2021).

8. Highway Condition Survey

- A. No development shall take place until a pre-commencement highway condition survey, the scope of which shall be agreed with the Local Planning Authority, has been undertaken and submitted to and approved in writing by the Local Planning Authority.
- B. No occupation of Phase 3 of development, as shown in the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway, 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 before any part of the development is occupied.
- 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.

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).

9. Construction Logistics Plan

- A. No above ground works for the Phase 1 shall take place until detailed Construction Logistics Plan (CLP) for Phase 1, have been submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London.
- B. No above ground works for the Phase 2 shall take place until detailed Construction Logistics Plan (CLP) for Phase 2, have been submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London.

- C. No above ground works for the Phase 3 shall take place until detailed Construction Logistics Plan (CLP) for Phase 3, have been submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London.

The phases shall accord with the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway.

The Construction Logistics Plans shall be based on the document titled: Avenue Road Estate, Outline Construction Logistics Plan, dated September 2022, prepared by Ardent Consulting Engineers, ref: 2102390-06. It shall detail all logistics and construction proposals to ensure that pedestrian and cyclist movement and safety and bus operations are maintained throughout construction. No development shall take place except in accordance with the approved CEMP.

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.

10. Parking Design and Management Plan

No above ground works for the development for phase 1, as shown in the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway, shall take place until a Parking Design and Management Plan (PDMP) has been submitted to and approved in writing by the Local Planning Authority.

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).

11. Delivery and Servicing Plan

No above ground works for the development for Phase 3, as shown in the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway, shall take place until a Delivery and Servicing Plan (DSP), based document titled: Avenue Road Estate – Delivery and Servicing Management Plan, report ref: 2102390-04C, dated 04/01/2023, prepared by Ardent Consulting Engineers 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.

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).

12. Safety Audit

Following completion of Section 278 Works associated with the development, a Stage 3 Road Safety Audit (RSA) of the development's road layout shall be undertaken and an RSA Response Report detailing how the recommendations of the RSA have been addressed is submitted to and approved in writing by the Local Planning Authority.

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).

13. Air Quality (Air Quality and Dust Management Plan (AQMP))

No demolition or development shall commence, except for Phase 1A, as shown in the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway, until full details of the proposed mitigation measures for impact on air quality and dust emissions, in the form of an Air Quality and Dust Management Plan (AQDMP), have been submitted to and approved in writing by the local planning authority. In preparing the AQMDP the applicant should follow the recommendations outlined in the approved document titled: Avenue Road Estate, Air Quality Assessment, dated September 2022, prepared by Ardent Consulting Engineers, report reference: 2102390-07, submitted with the application and the guidance on mitigation measures for sites set out in Appendix 7 of the Control of Dust and Emissions during Construction and Demolition SPG 2014. Both 'highly recommended' and 'desirable' measures should be included. The applicant should follow the guidance on mitigation measures for Medium Risk and include automatic dust monitoring as a minimum.

REASON: Development must not commence before this condition is discharged to manage and mitigate the impact of the development on the air quality and dust emissions in the area and London as a whole, and to avoid irreversible and unacceptable damage to the environment, 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 Policy SI 1 of the London Plan (2021).

14. Land Contamination

A. No development, apart from demolition and Phase 1A as shown in the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway, shall take place until a scheme including the following components (where applicable) to address the risk associated with site

contamination has been submitted to and approved in writing by the Local Planning Authority:

- 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.
- E. In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported immediately to the Local Planning Authority and no further development shall take place until a revised remediation strategy has been submitted to and approved in writing by the Local Planning Authority.

Any investigation and risk assessment must be undertaken in accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR11).

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

15. Construction Environmental Management Plan

No above ground works for the development shall take place until:

- A. No above ground works Phase 1 of the development shall take place until a detailed Construction Environmental Management Plan for Phase 1 have been submitted to and approved in writing by the Local Planning Authority.
- B. No above ground works Phase 2 of the development shall take place until a detailed Construction Environmental Management Plan for Phase 2 have been submitted to and approved in writing by the Local Planning Authority.

- C. No above ground works Phase 3 of the development shall take place until a detailed Construction Environmental Management Plan for Phase 3 have been submitted to and approved in writing by the Local Planning Authority.

The phases shall accord with the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway.

The plans shall be based on the document titled: Avenue Road Estate, Construction and Environmental Management Plan, dated September 2022, prepared by Ardent Consulting Engineers, ref: 2102390-10. No development shall take place except in accordance with the approved CEMP.

