

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 13 th June 2023
Application reference:	230086
Applicant:	PBBE Leyton BV
Location:	Estate Way Industrial Site, Church Road, Leyton E10 7JQ
Proposed development:	Demolition of the existing buildings and construction of five buildings that would be subdivided into nine small to medium commercial units with mezzanine levels for industrial uses to accommodate new Use Classes E (g) (i) (ii) (iii) (light industrial), B2 (general industrial) and B8 (warehousing and storage) together with new pedestrian and cycle links, car and cycle parking and landscaping. (For information purpose: the development would accommodate 17,658 sqm of industrial/employment uses).
Wards affected:	Leyton and Lea Bridge
Appendices:	None

1. RECOMMENDATION

- 1.1 That Planning Permission be GRANTED under reference 230086 subject to conditions, informatives and completion of a Section 106 Agreement with the following Heads of Terms:

Employment and Training Strategy:

- Provide a minimum of 30% local labour, 20% local spend, 10 apprentice posts in the construction trade during the Construction Phase of the Development and 3 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.

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:
 - Reduction in width and amendments to the treatment of the existing junctions at Church Road/Estate Way North and South. The detail and

works required will be subject to the assessment of future trip generation and vehicle classification at these junctions;

- The provision of street lighting to the same standards as public highway;
 - Changes to the private parking management;
 - Provision of 1.8 metre demarked footways on Estate Way North and South; and,
 - Private road drainage.
- A financial contribution of £250,000.00 towards improving connectivity of the existing walking and cycling infrastructure along Church Road.
 - A financial contribution of £10,000.00 towards monitoring the Construction Logistics Plan.
 - A financial contribution of £8,000.00 towards the implementation and monitoring of a Full Travel Plan.
 - Parking permit restriction.
 - A financial contribution of £10,000 towards the Waltham Forest Southwest flood study.
 - **Dagenham Brook River Restoration Strategy:**
 - A financial contribution of £100,000 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.

Air Quality Contributions:

- A financial contribution of £176,580 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:

- Provide an updated Energy Statement on commencement and completion of development, based on the 'As built' Energy Calculations. A financial contribution towards a carbon offset fund shall be secured if the 'As Built' Energy assessment demonstrates carbon emissions.
- 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"):
 - A. Within 8 weeks of the grant of planning permission, to submit to the GLA accurate and verified estimates of the 'Be Seen' energy performance indicators.
 - B. Prior to occupation, the Owner shall provide updated accurate and verified 'as-built' design estimates of the 'Be Seen' energy performance indicators for each Reportable Unit of the development.

- C. Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit of the development.
- In the event that the 'In-use stage' evidence submitted under Clause c) shows that the 'As-built stage' performance estimates derived from Clause b) have not been or are not being met, the Owner should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'Be Seen' in-use stage reporting webform. An action plan comprising measures identified in Clause c) shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.)

Architects:

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

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.

- 1.2 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.
- 1.3 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, the Dagenham Brook River Restoration Corridor Strategy, employment and training strategies and highways, which must be secured by the Section 106 Agreement.
- 1.4 Additionally, as the Environment Agency have raised an objection to the application which is presently unresolved, Officers request that delegated authority be given to the Assistant Director of Development Management and Building Control to resolve the outstanding objection with the applicant, in consultation with Environment Agency, prior to the issue of any formal Decision Notice.

REASONS REFERRED TO COMMITTEE

- 1.5 The case has been referred to Committee due to the nature of the proposal and significant scale of the development.

2 SITE AND SURROUNDINGS

The Site:

- 2.1 The application site is a well-established industrial estate within an irregular plot of land, which contains two vehicular access ways towards the east side at Estate Way North and Estate Way South via Church Road, in Leyton. The site is therefore broadly seen as a 'C-shaped' parcel of land that contains approximately 3.35 hectares.
- 2.2 The site bounds the rear gardens of residential properties at Tallack Road to the north along Estate Way North. In addition, the site adjoins two-storey industrial warehouse buildings towards the northeast side, which are also accessed via Estate Way North. These neighbouring sites are currently used under B2 and E (g) use classes for storage and distribution (food wholesaler and furniture distribution) with ancillary office floorspace.
- 2.3 The site also bounds the rear gardens of residential properties at Marconi Road towards the east side and a single storey (double height) car garage site at 238 Church Road, which sits further towards the east side. This site fronts Church Road and is currently unoccupied.
- 2.4 The Dagenham Brook runs along the west edge of the site, with Leyton Jubilee Park and allotments situated further to the west. Additionally, the site is positioned along the northern boundary of the former Percy Ingle Site and adjoins the Gatelands Wholesale Site at the south, which contains a single storey (double height) industrial warehouse with a large servicing yard along its front for storage and distribution (B2 Use Class). Furthermore, the site also bounds a two-storey building towards the southeast side, which is used as office floorspace under Class E (g), which is known as 'Regent 88 Co-working'. These neighbouring sites are accessed via Estate Way South.
- 2.5 The site contains ten warehouse buildings that accommodate approximately 15,029 sqm in floor area that fall within Use Classes E (g), B2 and B8. The former waste handling and recycling depot that was operated by GBN Services has been decommissioned from the site and has been re-located to a site at Gibbs Road, which has an Environment Agency permit for up to 200,000 tonnes of waste per annum.
- 2.6 The industrial estate has grown organically around the two access ways that link the site with Church Road, which act as spines allowing vehicular access and servicing to and from the site to Church Road. However, these roads are not interconnected and there are open storage areas within individual compounds that are largely open or partly fenced, that were used as waste processing facilities. The existing industrial buildings are in poor condition and there is no consistent boundary treatment along the boundaries of the site.
- 2.7 The site falls within the Church Road Borough Employment Area (BEA) in the adopted Policies Map. This designation is being taken forward in the emerging Waltham Forest Local Plan (LP2) (Regulation 19 Stage, dated November 2021), as the site is identified as part of the Church Road/Estate Way Locally Significant Industrial Site (LSIS) within the emerging Waltham Forest Local Plan (LP2) and therefore has a proposed site allocation (Church Road/Estate Way LSIS – SA08) in

the draft Local Plan (Regulation 19 Stage dated November 2021). The site allocation seeks for a “comprehensive redevelopment of existing industrial location to provide an “industrial-led mixed-use neighbourhood subject to a two-stage industrial masterplan process” with an indicative capacity for 700 new homes and 24,000 sqm of industrial floor space. Additionally, the site is also located within the Olympic Legacy Opportunity Area.

- 2.8 The existing site coverage is approximately 45%, which is considered low, by reason that part of the site contained a waste management facility that was decommissioned in 2021. The modifications of the North London Waste Plan removed the site from the list of safeguarded waste sites.
- 2.9 The site has a low to medium Public Transport Accessibility Level (PTAL) rating of 2 with an element on the northern access considered to be PTAL 3. The closest station is the Lea Bridge Railway Station, which provides direct access to Bishops Stortford, Tottenham Hale, Meridian Water and Stratford. The nearest part of the Strategic Road Network (SRN) is at Lea Bridge Road, which is at approximately 250 metres north of the site. Lea Bridge Road forms part of a Mini Holland Route with a segregated cycle route in both directions that connects Lea Bridge Roundabout and Whipps Cross.
- 2.10 The two access ways at Estate Way North and Estate Way South provide access to nearby bus routes 58 and 158 along Church Road, with services to Chingford Mount, East Ham, Leyton and Walthamstow Central. Additionally, further to the north within walking distance at Lea Bridge Road, with bus service routes 55, and 38, that provide direct access to Oxford Circus, Victoria and Walthamstow Central.
- 2.11 The adopted Local Plan Proposals Map notes that most of the site does not fall within a flood zone. However, a portion of the site towards the west is located within a Flood Zone 2 (medium risk of river flooding). Dagenham Brook, which is located towards the west, is also designated as Flood Zone 3, with higher risks of river flooding.
- 2.12 The site does not fall within a Conservation Area. However, the site is located at approximately 500 metres from the Thornhill Road Conservation Area and a portion of an Archaeological Priority Zone cuts through a small part of the site on its southern and western sides. Whilst the site does not contain statutorily listed buildings and has no effect on the setting of any designated heritage asset, there are Grade II listed structures within the playground of the St Joseph’s Roman Catholic School, which is approximately 80 metres to the southeast of the site, the Grade II listed Eltoe House is approximately 130m to the southeast of the site and the locally listed church Med School is 130m to the east of the site.



