

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

02 May 2023 at 7.03 pm

PRESENT:

Chair: Councillor Jenny Gray

Vice-Chair: Councillor Sebastian Salek

Committee Members: Councillors Kira Lewis, John Moss and Keith Rayner

Officers in Attendance:

Ian Rae	Corporate Director Regeneration, Planning & Delivery
Justin Carr	Assistant Director - Development Management and Building Control
Stanley Lau	Planning Manager
Sonia Malcolm	Planning Manager - South Area Team
Pedro Rizo	Principal Planning Officer
Tania Drew	Design and Conservation Lead
Zarina Ali	Planning Officer
Eshan Hussain	Deputy Manager – Lead South Team
Mike Fox	Conservation Officer
Joanna West	Planning Lawyer
Perminder Purewal	Democratic Services Officer

63. APOLOGIES FOR ABSENCE AND SUBSTITUTE MEMBERS

None.

64. DECLARATIONS OF INTEREST

Item 7. 38 ROPERS AVENUE, E4 (223388).

Councillor John Moss declared a non-pecuniary interest in the Ropers Avenue application as he was a ward councillor and had facilitated a meeting with the Planning Officer and Applicant.

Notwithstanding his interest in this item Councillor John Moss was able to remain in the room and participate in the debate and vote.

65. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 7 March 2023 were agreed by the Committee.

66. DEVELOPMENT MANAGEMENT

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

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

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

67. PERCY INGLE SITE, 210 CHURCH LANE, LEYTON, E10 (220695)

RESOLVED

That planning permission be granted in line with the recommendations, conditions, reasons and informatives as set out in the committee report and update report for application 220695 for the demolition of the existing single storey industrial building and structures that contain 4,013 sqm of light industrial floorspace Class E (g) (iii) and office accommodation (Class E (g) (i) and the construction of new building blocks that would range between three to seventeen storeys in height to accommodate 213 residential homes (Use Class C3), new light industrial floorspace (Class E (g) (iii) and office workspace (Class E (g) (i) together with the creation of new public realm and landscaping improvements, provision of 11 disabled parking spaces, cycle parking, refuse stores, new servicing arrangements, highways works and associated developments, subject to the conditions and informatives set out in the report and update report, Stage 2 Referral to the Greater London Authority (GLA) and completion of a Section 106 Legal Agreement with the Heads of Terms below

Heads of Terms:

Affordable Housing:

- The provision of 20% affordable housing on a habitable room basis with a tenure split comprising 73% affordable rent (23 affordable units) and 27% intermediate (9 intermediate units).
- An Early (if the applicant could not demonstrate substantial implementation of the scheme within 2 years of granting planning permission) and Late-Stage Review Mechanism of the development's viability required, based on GLA SPG terms.

Employment and Training Strategy:

- Provide a minimum of 30% local labour, 20% local spend, 36 apprentice posts in the construction trade during the Construction Phase of the Development and 11 work placements in the Construction Phase of the Development with such posts being first offered to Local Residents. In the event that obligations towards apprenticeships and work placements remain unfulfilled, then the developer

should pay a default payment of £3,234 per work placement towards employment training and business and £16,458 per apprentice, towards employment, training, and business, to be used for residents, payable to the Council upon practical completion of the development.

Wheelchair Housing:

- Wheelchair accessible shared-living units to be exclusively marketed to disabled occupiers for a period of 1 year from launch.
- Prepare a Wheelchair Accessible Dwelling Marketing Strategy for the Development that sets out how the wheelchair residential units will be promoted and advertised during the exclusivity period of one year, to be agreed prior commencement.

Highways and Public Realm:

- S.278: Highway works will be required upon completion of the works relating to the development prior to occupation. These will require a S278 agreement and would include but would not be limited to:
 - The renewal of the footways and kerbs on both sides of Marsh Lane with new materials to be agreed.
 - Carriageway resurfacing.
 - Areas of footway widening.
 - Landscaping in the footway including SUDS features and planting subject to the location of utilities.
 - Formation of new access points and dropped kerbs for bin collection for the development.
 - Any street lighting changes required for the S278 works including any impacts of changes on the wider street lighting design.
 - The realignment in the public realm design will consider – the school entrance points, new access points to the development, emergency vehicle access stopping points on Marsh Lane, and Waste vehicle collection points on Marsh Lane
 - Rationalisation of street furniture
 - Reprioritising space from motorised travel to sustainable travel modes for the benefit of the new residents.
 - Review and amendment to Traffic Management restrictions and parking, including signage, road markings and traffic management orders.
- A financial contribution of £20,000.00 towards the design of the S278 works. Preliminary design shall be carried out by a public realm design specialist working in collaboration with the Council's Highways Team.
- financial contribution of £160,000.00 towards walking and cycling works beyond the limit of the S278 works.
- A financial contribution of £25,000.00 towards CPZ consultation on surrounding residents.
- A financial contribution of £10,000.00 towards monitoring the Construction Logistics Plan.
- A financial contribution of £8,000.00 towards monitoring measures within the Framework Travel Plan and Full Travel Plan.
- The development would be car free except for 11 disabled parking spaces.