REASON: To ensure that the environmental impacts of the development during construction are appropriately mitigated, 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 D14 and SI 1 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.

16. Asbestos

- A. No development, except for Phase 1A as shown in the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway, shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- Evidence that the existing buildings on site were built post-2000; or
- An intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers and other users of the development. The scheme must be written by a suitably qualified person and demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed use.

- B. No occupation of the development shall take place until independent verification of the approved mitigation scheme has been submitted to and approved in writing by the Local Planning Authority (where applicable).

REASON: To ensure that the development can be carried out safely without unacceptable risks to workers, neighbours, and other offsite receptors and risks from potential contamination arising in connection with existing buildings to future users of the site and neighbouring land, together with those to controlled waters, property, and ecological systems, are minimised, in accordance with Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM24 of the Waltham Forest Local Plan Development Management Policies (2013) The objectives and purposes of this condition are such that it is required to be complied with before commencement of development.

17. Air Quality (Emissions from Non-Road Mobile Machinery)

No Non-Road Mobile Machinery (NRMM) shall be used on the site for the development 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 accordance with Policy SI 1 of the London Plan (2021).

18. Noise

- A. No occupation of Phase 1 of the development shall take place until noise mitigation measures have been fully implemented,
- B. No occupation of Phase 2 of the development shall take place until noise mitigation measures have been fully implemented,
- C. No occupation of Phase 3 of the development shall take place until noise mitigation measures have been fully implemented.

The phases shall accord with the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway.

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 and safeguard the potential future operation of the Lord Brooke Public House in its established lawful use, 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).

19. External Lighting

No construction of the roof slab level for Phase 3 of the development, as shown in the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway, shall take place until details of any form of external illumination and/or external lighting on buildings and around the site, including any street lighting, have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Metropolitan Police Service.

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 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).

20. Overheating

No above ground works for the development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing how any potential overheating risk to homes will be mitigated in line with the London Plan (2021) cooling hierarchy. The details shall include:

- A Dynamic Overheating Assessment, which assess the overheating risk for any naturally ventilated spaces. This shall follow the CIBSE TM52 and TM59 methodology for the London Design Summer Year 1 (DSY1) weather file: 2020s, High emission, 50% percentile scenario. The assessment shall also investigate the risk of overheating using the DSY 2 & 3 weather files.
- Confirmation that guidance will be provided to occupants on minimising the risk of overheating in line with the energy hierarchy. The overheating guidance document shall be submitted.
- Openable windows and doors, internal blinds, and acoustic louvres, where feasible. Any required blinds shall be provided as part of the development.
- Details of mechanical ventilation where required.
- Evidence that any active cooling provision is lower than the notional MJ/m² cooling demand.

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 prevent overheating, in accordance with Policies CS1 and CS4 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM10 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D11 and SI 4 of the London Plan (2021).

21. Water Efficiency

- A. No above ground works for Phase 1 of the development shall take place until details of measures to reduce water use to meet a target water use of 105 litres or less per person, per day, for Phase 1 buildings, have been submitted to and approved in writing by the Local Planning Authority.
- B. No above ground works for Phase 2 of the development shall take place until details of measures to reduce water use to meet a target water use of 105 litres or

less per person, per day, for Phase 2 buildings, have been submitted to and approved in writing by the Local Planning Authority.

- C. No above ground works for Phase 3 of the development shall take place until details of measures to reduce water use to meet a target water use of 105 litres or less per person, per day, for Phase 3 buildings, have been submitted to and approved in writing by the Local Planning Authority.

The phases shall accord with the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway.

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 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 and SI 5 of the London Plan (2021).

22. Whole Life-Cycle Carbon Assessment

Prior to the occupation of the development the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance. The post-construction assessment should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the development.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings.

23. Circular Economy Statement

Prior to the occupation [of the development/each phase of development], a postconstruction monitoring report should be completed in line with the GLA's Circular Economy Statement Guidance.

The post-construction monitoring report shall be submitted to the GLA, currently via email at: circulareconomystatements@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the [development/ phase of development].