Plan 1 - The Site Location Plan



Image 1 – View towards west of site at Estate Way South.



Image 2 – View towards east side at Estate Way North

The Surrounding Context of the Site:

- 2.13 The wider context of the site has a mixed character with a variety of building typologies with industrial, educational, residential, and recreational uses. Notwithstanding the varied building typology and uses, the Church Road/Estate Way LSIS site allocation is characterised as a well-established industrial estate that contains 6.62 hectares with various warehouses and the former waste recycling depot that operated from the site. There is therefore a predominant industrial building

typology around the context of the LSIS, with single storey (double height) industrial structures. Notwithstanding the predominant building character, the existing buildings have been built without a consistent alignment or configuration. At a wider context, the north and east sides of the industrial estate are defined by low-rise terraced properties and some taller purpose-built residential blocks that have no defined architectural character, scale or massing.

- 2.14 As part of the wider context, the west of the site is bounded by Dagenham Brook, with a large public allotment plot and the Leyton Jubilee Park behind, which provide valuable open amenity spaces. The Lammas Secondary School is positioned at the opposite side of Dagenham Brook towards the west of the site and Hackney Marshes and Lea Valley Park are located further afield. Although Dagenham Brook is identified as a Site of Importance to Natural Conservation and as a key potential north-south link that connects Walthamstow Reservoirs at the north with the Olympic Park at the south, the watercourse of the brook and open spaces of the Leyton Jubilee Park are not well integrated to the industrial sites or to the residential properties at Tallack Road or the Marconi Estate, by reason of the existing building configuration, poor permeability, varied boundary treatment and lack of maintenance.
- 2.15 Notwithstanding the poor condition of the application site and the poor connections with its surroundings, there is an emerging character within the surrounding area, which is mainly formed by higher density mixed-use and industrial developments within key nodes along a linear corridor that are connected to the railway lines that link Stratford, Lea Bridge Road, and Tottenham Hale.
- 2.16 Several planning applications have been therefore approved within the surrounding area, which are mainly mixed-use schemes with commercial floor space and public open spaces, such as the Former Percy Ingle Site that adjoins the site at the south side (maximum height of 17 storeys), Lea Bridge Gasworks (maximum height of 18 storeys), the Eastgate Business Park for a self-storage warehouse, and the Lea Bridge Station Site (maximum height of 26 storeys) towards the northwest. Furthermore, the Motion development (maximum height of 18 storeys) that accommodates residential, commercial and leisure floorspace was completed in 2020 and sits adjacent to Lea Bridge Road Station, towards the north of the site.
- 2.17 The Bakers Arms District Town Centre is positioned at approximately 1.3 kilometres and the Walthamstow Major Town Centre is located further north, at approximately 1.8 kilometres, with a range of amenities such as banks, shops, leisure, hospitality services and places of worship.

3 APPLICATION PROPOSAL

- 3.1 The proposed development involves the demolition of the existing ten industrial warehouse buildings and the construction of five buildings that would be subdivided into nine small to medium units with mezzanine levels for industrial use (Use Classes E (g) (i) (ii) (iii) for light industrial, B2 for general industrial and B8 for warehousing and storage. The proposed units would provide a total of 17,658 sqm of new floorspace, within nine units that would range in size between 807.00 sqm and 3,005.00 sqm. The footprint of each building would vary between a range that would measure 10.00 metres in width x 56.00 metres in length to 37.00 metres in width and 131.00 metres in length.
- 3.2 The proposed building layout would seek to respond to the existing access points via Church Road and Dagenham Brook, by creating safe pedestrian access into the site from Church Road and securing an acceptable setback from the west boundary along Dagenham Brook to create a more landscaped-led development with enhanced pedestrian and cycle routes towards the west side that would be secured by permeable boundary treatment. The proposed service yard areas would be

broadly enclosed, as these would be positioned towards the west side of the site, to ensure that these are not visible from residential properties at Marconi Road and Tallack Road, to protect visual and residential amenity on neighbouring residential properties. The development would include the installation of free-standing living green screens, which would be located along the east and north boundaries of the site towards the rear gardens of properties at Marconi Road and Tallack Road.

- 3.3 The proposed building layout seeks for an efficient and safe operation of the sites by segregating pedestrian and cycle routes from loading areas, including access to fire safety emergency services in compliance with Building Regulations. The layout therefore ensures that service yards and car parking areas are clearly separated by footpaths and landscaping features from pedestrian and cycle links. Each building would have its own service yard area with direct access via the main access roads at Estate Way North and Estate Way South. Whilst the buildings would have no consistent building configuration, these would achieve visual and acoustic screening from neighbouring residents in a way that spatial capacity is maximised with clearer perceptions between fronts and rear. The front elevations would contain larger glazed elements that would define office floorspace and entrances to provide a clearer visual interest with higher levels of surveillance.
- 3.4 The proposed buildings would incorporate a range of materials which would include profiled and composite metal cladding with contrasts in colour and texture, which would be mainly neutral, consisting of silvers and grey tones with featured orange panels to provide visual interest and contrast.
- 3.5 The development would provide 73 car parking spaces that would be distributed within the site, as each industrial unit would be provided with allocated parking, including disabled parking. In addition, 42 cycle parking would be provided, which would be secured, covered and well lit. The cycle parking spaces would be positioned at the front of each building access point, to ensure that these are overlooked and linked to the entrance of each unit.
- 3.6 The development would include a comprehensive landscaping strategy for the site, which would respond to a series of character areas that have been identified within different sections of the site. The landscaping strategy would reflect existing local features and enhancement opportunities and would also seek to respond to forthcoming developments on neighbouring sites, particularly at the south side at the Former Percy Ingle Site. The proposed landscaped-led approach seeks to deliver attractive entrances within the two key vehicular access points, a landscaping buffer along the east boundary of the site to protect the amenity of residential properties at Marconi Road, which would soften the industrial environment of the site.
- 3.7 The development would incorporate renewable technologies, such as air source heat pumps and photovoltaic panels and would meet BREEAM requirements to achieve a minimum of 'Excellent' rating.

4 RELEVANT SITE HISTORY

4.1 Planning History for the Site:

Reference	Description of Development	Decision Date
213171	"A comprehensive phased development comprising the demolition of all existing buildings and structures, the erection of buildings to provide a mixed-use scheme, comprising 496 homes (Use Class C3) 15,029 sqm of Class E (g) office, light	Withdrawn 18 th March 2022.

	industrial and B8 floorspace and 166 sqm of E (am b, and c) retail floor space, in 13 buildings ranging from 2 to 12 storeys, together with associated landscaping and parking”.	
061235	Unit 1, Estate Way: “Use of front forecourt as a car wash involving erection of prefabricated timber single storey building.”	Refused 4 th July 2006.
050640	Unit 0, Estate Way: “Change of use of existing vehicle workshop to dismantling and breaking up of motor vehicles”.	Approved 04 th March 2005.
021474	Unit 9, Estate Way: “Erection of part single storey, part two-storey warehouse and offices.”	Approved 5 th March 2023.

