

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 836sqm (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
Appendices:	None

1 SUBMISSION OF AMENDED DRAWINGS

- 1.1 As explained the Planning Committee Report, 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.
- 1.2 As a result, following the publication of the Planning Committee Report, the applicant submitted a suite of amended architecture drawings. The key changes since the last submission include:
- Additional stair cores added to block B1 and C1.
 - No change to the overall building envelope.
 - Reduction of balconies extent on B1 (still compliant and above minimum requirements as provision for each unit and as overall quantum across the block and the scheme).

- Change of balconies layout on C1 North-East corner (the 3B5P unit now has a bolt-on separate balcony on the west elevation).
- No change of unit types and numbers on the Affordable.
- Small increase of Affordable and Private residential GIA.
- Update on private unit types in B1 (a 2B3P unit in the South-East corner changed to 2B4P with no change on habitable rooms split PRV/AFF).
- Minor reduction of cycle spaces at GF of C1.
- No reduction of cycle spaces at GF of B1.
- No change in commercial areas from previous design.
- Small increase of Community areas under B1.
- No change on bins collection strategy and drag distances on B1.
- Reduction of drag distances for waste collection from C1 bin store to loading bay in front of C2 (please refer to final layout from Ardent).

1.3 Following the publication of the Planning Committee Report, the applicant submitted a suite of amended landscape drawings. The key changes since the last submission include:

- Highways Areas Updated as Ardent Drawings.
- Route to East of Block A: Design developed to give greater clarity including adjoining splay spaces, Rain Garden/Swales linking Northwoods as the submitted SUDS strategy in the DAS, Tree Spacing, articulation of path and levels developed.
- Accessibility: Spaces for wheelchairs and buggies shown and keyed in.
- Block B1 roof terrace updated.
- Landscape Tree Plan showing new and proposed trees added.
- Separate UGF doc added. UGF calculation updated.
- Play Strategy Doc. Updated to include the revised Block B1 roof terrace. We have added a page at the end to show all the play areas stacked as requested by LBWF.

2 AMENDMENTS/ADDITIONS TO PUBLISHED PLANNING COMMITTEE REPORT

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

1. RECOMMENDATION

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

Affordable homes:

- The delivery of 50.3% (by habitable room) of homes as affordable divided as below:
 - ~~241~~ **242** 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.

Energy efficiency and carbon reductions:

- *A financial contribution of £788,866 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-we-do/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.

- Decentralised Energy Network – Connection Ready.

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 agreed with the Parks and Open Spaces department is £300,000.

Offsite Play space:

- *Suitable mitigation for any required offsite play space in nearby facilities. A financial contribution of £80,000 towards building a play space with a minimum of 20sqm in the nearby park facilities such as Langthorne Park, Drapers Fields and Chandos Road Gardens.*

- 2.3 As result of the changes referred to in Section 1 above, the GIA of the community floorspace is changed from 810sqm to 836sqm. (Change to the note in the description of the development) As this change is an increment and only representing a difference of 16sqm increment to the surface area declared in the description of the development, no re-consultation is considered necessary.

4. APPLICATION PROPOSAL

- 2.4 Paragraph 4.3 has an error: it should read as below:

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 **18**, and Block A3 would have three storeys. Blocks A1 and A3 would have private market tenures, and Block A2 would have affordable re-provision 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.

2.5 Paragraph 4.9 has an error: it should read as below:

4.9 The proposed development would deliver 242 affordable re-provided homes, eight homes at London Affordable Rent, 23 homes for shared ownership and **344** 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.

2.6 Paragraph 4.10 has an error: it should read as below:

4.10 The proposal would have a total of **81** 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.

7. OTHER CONSULTATIONS

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

2.7.1 An error in referring to the section for Highways, it should read as follows.

LBWF officer consultee	Comment
Highways	Please refer to subsections 10J 10K of this report.

10. ASSESSMENT:

B. COMMUNITY CENTRE AND COMMERCIAL USES

2.8 Clarifications for Paragraph 10.18, it should read:

10.18 The site comprises two community buildings, the Snowberry Children's Centre with a **net internal** (NIA) area of 404 sqm and Nexus Centre with a **NIA** 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.