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials

24. Carbon Reductions

A report demonstrating how the scheme reduces the carbon dioxide emissions by at least 35% compared to the 2013 Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority prior to:

- A. The occupation of Block A1,
- B. The occupation of Block A2 (residential and its associated spaces only),
- C. The occupation of Block A2 (non-residential only)
- D. The occupation of Block A3,
- E. The occupation of Block B (residential and its associated spaces only)
- F. The occupation of Block B (non-residential only)
- G. The occupation of Block C1,
- H. The occupation of Block C2,
- I. The occupation of Block C3,
- J. The occupation of Block C4,
- K. The occupation of Block C4 (non-residential only)
- L. The occupation of Block C5,
- M. The occupation of Block D1,
- N. The occupation of Block D2,
- O. The occupation of Block D3, and
- P. The occupation of Block D4,

Each report shall reference the measures set out in the Energy Statement, Avenue Road Estate, version V.3, dated 15/09/2022 and prepared by Hodkinson Consultancy, and shall explain what measures have been implemented in the construction of the relevant part of the development. The implemented measures shall thereafter be retained and maintained as such for the lifetime of the development.

REASON: In the interests of sustainability and energy efficiency, in accordance with Policies CS1 and CS4 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM10 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D11, SI 2 and SI 4 of the London Plan (2021).

25. BREEAM

The non-residential floor space hereby permitted shall be constructed to achieve not less than BREEAM 'Very Good' in accordance with the submitted Energy Report (or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme). The units shall not be occupied until formal certification has been issued confirming that not less than "Very Good" has been achieved for each, and this certification has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the sustainability and energy efficiency and to provide high quality development in accordance with policy CS4 of the Waltham Forest Local Plan Core Strategy (2012) and policy DM10 of the Waltham Forest Waltham Forest Local Plan – Development Management Policies (2013).

26. Drainage

No above ground works for the development shall take place until details of a drainage scheme based on the drainage strategy in the document titled: Avenue Road Estate - Flood Risk Assessment & Drainage Strategy, report reference 2102390-08B and drawing titled: Surface and Foul Drainage Strategy (number: 21-2390-011, Rev B), both dated 10/01/2023, prepared by Ardent Consulting Engineering, 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. 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).

27. Wind Assessment

Prior to above ground works of any phase, a final Wind Assessment report shall be submitted to, and approved by the Local Planning Authority. The report shall be based on the submitted documents prepared by RWDI titled: DESK-BASED PEDESTRIAN LEVEL WIND ASSESSMENT, dated 13/09/2022, ref: 220134-Rev B; and titled: Wind Microclimate Peer Review Responses, dated 21/12/2022, Ref: 2201314. The report shall include i) results of wind tunnel testing to confirm the effectiveness of adopted wind mitigation measures indicated in the final design; ii) details of mitigation measures including their location, height, critical dimensions, solidity (where appropriate) and visuals, effectiveness of balustrades. The report shall take into account all comments within letters from ArcAero, dated 1/12/2022 and 13/01/2023.

Reasons: to ensure impact on wind and microclimate around the buildings and neighbourhood are not compromised in accordance with Policy DM31 of the Waltham Forest Local Plan Development Management Policies (2013) and Policy D9 of the London Plan (2021).

28. Water Supply

No occupation of the development shall take place until:

- All water supply infrastructure network upgrades required to accommodate the additional demand to serve the development have been completed; or

- A Development and Infrastructure Phasing Plan for the development has been agreed with Thames Water, in which case no occupation of the development shall take place except in accordance with the agreed Development and Infrastructure Phasing Plan.

REASON: The development may lead to no or low water pressure and water supply infrastructure network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand, in accordance with Policies CS1 and CS3 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM17 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013), and Policy SI 5 of the London Plan (2021).

29. Ecological Management Plan

No above ground works for Phase 1 of the development as shown in the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway, shall take place until an ecological management plan (EMP) shall have been submitted to and approved in writing by the Local Planning Authority. The content of the EMP shall include the following:

- a) Description and evaluation of features to be managed
- b) Ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions
- f) Preparation of a work schedule (including an annual work plan for a minimum five-year period)
- g) Details of the body or organisation responsible for implementation of the plan
- h) Ongoing monitoring and remedial measures

The EMP shall also include details of the legal and funding mechanism(s) by which long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where results from monitoring show that conservation aims and objectives of the EMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

Reason: In the interest of biodiversity and local amenity, in accordance with NPPF Policy 174, 179 and 180, London Plan (2021) Policy G6, Policy CS5 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policy DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013) and in order

for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

30. Soft Landscaping

A. No above ground works for Phase 1 of development, as shown in the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway, 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 include details of biodiverse roofs and vertical greening on buildings, the greening of boundaries, street furniture, play equipment, 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 construction of the roof slab level for 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).