4.2 Pre-Application History of the Site:

Reference	Description of Development	Decision Date
PRE_21_0121	Pre-application advice for the “redevelopment of the site for industrial and warehousing purposes and retention of units 1, 2, 5A and 5B (at western end of Estate Way) providing 1,701 GIA (1,813 sqm GIA) in a refurbished form to demolish all the other existing buildings within the Site, and to redevelop it for eleven new industrial warehousing units collectively comprising 14,176 GIA (14,777 sqm GEA) new build floorspace. In terms of overall floorspace, the refurbished and new floorspace equates to 15,879 sqm GIA (16,590 sqm GEA on the site, equating an additional 1,749 sqm GIA floor area.”	Pre-planning application advise issued June 2021.

4.3 Planning Enforcement:

No relevant planning enforcement investigations.

4.4 Planning History of Adjoining Sites:

Please find a table below listing a summary of relevant planning permissions within the surrounding area:

Reference	Site and Description of Development	Decision Date
220695	Former Percy Ingle Site, 210 Marsh Lane: “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	Resolution to grant planning permission by planning committee on the 2 nd May 2023.

	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”.	
212685	Lea Bridge Station Sites: “Demolition of existing structures and redevelopment of three land parcels to deliver 345 x residential units (Use Class C3), commercial floorspace (Use Class E) and community floorspace (Use Class F.2) in buildings of up to 26 storeys. Associated development including new public realm areas, tree planting and landscaping, accesses, parking and servicing facilities.”	Planning Permission Granted on the 10 th February 2023.
211333	Eastgate Business Park, Argall Way: Construction of self-storage warehouse (Use Class B8) with a height of 13.94 metres and associated parking and landscaping”.	Planning Permission Granted on the 28 th January 2022.
201329	Lea Bridge Gasworks, Clementina Road: “A comprehensive phased development comprising demolition of existing buildings and structures and erection of buildings to provide a mixed use scheme, including 573 residential units (Use Class C30 in 10 buildings ranging from 2 to 18 storeys, 582 sqm of flexible residential facilities and commercial uses (Use Classes A1, A2, A3, A4, B1, C3, D1 and D2), together with public open space; public realm works and landscaping; car and cycle parking, servicing arrangements, sustainable energy measures; formation of new pedestrian and cycle access onto Clementina Road; formation of new pedestrian, cycle and vehicular access onto Orient Way, means of access and circulation within the site, site preparation and enabling works.”	Planning Permission Granted on the 9 th July 2021.
193694	The Score Centre, 100 Oliver Road: “The demolition of existing buildings and structures on site, creation of five blocks (Blocks A-E) ranging from 3 to 18 storeys in height, providing the following: re-provision of new internal sports and leisure facilities comprising 4,851sqm of Class D2 floorspace; re-provision of new community facilities comprising 1,141sqm of flexible	Planning Permission Granted on the 23 rd December 2020.

	Class D1/D2 floorspace; re-provision of new nursery comprising 988sqm of Class D1 floorspace; provision of a new health centre comprising 2,315sqm of Class D1 floorspace; provision of 1,762sqm of commercial floorspace to include flexible Class A1, A2, A3, A4, B1, D1 and / or D2 uses; creation of 750 residential units; construction of District Heating Network (comprising 750sqm); and areas of public realm, car and cycle parking and landscaping including a new public square, and extension of Auckland Road."	
191876	Pocket Living, 9 Osier Way: "Demolition of existing building and redevelopment of the site for a residential led, mixed-use development comprising five blocks of between 6 and 13 storeys, providing 196 affordable residential homes (Use Class C3), ancillary residential accommodation, 902.30sqm light industrial/commercial floorspace (B1c) and 50.10sqm of cafe floorspace(A1/A3), servicing vehicle access, cycle parking and storage accessible car parking spaces and public realm works. (Revised description)."	Planning Permission Granted on the 18 th February 2021.

5. CONSULTATION

5.1 Public Consultation:

Four site notices were displayed on the 2nd February 2023 around the site and a press advert notice dated the 9th February 2023 was published in Waltham Forest News. In addition, 1620 letters of consultation were sent out on the 2nd February 2023 to occupiers of neighbouring properties within the wider setting of the site.

5.2 Two letters of objection were received in the response to the consultation process. The concerns raised by neighbouring residents are summarised below:

Objection received	LPA Response
A) The development would harm residential amenity of neighbouring properties in terms of overlooking and loss of daylight/sunlight.	The proposed buildings would retain an acceptable separation distance from neighbouring residential properties at the east and north sides of the site. The proposed addition in height and massing would not cause significant harm on daylight/sunlight and most of the ground floor windows of neighbouring residential properties would remain BRE compliant, with only small shortfalls in some instances that would be minor and not of material concern. In the absence of windows at the rear of the industrial units, the proposed buildings would have no ability to overlook

	<p>neighbouring habitable windows at Tallack Road or Marconi Road.</p> <p>Further details in connection to the impact on amenity with regards to daylight/sunlight and privacy are in Section D of the committee report.</p>
B) The proposed buildings would be too high.	<p>The proposed roof line would be marginally higher when compared to the existing roof line and would introduce low pitched metal roofs to the main part of the buildings to reduce the sense of scale and massing. Given the considerable length of the industrial units and the separation distance between each building to break down the sense of massing, the development raises no concerns in terms of height, bulk, and overall massing.</p> <p>A detailed assessment of the design of the development is in Section C of the committee report.</p>
C) The proposed external appearance of the buildings would be inappropriate and should be built as a landscaped wall garden.	<p>The proposed design of the development would incorporate metal cladding in neutral grey colours and would result in a consistent visual approach for the entire industrial estate, as the proposed industrial buildings would be visually integrated with clear frontages and walling features and rear side elements.</p> <p>Additionally, the proposed landscape-led approach to reduce the sense of massing and soften the industrial character of the site with a defined building edge is welcomed. Furthermore, the development would introduce green panels along the boundaries shared with neighbouring properties and would deliver a landscaping strategy that would enhance the visual appearance of the site when compared against the existing condition of the site.</p> <p>A detailed assessment of materials, landscaping and external appearance is carried out in Sections C and J of the committee report.</p>
D) The proposed uses of the buildings is unclear.	<p>The proposed industrial uses would be in line with the aspiration to uplift industrial capacity for the site and the development is supported under a strategic point of view. Although no breakdown with details of the floor area for each use class is provided and the floorspace for B2 (General Industrial), B8 (Warehousing and Storage) and Class E (g) (i) (ii) (iii) (Light Industrial) would remain flexible, the approach is accepted as it would seek attract business from a wide</p>

	<p>range of sectors.</p> <p>A detailed evaluation of the principle of development and the quality of the industrial floorspace is assessed in Sections A and B of the committee report.</p>
E) The existing boundary treatment should be reviewed to ensure that it is safe.	<p>The proposed boundary treatment would be consistent throughout the perimeter of the site and would seek to address existing concerns over the condition and safety of the existing means of enclosure, particularly along the boundary shared with neighbouring residents. A condition is recommended to review in detail the materials, profile, height and position of the boundary treatment and a detailed review of this material consideration is reviewed below in Section C of the committee report.</p>