- 2.9 The areas for the proposed commercial units changed following the additional of a second staircase. Paragraph 10.19 should read:

*10.19 The proposal would include two community units: unit 1 would sit under **Block A2 at 559 sqm NIA (624 sqm GIA)**, and unit 2 would sit under Block B at **208sqm NIA (212 sqm GIA)**. The total community facility spaces proposed would be 810 sqm, an uplift in overall surface area by **26 sqm NIA** to that existing. Accordingly, the proposal would have an acceptable re-provision in surface area terms.*

Officer comment: the proposal is still an uplift to existing community spaces, would be acceptable and in accordance to stated policies and guidance.

- 2.10 Clarifications and corrections to surface areas under Paragraph 10.24, it should read:

*10.24 The proposal would include two new commercial units; unit 1 would sit under Block B with an area of **82.2 sqm (GIA)**, and Unit 2 would sit under building C4 with an area of **120.7 sqm (GIA)**. 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.*

C. ESTATE REDEVELOPMENT

- 2.11 Clarifications and corrections to surface areas under Paragraph 10.30, it should read:

*10.30 The existing estate comprises 241 social rent homes with an estimated floor space of 20,035 sqm (GIA). 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~~ **21,236 sqm (GIA)**, which would be a 26% ~~6%~~ uplift to the existing estate. Accordingly, the proposal would accord with policy H8 and the first principle of the GPGER.*

Officer comment: the proposal is still an uplift to existing affordable homes, would be acceptable and in accordance to stated policies and guidance.

D. AFFORDABLE HOUSING

- 2.12 Clarifications and corrections to Paragraph 10.41, it should read:

10.41 The planning application included a financial viability assessment (FVA) which explained that the scheme would generate a negative Residual Land Value of -£32,356,000 with a deficit of -£32,356,000 million £48,181,000 against the site benchmark value, with and without grant funding scenarios. Concluding that the 50% by habitable rooms affordable housing offer would be more than the

maximum that the development could economically sustain while remaining commercially viable and contributing to necessary other planning obligations.

2.13 Clarifications and corrections to Paragraph 10.43, it should read:

*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. **The viability teams from the applicant's, the Council's viability consultants and the GLA remain in dialogue finalising the agreed viability position that will inform the definitions contained within the s106 Agreement and the decision of the GLA Stage 2.***

2.14 Clarifications and corrections to Paragraph 10.46, it should read:

*10.41 The tenure split within the affordable provision would be 98% **92%** rented and 2% **8%** intermediate by units. **The GLA quoted that it would be 94% rented and 6% intermediate by habitable room** 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.*

G. STANDARD OF RESIDENTIAL ACCOMMODATION

2.15 Correction to Paragraph 10.94, it should read:

*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~~ **purple** above which amount to 656sqm across the site.*

2.16 Correction to Paragraph 10.100, it should read:

*10.100 The proposed development would provide ~~64~~ **63** 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.*

2.17 Correction to Paragraph 10.101, it should read:

*10.100 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~~ **23** 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.

K. TRANSPORT, HIGHWAYS AND SERVICING

- 2.18 Clarification to Paragraph 10.195, following latest amendments to highways drawings; it should read:

100.195 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 western edge of the site along Hall Road.

- 2.19 Following latest amendments to highways drawings; figure 17 is now updated:



Figure17: Plan for the main part of the site shows the servicing bays in purple and bin stores in green

L. TREES, LANDSCAPING, AND ECOLOGY

2.20 Correction to Paragraph 100.217, it should read:

*100.217 The proposal would include planting ~~97~~ **100** trees on ground level and ~~37~~ **33** trees at podium level, a net increase of ~~74~~ **87** 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.*

11. PLANNING BALANCE AND CONCLUSION

2.21 Correction to Paragraph 11.1, it should read:

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 reprovion of ~~241~~ **242** existing homes in a modern, safe and high-quality accommodation.*
- The delivery of ~~272~~ **273** new affordable homes, which would be represent 50%, by habitable rooms, of the whole development. ~~241~~ **242** 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.*

13. CONDITIONS AND INFORMATIVES

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

CONDITIONS

2.23 For clarity, all of the conditions will be repeated below; any amended conditions would be in *italics* with the changes highlighted in **bold**.