31. Boundary Treatments

No above ground works for Phase 1 of the development as shown in the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway shall take place until details of the siting and design of bounding treatments, including railings, walls, gates, privacy screens, and other means of enclosure, have been submitted to and approved in writing by the Local

Planning Authority. 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 secure the amenities of future residents and suitable landscaping, in accordance with Policy CS2 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM7, DM29, and DM32 of the Waltham Forest Local Plan Development Management Policies (2013) and Policies D6 and D8 of the London Plan (2021).

32. Ecology

A. No development shall take place except in accordance with the recommendations of documents titled: Avenue Road Estate – Preliminary Ecological Appraisal, prepared by Greengage, dated September 2022, file reference 551752MJH10Aug22FV03_PEA.docx; and document titled: Avenue Road Estate – Biodiversity Impact Assessment, prepared by Greengage, dated September 2022, file reference 551752MJH02Sep22FV04_BIA.docx.

B. No above ground works for Phase 2 of the development as shown in the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway, 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, including pipistrelles and swifts. 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).

33. Trees

The development shall accord with the submitted document titled: Avenue Road Estate – Arboricultural Implications Report, prepared by SJA Trees, reference: 21593-01b, dated September 2022. No development shall take place except in accordance with the approved Arboricultural Impact Assessment.

REASON: To ensure the protection of trees onsite and on land adjoining the site, 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 G7 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.

34. Designing Out Crime

The development hereby approved, shall achieve Secure by Design Certification,

a) 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, 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.

b) Prior to the first occupation, each Phase of 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 and thereafter shall be fully retained and maintained as such for the lifetime of the development.

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).

35. Fire Evacuation Lifts

A. No above ground works for Phase 1 of development shall take place until details of fire evacuation lifts for building A2 have been submitted to and approved in writing by the Local Planning Authority.

B. No above ground works for Phase 2 of development shall take place until details of fire evacuation lifts for buildings i) A1, ii) C1 and iii) C2, have been submitted to and approved in writing by the Local Planning Authority.

C. No above ground works for Phase 3 of development shall take place until details of fire evacuation lifts for buildings i) B1, ii) C4 and iii) C5, have been submitted to and approved in writing by the Local Planning Authority.

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: In the interests of inclusive design and to ensure that the proposed development would suitably provide for the evacuation of people requiring level access in the event of a fire, 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, D11, and D12 of the London Plan (2021).

36. Digital Connectivity

No demolition or development shall commence, except for Phase 1A, as shown in the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated

11/01/2023, prepared by Bellway, until detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness, in accordance with London Plan policy SI 6.

37. Use Class Restrictions

Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), the following premises, as shown on the approved plans shall:

- A. The premises marked as (Community Centre) to the southwest corner of Block B, only be used for the purposes within Use Classes F2b, Ee, Ef of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
- B. The premises marked as (Commercial) to the southeast corner of Block B and to the north of Block C, only be used for the purposes within Use Classes Ea, Eb, Ec, Ee, Ef, of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
- C. Any Sui Generis use, of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, shall be agreed in writing with the Local Planning Authority.

Reasons: To protect amenity of adjoining properties and the surrounding area in accordance with Policy CS3 and CS13 of the of the Waltham Forest Local Plan Core Strategy (2012), Policies DM17, DM23 and DM32 of the Waltham Forest Local Plan Development Management Policies (2013)

38. Community Centre – Block A

The premises marked as (Community Centre) at Block A, as shown on the approved drawings, shall be reserved and occupied by the current business of the Nexus Centre only or otherwise as agreed in writing with the Local Planning Authority.

Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), this space shall be used for the purposes within Use Classes F2b, Ee, Ef of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Any Sui Generis use, of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument

revoking and re-enacting that Order, shall be agreed in writing with the Local Planning Authority.

Reasons: To ensure the continuity in the services and operation of the existing Nexus Centre and community use on the premises, and to ensure that any following community use would be compatible with the proposed residential use. In accordance with Policy CS3 of the of the Waltham Forest Local Plan Core Strategy (2012), Policy DM17 and DM32 of the Waltham Forest Local Plan Development Management Policies (2013).