5.3 Other Consultation:

Internal Consultation:	Comments:
Urban Design & Conservation Team	<p>No objections raised. The proposed 53% site coverage would represent a significant intensification of employment uses and is therefore welcomed. The proposed layout would make an efficient use of the site and would allow acceptable space in between. Given that the proposed access points off Church Road would be enhanced to improve connectivity, the provision of safer pedestrian access would benefit the wider area and enhance public amenity.</p> <p>No concerns are raised with regards to scale, height and massing and the proposed freestanding living green screens would reduce visual massing. The development is therefore supported under a design point of view.</p>
Strategic Regeneration Team	<p>No objections raised subject to financial contribution towards a feasibility study to enhance the biodiversity of the Dagenham Brook River Restoration Corridor, including public realm enhancements, as part of the strategic aspiration to restore Dagenham Brook in line with forthcoming forms of development within the context of the site. In addition, conditions requiring details of boundary treatment, removal of permitted development rights on Class E floor space, Management Plan of footway along Dagenham Brook and details of CCTV across the site are recommended and therefore secured.</p>
Highways Team	<p>No objections raised as the proposed parking layout and access improvements are supported. The impact to the highways network would be restricted and mitigated due to the proposed</p>

	<p>delivery hours between 9:30AM to 2:30PM.</p> <p>With regards to drainage, the updated drainage system would meet the greenfield run-off rate.</p> <p>The requested financial contributions towards the improvement of the connectivity of the existing infrastructure along Church Road is secured. Moreover, financial contributions towards the monitoring of the CLP, S278 works, and the Waltham Forest Southwest flood study have been secured in addition to conditions requiring details of drainage/SuDS, detailed Construction Logistics Plan, Servicing and Delivery Plan, Car Parking Management, Plan, Maintenance and Management Strategy for Dagenham Brook, external lighting and Stage2 and Stage 3 road safety audit prior commencement and at post construction stage. These have been agreed with the developer.</p>
Transport Policy Officer	The proposed 73 operational/commercial parking spaces would be consistent with London Plan parking requirements. The proposed cycle parking provision would also be acceptable. However, conditions requiring a cycle parking strategy and a Car Parking Design and Management Plan are recommended.
Parks and Open Spaces	No comments received at the time of writing the committee report.
Sustainability and Energy Officer	<p>No objections subject to the provision of an updated energy statement on commencement of development and at completion stage, to establish if a carbon offset fund shall be secured if the 'As Built' energy assessment demonstrates carbon emissions.</p> <p>The development shall be capable of being connected to a decentralised energy network and shall secure post construction monitoring ("Be Seen").</p> <p>Conditions are also recommended, requiring the development to achieve no less than BREEAM 'excellent' certification, details of at least 35% carbon dioxide emissions and details of water use reduction measures.</p>
Landscaping and Trees Officer	No objections. The conclusions set out under the Arboricultural Impact Assessment are acceptable as these identify tree constraints within the site and within the surroundings. Additionally, the recommendations within the Preliminary Ecological Appraisal and Bat Survey are supported. Whilst concerns with regards to the Urban Greening Factor calculations have been raised and the initial factor of 0.14 was not accepted, the calculations have been revised and increased to achieve an

	<p>urban greening score of 0.21, which is now accepted and focuses on protection and enhancement of biodiversity of the site, by reason of its proximity to Dagenham Brook.</p> <p>Although the recommendations given by the Arboricultural Method Statement are generally accepted, a condition requiring an updated Arboricultural Method Statement is recommended to assess protection measures, root barriers and foundation design. In addition, conditions requiring details of soft landscaping and habitat enhancement are also recommended.</p>
Waste and Recycling Officer	No comments received. However, a condition requiring a detailed Waste Management Strategy is recommended.
Business Investment and Employment Officer	No objections subject to planning obligations for the provision of a minimum of 30% local labour, 20% local spend, 10 apprentice posts and 3 work placements in the construction phase of the development or a financial contribution in case the apprenticeships and work placements remain unfulfilled. These planning obligations are secured in the heads of terms.
Environmental Health Team	No objections subject to conditions requiring ground investigation/verification report on contamination, asbestos survey, a Construction Method Statement, Sound Insulation Scheme, Acoustic Barriers, Air Quality Assessment, Dust Monitoring, and details of Internal Noise Levels. In addition, a financial contribution towards the Air Quality Action Plan required.
CCTV	No comments received at the time of writing the committee report.
Allotments	No comments received at the time of writing the committee report.

External Consultation:	Comments:
Mayor of London	Can you summarise the GLA comments
Transport for London - TfL	No comments received at the time of writing the committee report.
Metropolitan Police	No objections raised subject to conditions requiring Secured by Design accreditation and details of a counter terrorism strategy.
North London Waste Authority	No comments received at the time of writing the committee report.
London Wildlife Trust	No comments received at the time of writing the committee report.

London Fire Brigade	No comments received at the time of writing the committee report.
Canal and River Trust	No comments received at the time of writing the committee report.
Leyton Allotment Society	No comments received at the time of writing the committee report.
Natural England	No objections. Inputs provided advising how the development would provide net gains for biodiversity and wider benefits for the environment.
Environment Agency	<p>Objection received by reason that a pedestrian and cycle path is being proposed along Dagenham Brook within the buffer zone and that neither the watercourse nor the riparian zone has been factored in the biodiversity net gain assessment.</p> <p>Officer's Comments:</p> <p>Conditions requiring details of the proposed Dagenham Brook Route and Operational Plan, details of hard and soft landscaping, the requirement for a Habitat Enhancement Report and the submission of an Ecological Management Plan with details of long-term maintenance and habitat creation for the site are recommended in consultation with the Environment Agency for further consideration. Discussions with officers at the Environment Agency are on-going to overcome the objection and no decision notice would be issued without resolving the objection, as advised in Paragraph 1.4 of the committee report.</p>
The 20 th Century Society	No comments received at the time of writing the committee report.
Transport for London, Crime Reduction	No comments received at the time of writing the committee report.

6 DEVELOPMENT PLAN

- 6.1 Section 70(2) of the Town and Country Planning Act (1990) (as amended) sets out that in considering and determining applications for planning permission, the Local Planning Authority (LPA) must have regard to considerations including the provisions of the development plan and any local finance considerations, so far as material to the application, and any other material considerations.
- 6.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that "if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".
- 6.3 The Development Plan for the site, at the time of this report, comprises the London Plan (2021), and the Waltham Forest Local Plan Core Strategy (2012), and the Waltham Forest Local Plan Development Management Policies (2013). Other planning policies are material considerations.

The London Plan (2021)

6.4 On the 2nd of March 2021, the Mayor of London published the replacement London Plan. From this date, it forms part of the Development Plan for the purpose of determining planning applications. The 2021 London Plan supersedes the 2016 London Plan, which no longer has any effect. The relevant policies within the London Plan 2021 relevant to this application are considered to include but not limited to:

- GG1 – Building Strong and Inclusive Communities;
- GG2 – Making the Best Use of Land;
- GG4 – Delivering the Homes Londoners Need;
- GG5 – Growing a Good Economy;
- GG6 – Increasing Efficiency and Resilience;
- SD1 – Opportunity Areas;
- SD10 – Strategic and Local Regeneration;
- D1 – London’s Form, Character, and Capacity for Growth;
- D2 – Infrastructure Requirements for Sustainable Densities;
- D3 – Optimising Site Capacity Through Design-led Approach;
- D4 – Delivering Good Design;
- D5 – Inclusive Design;
- D8 – Public Realm;
- D11 – Safety, Security, and Resilience to Emergency;
- D12 – Fire Safety;
- D14 – Noise;
- S1 – Delivering London’s Social Infrastructure;
- S4 – Playspace and Informal Recreation;
- E1 – Offices;
- E2 – Providing Suitable Business Space;
- E3 – Affordable Workspace;
- E4 – Land for Industry, Logistics and Services to Support London’s Economic Function;
- E6 – Locally Significant Industrial Sites;
- E7 – Industrial Intensification, Co-location and Substitution;
- E11 – Skills and Opportunities for All;
- HC1 – Heritage, Conservation, and Growth;
- HC5 – Supporting London’s Cultural and Creative Industries;
- HC3 – Strategic and Local Views;
- G1 – Green Infrastructure;
- G4 – Open Space;
- G5 – Urban Greening;
- G6 – Biodiversity and Access to Nature;
- G7 – Trees and Woodlands;
- SI1 – Improving Air Quality;
- SI2 – Minimising Greenhouse Gas Emissions;
- SI3 – Energy Infrastructure;
- SI4 – Managing Heat Risk;
- SI5 – Water Infrastructure;
- SI7 – Reducing Waste and Supporting the Circular Economy;
- SI8 – Waste Capacity and Net Waste Self-sufficiency;
- SI9 – Safeguarded Waste Sites
- SI12 – Flood Risk Management;
- SI13 – Sustainable Drainage;

- T1 – Strategic Approach to Transport;
- T2 – Healthy Streets;
- T3 – Transport Capacity, Connectivity and Safeguarding;
- T4 – Assessing and Mitigating Transport Impact;
- T5 – Cycling;
- T6 – Car Parking;
- T7 – Deliveries, Servicing, and Construction;
- DF1 – Delivery of the Plan and Planning Obligations; and,
- M1 – Monitoring.

Waltham Forest Local Plan Core Strategy (2012)

- 6.5 The Waltham Forest Local Plan Core Strategy (2012) was adopted on 1st March 2012. The Core Strategy contains 16 policies designed to deliver the Council's vision for the physical, economic, environmental, and social development of the Borough. These policies will be used to direct and manage development and regeneration activity up to 2026.
- 6.6 The policies considered relevant to this application are the following:
- CS1: Location and Management of Growth;
 - CS4: Minimising and Adapting to Climate Change;
 - CS5: Enhancing Green Infrastructure and Biodiversity;
 - CS6: Promoting Sustainable Waste Management and Recycling;
 - CS7: Developing Sustainable Transport;
 - CS8: Making Efficient Use of Employment Land;
 - CS10: Creating More Jobs and Reducing Worklessness;
 - CS13: Promoting Health and Well Being;
 - CS15: Well Designed Buildings, Places and Spaces; and,
 - CS16: Making Waltham Forest Safer.

Waltham Forest Local Plan Development Management Policies (2013)

- 6.7 The document was adopted on 1st November 2013. The policies considered relevant to this application are the following:
- DM1: Sustainable Development and Mixed-Use Development;
 - DM10: Resource Efficiency and High Environmental Standards;
 - DM11: Decentralised and Renewable Energy;
 - DM13: Coordinating Land-use and Transport;
 - DM14: Sustainable Transport Network;
 - DM15: Managing Private Motorised Transport;
 - DM16: Parking;
 - DM17: Social and Physical Infrastructure;
 - DM18: Strategic Industrial Locations;
 - DM19: Borough Employment Areas;
 - DM21: Improving Job Access and Training;
 - DM23 Health and Well Being;
 - DM24: Environmental Protection;
 - DM28: Heritage Assets
 - DM29: Design Principles, Standards and Local Distinctiveness;
 - DM30: Inclusive Design and the Built Environment;
 - DM32: Managing Impact of Development on Occupiers and Neighbours;
 - DM33: Improving Community Safety;
 - DM34: Water;

- DM35: Biodiversity and Geodiversity;
- DM36: Working with Partners and Infrastructure;
- Appendix 2 – Policies Map Changes;
- Appendix 4 – Parking Standards; and,
- Schedule 11 – Strategic Road Network.

North London Waste Plan (2022)

- 6.8 The North London Waste Plan sets out the planning framework for waste management in North London until 2036. The plan identifies existing waste sites and capacity, priority areas for new waste management facilities and sets out policies for determining waste planning applications. The policy considered relevant to this application is:

- Policy 1: Existing Waste Management Sites.

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework (2021)

- 7.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. It contains a presumption in favour of sustainable development, described as at the heart of the framework.
- 7.2 For decision-taking the NPPF states that the presumption means *"approving development proposals that accord with an up-to-date development plan without delay"* and where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless *"...any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole"*.
- 7.3 The NPPF gives a centrality to design policies; homes should be locally led, well-designed, and of a consistent and high-quality standard. Local planning authorities (LPAs) are to make sure that the quality of approved developments does not materially diminish 'between permission and completion, as a result of changes being made to the permitted schemes.
- 7.4 The specific policy areas of the NPPF considered to be most relevant to the of this application are as follows:
- Promoting healthy and safe communities;
 - Promoting sustainable transport;
 - Achieve well-designed places;
 - Promoting Healthy Communities;
 - Meeting the challenge of climate change, flooding, and coastal change; and,
 - Conserving and enhancing the natural environment.

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

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

7.6 Waltham Forest Local Plan (LP2) – Site Allocations (Proposed Submission Document):

The Site Allocations Document (Draft Waltham Forest Local Plan Part 2: Site Allocations Document (2021 – Reg 19) seeks to ensure that the London Borough of Waltham Forest promotes the right development in the right places at the right scale, creating attractive sustainable neighbourhoods as well as economic opportunities. It underwent consultation from November 2021 until January 2022. When adopted, the Site Allocations Document will represent Part 2 of the Council's Local Plan. It complements the Draft Local Plan

Urban Design SPD - 2010

- 7.7 This document has the aim of raising the quality of design within the Borough. The core principles underlying the advice in the SPD are Inclusive Design and the social model of disability.

Waltham Forest Planning Obligations SPD - 2017

- 7.8 This document seeks to provide transparent, clear, and consistent information for the negotiation of planning contributions and Section 106 Agreements and how these work alongside the Community Infrastructure Levy (CIL) to help deliver necessary infrastructure in the Borough.

Waste & Recycling Guidance for Developers (2019)

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

London Plan Practice Note – Industrial Intensification and co-location through plan-led and masterplan approaches (2018)

- 7.10 The London Practice Note sets out good practice principles for plan-led or masterplan approaches to industrial intensification and co-location in the context of London Plan Policy E7. The note seeks to provide a high-level land use strategy for designated and non-designated industrial sites.

Local Finance Considerations

- 7.11 Natural England issued Local Finance Considerations can include either a grant that has been or would be given to the Council from central government or money that the council has received or will or could receive in terms of CIL. It is noted that:
- It is not thought that there are any grants which have been or will or could be received from central government in relation to this development.
 - The Council expects to receive income from LBWF CIL in relation to this development.
 - The Council expects to receive income from Mayoral CIL in relation to this development.