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 (change: additional document and editing)

The development shall be carried out in accordance with the approved drawings listed under documents titled:

- ***Drawing Register and Issue Sheet, project title: Avenue Road Estate, Project Code BA9594, prepared by PRP, dated 25.01.2023, and***
- ***Drawing Register AR-IAL-ZZ-ZZ-SH-0001-P03, prepared by Ireland Albrecht, Issue 24.01.2023.***

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

3. Obscure and Non-Openable Windows (change: additional document and editing)

Windows shown in green under approved drawings number:

- ***ARE- PRP- CZZ- ZZ- SK- A-00001 P00 - Proposed Location of Obscured Windows Plot C, dated 24/01/23; and***
- ***ARE- PRP- DZZ- ZZ- SK- A-00001 - Proposed Location of Obscured Windows Plot D, dated 24/01/23,***

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 relevant buildings of the development shall take place until the related windows within those buildings 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 (change: additional document and editing)

- 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 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 details of all materials to be used in its 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 details of all materials to be used in its 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 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 (change: Timeline trigger and editing)

*No demolition or development shall take place, **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 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 or 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 (change: Splitting the scope and the survey works and editing)

- A. No development shall take place, 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 the scope of a pre-commencement highway condition survey has been submitted to and approved in writing by the Local Planning Authority.*
- B. No development shall take place, 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 a pre-commencement highway condition survey has been undertaken in accordance with the agreed scope under Part A, and the results of this survey submitted to and approved in writing by the Local Planning Authority.*
- C. No occupation of 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 a post-completion highway condition survey has been undertaken and submitted to and approved in writing by the Local Planning Authority.*
- D. 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 (change: Updating outline CLP document to latest submission and editing)

- A. No above ground works for Phase 1 shall take place until a detailed Construction Logistics Plan (CLP) for Phase 1, has been submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London.*
- B. No above ground works for Phase 2 shall take place until a detailed Construction Logistics Plan (CLP) for Phase 2, has been submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London.*
- C. No above ground works for Phase 3 shall take place until a detailed Construction Logistics Plan (CLP) for Phase 3, has 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 20.01.23, prepared by Ardent Consulting Engineers, ref: **2102390-06C**. 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 CLPs.*

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 (change: editing and clarification)

*No above ground works 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. **The PDMP shall include details of both vehicular and cycle parking for the development.***

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

11. Delivery and Servicing Plan (change: removed from being a required submission to adhering to submitted details)

Delivery and Servicing during the operation of the development, shall be fully implemented and maintained for the lifetime of the development, in accordance with the following submissions, unless otherwise agreed in writing with the Local Planning Authority

- *Document titled: Avenue Road Estate – Delivery and Servicing Management Plan, report ref: 2102390-04C, dated 04/01/2023, prepared by Ardent Consulting Engineers.*
- *Drawing number: 2102390- 007G - Proposed Access Arrangement, dated 24/01/2023.*
- *Drawing number: 2102390- 008G - Waste Collection Swept Path Analysis, dated 24/01/2023*
- *Drawing number: 2102390- 009G - Delivery Vehicle Swept Path Analysis, dated 24/01/2023.*
- *Drawing number: 2102390- 010H - Fire Tender Swept Path Analysis, dated 24/01/2023.*
- *Drawing number: 2102390- 014H - Works within the public highway, dated 24/01/2023.*

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)) (change: editing)

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 (change: Included phasing of information to be submitted in accordance with phasing of development)

A. No development of Phase 1, except for Phase 1A, 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:

- i. A Desk Study report including a preliminary risk assessment and conceptual site model.*
- ii. 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.*
- iii. 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.*
- iv. 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.*
- v. 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.