INFORMATIVES

1. To assist applicants, the Council has produced planning policies and guidance, which are available on its website. The Council also offers a pre-application advice service. The scheme was submitted in accordance with planning policies and guidance, following pre application discussions. This decision was delivered in a timely manner.
2. The documents submitted in support of the planning application for this scheme (as amended) are listed below:
 - Drawing Register titled: Avenue Road Estate, Project Code BA9594, prepared by PRP, Issue: 16.09.2022, Design Update: 11.01.2023.
 - Drawing Register: AR-IAL-ZZ-ZZ-SH-0001-P02, Planning Re-Issue: 11.01.2023, prepared by: Albrecht Landscape Architects, Project Avenue Road Estate Regeneration.
 - Avenue Road Estate - Planning Statement, prepared by Savills, dated August 2022 (received December 2022).
 - Financial Viability Assessment Report – Avenue Road Estate, London Borough of Waltham Forest, dated September 2022, prepared by Savills.
 - Avenue Road Estate, Waltham Forest – Health Impact Assessment, dated September 2022, prepared by Savills.
 - Avenue Road Estate, Leyton , LP Waltham Forest – Economic Benefits Assessment, dated September 2022, prepared by Savills
 - Avenue Road Estate – Design and Access Statement, prepared by PRP, dated 16/09/2022, ref: BA9594 Avenue Road Estate, Revision number P00.
 - Community Infrastructure Levy (CIL) Form 1: CIL Additional Information, planning portal reference 115000526, dated: 21/12/2022, declaration: Bellway Homes Ltd (London Partnership).
 - Avenue Road Estate – Response to Highways & Urban Design, dated 14/12/2022, prepared by Bellway.
 - Avenue Road Estate – Accommodation Schedule for GLA, ref: LWF-ARL_HTA-A_SC_0006, dated: 06/04/2020, prepared by HTA.

(Item 4.1)

- Existing Blocks GIA Schedules, document ref: ARE- PRP- ZZZ- ZZ- SH- A- 00009 REV P00, dated, 21/11/22, prepared by PRP.
- Avenue Road Estate – Masterplan Schedules, document ref: ARE- PRP- ZZZ- ZZ- SK - A-00010 REV P05, dated 16/11/2021, prepared by PRP.
- Avenue Road Estate Redevelopment – Playspace Breakdown – Play Proposals, dated 11/01/2023, prepared by: Albrecht Landscape Architects.
- Avenue Road Estate – Heritage Townscape and Visual Impact Assessment, prepared by Albrecht Landscape Architects, dated 19/10/2022, Ref: ARE-IAL- ZZ-ZZ-DO-L-1001, rev: S4-P02.
- Avenue Road Estate – Wind Microclimate Assessment, prepared by RWDI titled: Desk-Based Pedestrian Level Wind Assessment, dated 13/09/2022, ref: 220134-Rev B; and titled: Wind Microclimate Peer Review Responses, dated 21/12/2022, Ref: 2201314
- Fire Statement Form, site address: Avenue Road Estate, Waltham Forest, London E11, dated: 20/10/2022.
- Avenue Road Estate – Fire Statement, ref:05, dated 16/09/2022, prepared by Robson Frankham.
- Avenue Road Estate – Location of M4(3)(2)(a) and M4(3)(2)(b) Units, dated January 2023, prepared by PRP.
- Avenue Road Estate – Healthy Streets Transport Assessment, report ref: 2102390-02C, dated 04/01/2023, prepared by Ardent Consulting Engineers.
- Avenue Road Estate – Framework Travel Plan, report ref: 2102390-03C, dated 04/01/2023, prepared by Ardent Consulting Engineers.
- Avenue Road Estate – Delivery and Servicing Management Plan, report ref: 2102390-04C, dated 04/01/2023, prepared by Ardent Consulting Engineers.
- Avenue Road Estate – Car Park Management Plan, report ref: 2102390-05C, dated 04/01/2023, prepared by Ardent Consulting Engineers.
- Avenue Road Estate – Outline Construction Logistics Plan, report ref: 2102390-06B, dated 12/01/2023, prepared by Ardent Consulting Engineers.
- Avenue Road Estate – Construction and Environmental Management Plan, report ref: 2102390-07, dated 14/10/2022, prepared by Ardent Consulting Engineers.
- Avenue Road Estate – Flood Risk Assessment, report ref: 2102390-08B, dated 10/01/2023, prepared by Ardent Consulting Engineers.
- Avenue Road Estate – Construction and Environmental Management Plan, report ref: 2102390-10, dated 16/09/2022, prepared by Ardent Consulting Engineers.
- Avenue Road Estate – Noise Assessment, report ref: 2102390-11, dated 17/10/2022, prepared by Ardent Consulting Engineers.
- Surface and Foul Drainage Strategy – Drawing number: 2102390-011 Rev B, dated 10/01/2023, prepared by Ardent Consulting Engineers.
- Highways Drawings number:
 - 2102390- 007E - Proposed Access Arrangement
 - 2102390- 008E - Waste Collection Swept Path Analysis