8. ASSESSMENT

- 8.1 The main issues which shall be addressed within this report relate to the following:
- A. Principle of Development;
 - B. Quality of Employment Floorspace;
 - C. Building Layout, Scale and Design of Development;

- D. Impact on Amenity;
- E. Agent of Change;
- F. Transport and Highways;
- G. Waste Management;
- H. The Environmental Impact of the Development;
- I. Sustainable Design and Energy Efficiency;
- J. Trees and Landscaping;
- K. Archaeology and Heritage;
- L. Safety and Security;
- M. Planning Contributions

A) PRINCIPLE OF DEVELOPMENT

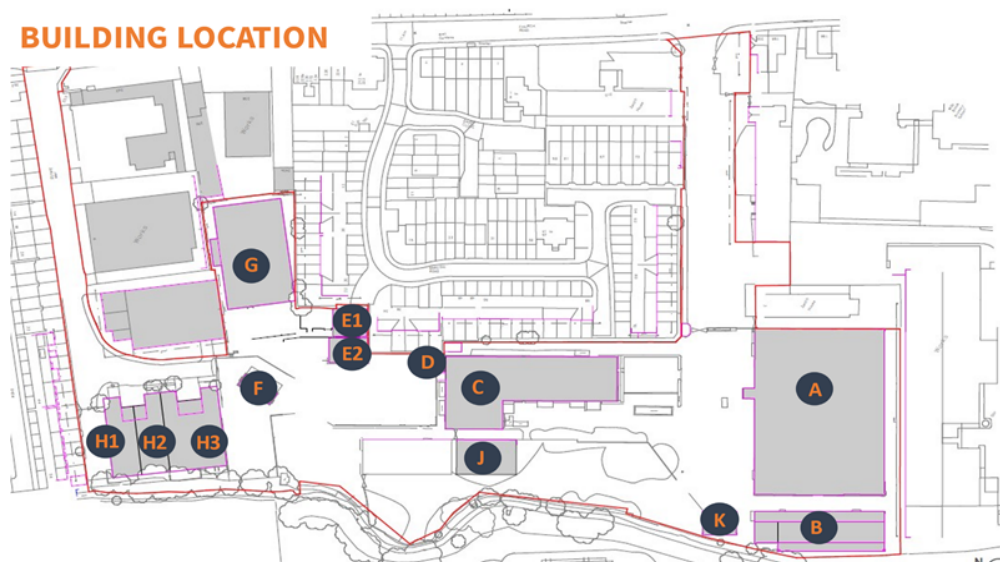
- 8.2 The National Planning Policy Framework (NPPF) (2021) places a presumption in favour of 'sustainable development' with three overarching objectives that are interdependent, which comprise economic, social, and environmental considerations that should be delivered to help build a strong, competitive economy that supports healthy communities with accessible services that result in an enhancement to the natural, built and historic environment. These principles are reflected in policy GG1 of the London Plan (2021), policy CS1 of the WFLP Core Strategy (2012) and policy DM1 of the WFLP Development Management Policies (2013), which also seek for development proposals to achieve an appropriate balance between physical, social, environmental, and economic considerations to ensure that these deliver key benefits to the locality.
- 8.3 In the context of making effective use of land, the NPPF (2021) states that planning policies and decisions should promote an effective use of land and should give weight on the need to support economic growth and productivity, having proper regard to local industrial strategies and other local policies for economic development and regeneration. Development proposals should therefore consider local business needs and ways to support economic growth and productivity, having regard to Local Industrial Strategies within Locally Significant Industrial Sites (LSIS) and local policies for economic development and regeneration.
- 8.4 The site is designated as a Borough Employment Area (BEA) and falls within the Northern Olympic Fringe Area Action Plan area within the Waltham Forest Adopted Policies Map (2013). In addition, the site is identified as part of the Church Road/Estate Way Locally Significant Industrial Site (LSIS) within the emerging Waltham Forest Local Plan (LP2) (Regulation 19 Stage, dated November 2021). The site also forms part of the larger proposed Site Allocation (SA08) for a "comprehensive redevelopment of the existing industrial location to provide an industrial-led mixed-use neighbourhood, subject to a two-stage masterplan process", as set out in the draft Site Allocations (LP2).
- 8.5 Policies E4, E5 and E6 of the London Plan (2021) seek to manage industrial land by placing a significant emphasis on the importance of retaining and increasing industrial capacity. Policy E4 states that sufficient supply of industrial land should be maintained to meet current and future demand for industrial and related functions and that this should make provision for varied operational requirements, including light and general industry (Use Classes B1c and B2) and storage and distribution (Use Class B8). These policies are underpinned by the GLA's latest 'Industrial Land

Demand Study' (2017), which highlights how demand for industrial and warehousing floorspace has increased to support growth in London's economy.

- 8.6 Policy E7 of the London Plan (2021) encourages the intensification of business uses in Use Classes B1c, B2 and B8 for industrial land with consideration on small units, multi-storey schemes, construction of basements and efficient use of land through higher plot ratios with appropriate operational and servicing strategies to mitigate impact on amenity and the transport network. The policy states that development plans and planning frameworks should be proactive in considering whether intensification in parts of LSIS can provide additional industrial capacity. The policy seeks for intensification of LSIS to provide additional industrial capacity and ensure that these are consolidated to also facilitate delivery of residential co-location proposals as part of an options appraisal through a plan-led approach. Policy E7 is also supported by the Mayor of London's 'Industrial intensification and co-location through plan-led and masterplan approaches' Practice Note dated November 2018, which sets out good practice principles for a plan-led approach to industrial intensification and co-location. The Practice Note also requires the intensified industrial uses to be completed prior any residential component is occupied.
- 8.7 At a local level, Policy CS1 of the WFLP Core Strategy (2012) states that growth should be distributed and managed within the borough by focusing regeneration activities in key Growth Areas. Policy CS1 further states that, within these areas, the Council will seek to accommodate growth in housing and jobs. Policy CS8 of the WFLP Core Strategy (2012) also seeks to retain a healthy supply of land for high quality, sustainable industrial uses by protecting and managing industrial locations.

Principle of Reprovision of Industrial Floorspace:

- 8.8 The application site contains 15,029 sqm of employment floorspace within ten warehouse buildings that are distributed as follows:



Plan 2 – Existing Site Plan and Building Location

- 8.9 A breakdown of the existing industrial buildings shown in Plan 2, with details of floor area, use and vacant possession dates are described below:

Building	Area m ² (GEA)	Last Known Activity	Effective Possession	Vacant
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A	7,940m ²	Self-Storage	31/01/2023
B	996m ²	Steel Fabrication & Glazing	05/10/2023
C	1,943m ²	Waste Handling	11/12/2022
D	63m ²	Car Sales Site	03/06/2023
E1 & E2	349m ²	Offices & Storage	01/03/2023
F	166m ²	Offices	29/09/2023
G	1,328m ²	Waste Handling Storage	01/02/2023
H1, H2 and H3	1,720m ²	H1 - Retail sale of cosmetic and toilet articles (398m ²) H2 – Publishing H3 - Storage	08/03/2023 02/08/2023 01/02/2023
J	383m ²	Waste Handling	20/12/2023
K	141m ²	Tyre Storage	01/08/2023
Total	15,029m ²		

Table 1 – Breakdown of existing employment floorspace by building.

- 8.10 The proposed development would not represent a change of use and the proposed 17,658 sqm of use classes E (g) (i) (ii) (iii) (light industrial), B2 (general industrial) and B8 (warehousing and storage) would be in line with the existing uses described above. The development would result in an uplift of 2,629 sqm of industrial floorspace and would therefore represent an appropriate level of intensification, in accordance with the aspirations set out by policies E4 and E7 of the London Plan (2021), which seek for the retention of sufficient supply of industrial land and its intensification to meet demand for industrial and related functions within designated employment areas.
- 8.11 Given the proposed site allocation and the indicative capacity of 24,000 sqm of industrial floorspace within the Church Road/Estate Way Locally Significant Industrial Site (LSIS), the development is also reviewed against the 'Estate Way Masterplan Framework' Report dated January 2023, which sets out a vision for intensification, consolidation and substitution where appropriate industrial capacity within the LSIS should meet the target of 24,000 sqm of industrial floorspace, which is the benchmark minimum figure for reprovision set out by the Employment Land Audit (2021). This threshold is therefore indicated in the site allocation (SA08) under the emerging Waltham Forest Local Plan (LP2) (Regulation 19 Stage, dated November 2021). The proposed quantum of industrial floorspace of 17,658 sqm would be consistent with the vision set out by the emerging masterplan, which indicates a maximum plot capacity for the site of 19,865 sqm of industrial floorspace, in response to a strategic approach that considers movements, site capacity analysis, opportunities and constraints.