B. No development of Phase 2 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:

- i. A Desk Study report including a preliminary risk assessment and conceptual site model.*
- ii. 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.*
- iii. 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.*
- iv. 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.*
- v. 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.*

C. No development of Phase 3 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:

- i. A Desk Study report including a preliminary risk assessment and conceptual site model.*
- ii. 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.*
- iii. 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.*
- iv. 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.*
- v. 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.

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

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 (change: editing)

- A. No above ground works for Phase 1 of the development shall take place until a detailed Construction Environmental Management Plan (CMEP) for Phase 1 has 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 a detailed Construction Environmental Management Plan (CEMP) for Phase 2 has 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 a detailed Construction Environmental Management Plan (CEMP) for Phase 3 has 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 CEMPs.

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 (clarification and reference to submitted document)

- 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.

Noise mitigation measures shall be based on the document titled: Avenue Road Estate – Noise Assessment, report ref: 2102390-11, dated 17/10/2022, prepared by Ardent Consulting Engineers. *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 (change: Included phasing of information to be submitted in accordance with phasing of development)

- A. *No above ground works for Phase 1 shall take place until details of any form of external illumination and/or external lighting on Phase 1 buildings and around Phase 1, including any street lighting, have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Metropolitan Police Service.*
- B. *No above ground works for Phase 2 shall take place until details of any form of external illumination and/or external lighting on Phase 2 buildings and around Phase 2, including any street lighting, have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Metropolitan Police Service.*
- C. *No above ground works for Phase 3 shall take place until details of any form of external illumination and/or external lighting on Phase 3 buildings and around Phase 3, including any street lighting, have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Metropolitan Police Service.*

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 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 (change: clarifying the trigger and referencing the phases)

Prior to occupation of the last building in Block B and C within Phase, 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.

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

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

23. Circular Economy Statement (change: change: clarifying the trigger and referencing the phases)

Prior to occupation of the last building in Blocks B and C within Phase 3, 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].

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

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

24. Carbon Reductions (changing the trigger to phases instead of buildings, and updating Building Regulations)

A report demonstrating how the scheme reduces the carbon dioxide emissions by at least 35% compared to the ~~2013~~ 2021 Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority prior to:

A. The occupation of Phase 1,

B. The occupation of Phase 2, and

C. The occupation of Phase 3.

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

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 (change: target to 'excellent' instead of 'very good')

The non-residential floor space hereby permitted shall be constructed to achieve not less than BREEAM 'Excellent' in accordance with the submitted Sustainability Statement (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 'Excellent' 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 (change: editing)

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) has 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. Landscaping (change: editing and referring to submitted details)

*A. No above ground works for each phase 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 within that phase has been submitted to and approved in writing by the Local Planning Authority. **The landscaping scheme shall be based on the approved drawings under Drawing Register AR-IAL-ZZ-ZZ-SH-0001-P03, prepared by Ireland Albrecht, Issue 24.01.2023.** 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 relevant phase of the development, whichever is sooner. The approved hard and soft landscaping scheme shall otherwise be installed prior to the occupation of the relevant phase 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 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 (change: editing and referring to submitted details)

*No above ground works for each phase 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, within that phase have been submitted to and approved in writing by the Local Planning Authority. **The proposed details shall be based on the approved drawings under Drawing Register AR-IAL-ZZ-ZZ-SH-0001-P03, prepared by Ireland Albrecht, Issue 24.01.2023.** No development shall take place except in accordance with the approved details, which shall be installed prior to the occupation of the relevant phase 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 (change: earlier trigger for part B)

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 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 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.

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

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 (change: editing)

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 **of each Phase of the development**, each Phase 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.*

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

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 (change: editing)

- 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.

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: 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* (change: information to be submitted in phases corresponding to the phasing of the development)

- A. *No above ground works for Phase 1 shall take place until detailed plans demonstrating the provision of full fibre connectivity infrastructure within Phase 1 has 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 plans demonstrating the provision of full fibre connectivity infrastructure within Phase 2 has 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 plans demonstrating the provision of full fibre connectivity infrastructure within Phase 3 has 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 development shall be carried out in accordance with the approved 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) in Block A, as shown on the approved drawings, shall be reserved for 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).