- 2102390- 009E - Delivery Vehicle Swept Path Analysis
- 2102390- 010F - Fire Tender Swept Path Analysis
- 2102390- 014C - Works within the public highway
- 2102390-012 Levels Strategy (Sheet 1 of 2)
- 2102390-013 Levels Strategy (Sheet 2 of 2)
- Avenue Road Estate – Energy Statement, v.3, dated 15/09/2022, prepared by Hodkinson Consultancy.
- Avenue Road Estate – Sustainability Statement, v.3, dated 16/09/2022, prepared by Hodkinson Consultancy.
- Avenue Road Estate – Dynamic Overheating Report, v.3, dated 16/09/2022, prepared by Hodkinson Consultancy.
- BREEAM 2018 Tracker – Avenue Road, BREEAM assessor: Zoe Lowther, rev: v1, dated 09/09/2022.
- Avenue Road Estate – Whole Life Cycle Carbon Emission Assessment, v.3, dated 16/09/2022, prepared by Hodkinson Consultancy.
- Greater London Authority - Whole Life-Cycle Carbon (WLC) Assessment template, Project name: Avenue Road
- Avenue Road Estate – Circular Economy Statement, v.3, dated 16/09/2022, prepared by Hodkinson Consultancy.
- Greater London Authority - Circular Economy Statement template, project name: Avenue Road, dated 13/09/2022.
- Avenue Road Estate – Phase 1 Geo-Environmental Assessment, ref: DS-21912AJ-22-357, revision A, dated 14/09/2022, prepared by IDOM.
- Avenue Road Estate – Arboricultural Implications Report, prepared by SJA Trees, reference: 21593-01b, dated September 2022.
- Avenue Road Estate – Preliminary Ecological Appraisal, prepared by Greengage, dated September 2022, file reference 551752MJH10Aug22FV03_PEA.docx
- Avenue Road Estate – Biodiversity Impact Assessment, prepared by Greengage, dated September 2022, file reference 551752MJH02Sep22FV04_BIA.docx
- AVENUE ROAD ESTATE – Archaeological Desk Based Assessment, ref: JAC28346, dated 15/09/2022, prepared by RPS Group.
- AVENUE ROAD ESTATE – Daylight & Sunlight Report, ref: 5226, dated 23/09/2022, prepared by: eb7.
- ARE – Statement of Community Involvement, dated September 2022, prepared by Quatro.
- ARE – Pre-engagement summary of consultation, dated September 2022, prepared by Newman Francis.
- ARE – Estate Wide Management Plan, dated September 2022, prepared by Waltham Forest and Bellway Partnerships
- Detailed UXO Risk Assessment, ref: 3453R, dated: 20/09/2022, prepared by Fellows

3. The WSI will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. Condition 7 is exempt from deemed discharge under Schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).
4. It is the 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 Council's Street Naming/Numbering Officer.
5. The AQDMP can form part of the CEMP and shall include the following for each relevant phase of work (i.e., demolition, earthworks, construction, and track out):
 - a) A summary of work to be carried out;
 - b) Proposed haul routes, location of site equipment including supply of water for damping down, source of water, drainage, and enclosed areas to prevent contaminated water leaving the site;
 - c) Inventory and timetable of all dust and NOx air pollutant generating activities;
 - d) List of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment;
 - e) Details of any fuel stored on-site;
 - f) Details of a trained and responsible person on-site for air quality (with knowledge of pollution monitoring and control methods and vehicle emissions);
 - g) Summary of monitoring protocols and agreed procedure of notification to the local authority; and
 - h) A logbook for action taken in response to incidents or dust-causing episodes, the mitigation measure taken to remedy any harm caused, and measures employed to prevent a similar incident reoccurring.

No development (including demolition) shall commence until all necessary pre-commencement measures described in the AQDMP have been put in place and set out on site. The development shall thereafter be carried out and monitored in accordance with the details and measures approved in the AQDMP. The IAQM "Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites" details appropriate monitoring for the scale of the site or project.
6. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit: <http://nrmm.london/>.
7. The proposed development is located within 15 metres of Thames Water's existing underground wastewater and water assets and, as such, the development could cause the assets to fail if appropriate measures are not taken. Please read its guidance to ensure work is in line with the necessary processes

(Item 4.1)

that need to be followed if considering working above or near its pipes or other structures: <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>. If further information is required, 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.