- 8.12 With regards to density and job generation, the existing site has a relatively low employment density and given the loss of the GBN waste depot facilities, the number of jobs have been reduced even further. The existing site delivered approximately 200 jobs in its full capacity, and it is considered that the development would not only replace poor quality industrial space with modern industrial facilities but would also offer an opportunity to generate employment further by uplifting the density and job number to a range between 228 and 488 job placements. The proposed densification and potential increase of job posts is welcomed, by reason that the uplift would deliver regeneration benefits within the wider area and would also adopt sustainable measures that would enhance pedestrian and cycling access routes to and from the site in response to the strategic approach set out by the 'Estate Way Masterplan Framework' Report dated January 2023. Under these terms, the proposed development is acceptable under a strategic point of view and considered in line with the employment designation for the site, with a proposed Site Allocation (SA08) proposed Submissions Plan (LP2), that seeks to deliver 24,000 sqm of industrial floorspace within the industrial estate to ensure regeneration benefits in terms of consolidation and intensification.

Loss of Waste Facilities:

- 8.13 The application site is associated with the former waste handling depot that operated by GBN Services, which was decommissioned in 2021. The waste services, which operated in buildings labelled as C and G (please refer to Plan 2 in paragraph 8.8 of the committee report) contain significant areas of hardstanding that were previously used for the parking of heavy goods and open-air storage. Whilst the development would not represent a loss of B2 (general industrial) use, the loss of the waste handling use has also been reviewed against the requirements of policy SI9 of the London Plan (2021) and policy 1 of the North London Waste Plan (2022). London Plan policy SI9 states that waste sites should be safeguarded and retained in their waste management use and if for any reason, an existing waste management site is lost to a non-waste use, an additional compensatory capacity site provision would be required that normally meets the maximum throughput that the site has achieved. The re-location should deliver clear local and sub-regional benefits.
- 8.14 Given that the safeguarded waste site has been decommissioned and it has been re-located to Gibbs Road, in Enfield (with an Environment Agency permit for up to 200,000 tonnes of waste per annum, exceeding the waste site permits for the decommissioned waste facilities within the site of 75,000 tonnes per annum for each site), the acceptability of the loss of the handling waste depot has been evidenced, as it shows that there is adequate compensatory provision that has been made elsewhere, in compliance with the requirements of policy SI9 of the London Plan (2021). Accordingly, the site is not included in Schedule 1: Existing Safeguarded Waste Sites of the North London Waste Plan (2022) and therefore complies with Policy 1.
- 8.15 In addition, although limited weight is given to the draft Site Allocations Document, Local Plan Part 2 (2021 – Reg 19), it is noted that the emerging Site Allocation SA08 does not require the reprovision of waste facilities. As such, due to the compensatory provision and acceptable replacement capacity that has been evidenced, the principle of the loss of waste facilities is accepted, in accordance with policy SI9 of the London Plan (2021).

Conclusion on Principle of Development:

- 8.16 In light of the above policy considerations and in the absence of a material change of use, the proposed increase of 2,629 sqm of industrial floorspace is strongly supported, as it is considered an appropriate level of intensification. Any proposed office use that would fall under Class E (i) would remain ancillary to the function of

the industrial uses, as captured in the above Heads of Terms. Furthermore, the loss of the safeguarded waste facilities is acceptable, considering that these have been already decommissioned and compensatory capacity has been secured at Gibbs Road, in Enfield.

- 8.17 Overall, the principle of development raises no concerns in terms of land use and is also considered in accordance with the proposed site allocation, which provides an indicative capacity of 24,000 sqm of industrial floorspace for the Church Road/Estate Way Locally Significant Industrial Site (LSIS). The proposed uplift of industrial capacity would also be compatible with the 'Masterplan Framework for Estate Way (January 2023)', which secures the intensification and consolidation of the LSIS by incorporating key place making principles that mitigate any conflict between industrial intensification and forthcoming development proposals within the wider context of the site, which include the introduction of residential units through a co-location plan led approach.
- 8.18 In light of the above policy considerations, the development is considered acceptable in terms of land use and consistent with policies SI9, E4, E5, E6 and E7 of the London Plan (2021), policies CS1, CS6 and CS8 of the WFLP Core Strategy (2012), policies DM1, DM2, DM12 and DM17 of the WFLP Development Management Policies (2013), policy 1 of the North London Waste Plan (2022) and policies 30 and 31 the Draft Waltham Forest Local Plan Part 1 (LP1) and Draft Waltham Forest Local Plan Part 2 (LP2) (Site Allocations).

B) QUALITY OF EMPLOYMENT FLOORSPACE

- 8.19 London Plan Policy D4 'Delivering Good Design' seeks to scrutinise the qualitative aspects of a development. Moreover, policy D5 of the London Plan (2021) aims for highest design standards that include accessible and inclusive considerations, to deliver convenient and welcoming spaces. Furthermore, policy E7 of the London Plan (2021) supports the introduction of small industrial units to ensure that there is an effective use of land through higher plot ratios having regard to operational yard space requirements.
- 8.20 At a local level, policy CS8 of the WFLP Core Strategy (2012) encourages a mix of employment facilities and types, including the provision of employment spaces that are suitable for small and medium sized enterprises and creative cultural industries.
- 8.21 The proposed building layout would ensure that there is a clear separation between the nine industrial units and their servicing yards by introducing clear front facades overlooking the servicing yards and rear sections with appropriate landscaping treatments towards the boundaries of the site, to reinforce buffer zones between the commercial and residential uses to mitigate any impact on amenity, particularly with regards to vibration, noise, air quality and odour emissions.
- 8.22 Each industrial building would contain generous double height spaces that would range between approximately 7.00 metres and 16.00 metres in height to enable flexibility of industrial uses with the following breakdown by unit:

Industrial Units	Floorspace
Unit 1	2,529 sqm + 525 sqm office floorspace at first floor level.
Unit 1A	2,328 sqm + 414 sqm office floorspace at first floor level.
Unit 2	2,229 sqm + 467 sqm office floorspace at first floor level.

Unit 3	1,887 sqm + 372 sqm office floorspace at first floor level.
Unit 4	1,456 sqm + 369 sqm of office floorspace at first floor level.
Unit 5	505 sqm + 104 sqm of office floorspace at first floor level.
Unit 6	471 sqm + 87 sqm of office floorspace at first floor level.
Unit 7	1,769 sqm + 576 sqm of office floorspace at first floor level.
Unit 8	951 sqm + 230 sqm of office floorspace at first floor level.
Total Employment Floorspace	17,658 sqm

Table 2 – Proposed floorspace by unit.