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

Dagenham Brook River Restoration Strategy:

- A financial contribution of £75,000 towards feasibility studies and a wider strategy of interventions for proposed improvements to biodiversity, invasive species management, water quality, flood risk, access, and safety to the Dagenham Brook together with design and delivery of physical improvements and maintenance towards this section of the Dagenham Brook.

Local Community Infrastructure:

- A financial contribution of £75,000 towards the Greening Markhouse Corner (public realm and high street improvements).

Air Quality Contributions:

- A financial contribution of £61,430 towards the implementation of an Air Quality Action Plan. 50% to be paid prior to commencement of development. The remainder of the contribution due prior to first occupation of any part of the development.

Sustainability:

- A financial contribution of £284,668.00 towards a carbon offset fund should be made prior implementation.
- The development should be capable of being connected to a decentralised energy network, including associated reserved areas in the plant room and protected pipework routes within and adjacent to the development.
- Measures to secure post-construction monitoring ("Be Seen").

Architects:

- The proposed architects or any suitably qualified architect shall be retained throughout the construction phase of the development.

Epping Forest Special Area of Conservation (SAC):

- Financial contribution of £133,551.00 towards the Strategic Access Management and Monitoring Strategy (SAMMS).

Legal Fees:

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

Monitoring Fee:

- Payment of 5% of the total amount of financial contributions towards monitoring, implementation, and compliance of the S106 Agreement.

That authority to be given to the Assistant Director - Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the Section 106 Agreement and to agree any minor amendments to the conditions or the legal agreement on the terms set out above.

In the event that the S106 agreement is not completed within a reasonable timeframe following the date of Planning Committee, the Assistant Director -

Development Management and Building Control is hereby authorised to refuse the application. In the absence of this Section 106 agreement, the proposed development would not be able to deliver the development on the site. Financial contributions towards the following material planning considerations are air quality, carbon offset fund (COF), the Dagenham Brook River Restoration Corridor Strategy, Epping Forest SAC, sustainability, employment and training strategies and highways, which must be secured by the Section 106 Agreement.

68. GARAGES ADJACENT TO 2A ELDON ROAD, E17 (221663)

The Committee asked officers to strengthen the conditions relating to the render materials to ensure they are as robust as possible, particularly to the side of the property that faces No 9 Erskine Road as accessibility to repair would be difficult for the applicant.

RESOLVED:

That planning permission be granted, in line with the recommendations, conditions, reasons and informatives as set out in the committee report for application 221663 for demolition of existing garages and construction of one two-storey dwellinghouse (1x1-bed) (Use Class C3) with associated hard and soft landscaping, boundary walls, bicycle parking and refuse/recycling storage to front, subject to the conditions and informatives detailed in the committee report and completion of a Section 106 Agreement with the following Heads of Terms:

Highways:

- The applicant is required to enter into a Section 278 agreement of the Highway Act 1980 for highway works. It will be required upon completion of the works relating to the development prior to occupation. An application for Highway Works will be required. The extent of works will include but are not limited to:
- Car Free Development - the development is to be classified as car-free and new residents will not be eligible for parking permits.
- A S106 request of £1,000 is requested toward improving sustainable modes of transport including walking and cycling in the vicinity of the site which will directly benefit new residents in this development. A S106 contribution of £250 is requested for CLP monitoring

SAMMS- A financial contribution of £627 towards Strategic Access Management and Monitoring measures (SAMMs).

Monitoring Fee - A financial contribution towards the implementation and monitoring of and securing compliance with the S106, equal to 5% of the total of all other financial contributions.

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

That authority to be given to the Assistant Director of Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the S106 agreement and to agree any minor amendments to the conditions or the S106 agreement on the terms set out above.

In the event that the S106 agreement is not completed within 12 weeks following the date of Planning Committee, the Assistant Director of Development Management and Building Control is hereby authorised to refuse the application. In the absence of this S106 agreement, the proposed development would not be able to deliver the residential development on the site.

69. 38 ROPERS AVENUE, E4 (223388)

Planning permission granted for Application 223388 contrary to the recommendations set out in the report for construction of a dropped kerb to allow vehicular access to front of property including alterations to grass verge.

The Committee delegated the task of formalising the wording of conditions to the Assistant Director – Development Management & Building Control.

70. PUBLIC SPEAKERS

4.1	Percy Ingle Site, 210 Church Lane, Leyton, E10 (220695)	Andrew Prescott (Statement read by Clerk) David Savage Statement read by Clerk) Barry Weeden Phoebe Juggins
4.2	Garages Adjacent to 2a Eldon Road, E17 (221663)	Rubana Hussein Kishwar Ahmed (statement read by Rubana Hussein) Suliat Bamiro (statement read by Rubana Hussein) Gulfraz Muwas
4.3	38 Ropers Avenue, E4 (223388)	Jack Champion

71. VOTE OF THANKS

The Chair reminded Members of the Committee that this was the last meeting of the Municipal Year and thanked the Committee and officers for the support given to her during the year. Accordingly the Committee proposed a vote of thanks to the Chair for her chairing skills, capability and patience in the past year.

The meeting closed at 9.16 pm

Chair's Signature _____

Date _____