39. GLA Energy Assessment Guidance Information (Additional Condition)

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 Table 9 ‘Summary of Site-Wide Peak Demand, Capacity and Flexibility Potential’ from the GLA Energy Assessment Guidance 2022, has been completed and submitted to and agreed with the GLA.**
- Evidence that Table 10 ‘Summary of Interventions for achieving flexibility’ from the GLA Energy Assessment Guidance 2022, has been completed and submitted to and agreed with the GLA.**

Reason: This information was partially missing within the submission of the application; the information is needed in order for the GLA to demonstrate peak demand doesn’t exceed capacity and to track when areas of electricity grid will need upgrading. In accordance with Policies SI 2 and SI 3 of the London Plan (2021).

40. Planning Stage Energy Monitoring Data (Additional Condition)

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 evidence of submission of planning stage energy monitoring data to the GLA portal has been submitted to and approved in writing by the Local Planning Authority:

Reason: As requested by the GLA, in accordance with Policies SI 2, SI 3 and SI4 of the London Plan (2021).

41. Development Phasing (Additional Condition)

The development hereby approved shall be carried out in accordance with the approved document titled: Avenue Road Estate – Phasing Plans Drawing Pack, dated 11/01/2023, prepared by Bellway, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the purposes of CIL phasing and to secure the development as a single decant for existing residents. In accordance with Policy CS3 of the of the Waltham Forest Local Plan Core Strategy (2012), Policy DM1 of the Waltham Forest Local Plan Development Management Policies (2013), Policy 3 of the Emerging Local Plan Policy 3, and Policy H8 of the London Plan.

42. Quantum of Development (Additional Condition)

The development shall provide for 617 residential dwellings (Use Class C3), 836sqm of community floorspace (Use Classes F2b, Ee, Ef & Sui Generis),

211sqm of commercial floorspace (Use Classes Ea, Eb, Ec, Ee, Ef & Sui Generis) all within buildings of up to 23 storeys in height only.

Reason: To ensure that the Local Planning Authority retains control over the quantum of development.

43. Pre-Redevelopment & Pre-Demolition Audits (Additional Condition)

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

- **Pre-Redevelopment Audit; and**
- **Pre-Demolition Audit.**

Reason: In line with the minimum submission requirements for Detailed Stage Applications as per the GLA Circular Economy Guidance, as requested by the GLA in accordance with Policy S17 of the London Plan (2021).

INFORMATIVES

Amended parts of the informatives would be in *italics* and bold.

2. The documents submitted in support of the planning application for this scheme (as amended) are listed below:
 - ***Drawing Register and Issue Sheet, project title: Avenue Road Estate, Project Code BA9594, prepared by PRP, dated 25.01.2023.***
 - ***Drawing Register AR-IAL-ZZ-ZZ-SH-0001-P03, prepared by Ireland Albrecht, Issue 24.01.2023.***
 - 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.
- ***Existing Blocks GIA Schedules, document ref: ARE- PRP- ZZZ- ZZ- SH-A-00009 REV P00, dated, 21/11/2022, prepared by PRP.***
- ***Avenue Road Estate – Masterplan Schedules, document ref: ARE-PRP-ZZZ-ZZ-SK-A-00010 REV P06, dated 24/01/2023, prepared by PRP.***
- ***Avenue Road Estate Redevelopment – Playspace Breakdown – Play Proposals, dated 24/01/2023, 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: 2102390-06C, dated 20/01/2023, 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- 007G - Proposed Access Arrangement
 - 2102390- 008G - Waste Collection Swept Path Analysis
 - 2102390- 009G - Delivery Vehicle Swept Path Analysis
 - 2102390- 010H - Fire Tender Swept Path Analysis
 - 2102390- 014H - 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

Additional Informative:

- 8. You are advised that under the Community Infrastructure Levy Regulations on commencement of the development, a financial payment will be required to the London Borough of Waltham Forest and the Mayor of London.***

3 RECOMMENDATION

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