- 8.23 Units 1, 1A, 2, 3 and 4 would be accessed via Estate Way South and Units 5, 6, 7 and 8 would be accessed separately through Estate Way North. The units would range in size between 807.00 sqm and 3,005.00 sqm with warehouse/production floorspace at ground floor and smaller office floorspace at mezzanine level with dedicated toilet and shower facilities at first floor. The units would have two stair core lobbies linking both floor levels and would constitute functional and rationalised industrial floorspace to respond to different industrial requirements. Whilst the units would be dual aspect, these would introduce windows towards the servicing yards to enhance surveillance and protect amenity of neighbouring sites. However, the proposed industrial floorspace would have acceptable levels of daylight, sunlight and ventilation, by reason of the considerably large openings and sliding/folding industrial doors that would also integrate the industrial activities with the dedicated servicing yards.
- 8.24 The industrial units could also accommodate over-sized lifts to enable transportation of goods from street level, if required. Overall, the quality of the light industrial units raises no concerns in terms of the size, typology, layout, orientation, and safety and these would respond to the character of the industrial estate. Each building would have its own service yard area with direct access from either Estate Way South or Estate Way North. Given that the pedestrian and cycle footways would be separate from the HGV manoeuvring areas, the overall environment would be acceptable under design terms.
- 8.25 Due to the above considerations with regards to the quality of the proposed industrial floorspace, the functional design approach is accepted and considered in line with policies D4 and E7 of the London Plan (2021) and policy CS8 of the WFLP Core Strategy (2012). Overall, the industrial spaces would be fit for purpose and not compromised in terms of servicing requirements with proper regard to the type of uses in response to different operational requirements.

C) BUILDING LAYOUT, SCALE AND DESIGN OF DEVELOPMENT

- 8.26 The NPPF (2021) states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect on sustainable development, to ensure that any form of development creates better places that improve the way these function by promoting a strong sense of place and identity. The NPPF seeks for high quality design developments that also respond to an economic vision which encourages sustainable economic growth, with proper regard to local industrial strategies and other local policies for economic development and regeneration.

- 8.27 Policy D4 of the London Plan (2021) states that the design of development proposals should be thoroughly scrutinised in a way that design quality is retained through to completion with detailed considerations on materials, landscaping, and internal layout. Additionally, policy E7 of the London Plan (2021) seeks to maximise efficiency within designated LSIS sites through higher plot ratios in a way that operational requirements, including servicing, mitigate any or the transport network.
- 8.28 At a local level, policies CS8 and CS15 of the WFLP Core Strategy (2012) require development proposals to be of a high standard and design quality that respond to the local context and the character of the surrounding area, while promoting local distinctiveness and a strong sense of place. Policies DM29, DM30 and DM32 of the WFLP Development Management Policies (2013) also seek for high standard of urban and architectural design for all new forms of development, particularly with regards to how new building forms can maximise the use of a site by also creating sustainable places within key locations.
- 8.29 The key considerations when assessing the design aspects of the development against the requirements of the policies listed above are addressed as follows:

Building Layout and Spatial Configuration:

- 8.30 The proposed building arrangement would respond to the irregular form of the site and would consider the existing two access points off Church Road by enhancing landscaping screening options and spatial links, to create a safe environment for pedestrians and cyclists and protect the residential amenity of neighbouring residents at Marconi Road, Tallack Road and forthcoming developments towards the south of the site at Marsh Lane. The proposed building form would maximise industrial capacity and would also follow the key design principles that respond to the opportunities and constraints of the site, as part of the emerging vision for the Church Road/Estate Way LSIS and the 'Estate Way Masterplan Framework' dated January 2023. These are summarised as follows:
- Retain an acceptable separation distance between the proposed industrial buildings and neighbouring buildings at the north, east and south sides, particularly in connection to existing residential properties at Marconi Road and Tallack Road. The proposed industrial activities would therefore be focused on the proposed service yards towards the west of the site, to minimise impact on amenity and deliver a consistent boundary treatment along the boundaries shared with residential properties to ensure acoustic and visual screening. The proposed boundary treatment along Estate Way North would result in a consistent means of enclosure with a softer edge along the north boundary of the site.
 - Respond to the existing disintegrated built form that has no consistent alignment, building edge, orientation, or legibility by introducing a comprehensive/unified building design form with consistent materiality, height, and softer building edge to improve the visual appearance of the industrial site and provide clearer distinctions between building frontages and their rear sides. The proposed front elevations would therefore front the servicing yards towards the west side and the rear elevations would be positioned towards the north, east and south sides to ensure that the industrial uses co-exist with neighbouring residential properties in an enhanced form.
 - Re-inforce existing access routes at Estate Way South and Estate Way North and introduce new pedestrian and cycle routes that remain separated from industrial HGV manoeuvring by reason of highways safety. The proposed layout would provide car parking that would be more convenient, as it would be adjacent to building entrances with contrasting hard surfacing.

- Consider the proposed height and massing in a way that takes advantage of the level differences of the site by maximising building height towards the east side, to reduce visual impact.
 - Introduce a more landscape-led approach towards the west side along the boundary shared with Dagenham Brook, to reinforce a north-south route at the brook as part of a comprehensive strategic approach for the wider context of the site. The proposed landscaping strategy would also aim to soften the building edges and improve the connections with Dagenham Brook, towards the west side, by reducing the amount of built form and hardstanding along Dagenham Brook and respecting an eight metres buffer separation zone, as part of a consistent approach along the brook.
- 8.31 The development would respond to the above spatial principles in a way that industrial capacity is maximised by introducing industrial warehouse buildings of varying form and size, which retain an acceptable separation between public fronts towards the servicing yards and more private backs towards neighbouring residential properties at the east and north sides to screen the industrial activities in a visual and acoustic way. Additionally, the proposed breaking up of the industrial units towards the east side is welcomed, as this would reduce the sense of massing and prominence when perceived from neighbouring properties at Marconi Road, which sit at a higher ground level (approximately 2.50 metres above the application site).
- 8.32 The proposed combination of industrial warehouses with a landscape-led green character along the west side of the site is considered appropriate, as the enhanced public realm towards Dagenham Brook would avoid a perception of an over-dominating-built form and industrial activity and would respond to the existing natural features that surround the site towards the west. The proposed visually permeable boundary treatment and demarcated two access points between the site and Dagenham Brook are also welcomed, considering that the pedestrian and cycle routes would not only improve the public realm but would also connect the development with its wider context.
- 8.33 Due to the above considerations that respond to the constraints and opportunities of the site in a way that industrial floorspace capacity is optimised, it is considered that the proposed building layout and spatial configuration, including the introduction of new cycle and pedestrian links is acceptable. The Council's Design and Conservation Team therefore welcomed the proposed 53% site coverage and intensification of employment floorspace and welcome the enhanced points of access from Church Road to improve connectivity and provide a safer environment for pedestrians, including employees and residents living within the vicinity of the site. As such, the development is consistent with policies D4 and E7 of the London Plan (2021) and policy DM29 of the WFLP Development Management Policies (2012).

Height and Massing:

- 8.34 The proposed industrial buildings would have a larger footprint when compared to the existing built form, which would result from the uplift of industrial floorspace provision. Additionally, the building forms would have a higher roof line towards the east side, (when compared to the existing waste handling depot building), which would be increased by approximately 2.47 metres at ridge line. Notwithstanding the additional height and massing of Units 2, 3 and 4, this would not be perceived as significant when viewed from surrounding sites, considering the scale and overall length of the industrial building and the green features that would be introduced to reduce a sense of massing.
- 8.35 Furthermore, the proposed building towards the north side of the site would have an additional height of approximately 60 centimetres when compared to the existing roof

line towards Tallack Road, which is also considered minor for a large-scale warehouse industrial building. The proposed approach to raise the height to optimise industrial floorspace towards the north side of the site is supported under a design point of view.

- 8.36 Overall, the proposed height and massing is accepted. The massing would be appropriately broken down between the different buildings and given the consistent building height and alignment along the boundaries, the buildings would provide a greater sense of visual uniformity when viewed from neighbouring sites at the west, north and south sides. The proposed addition in height and massing is considered minor, considering also that the site is not highly exposed from public vantage points along the street scenes at Church Road, Marconi Road, Tallack Road or Marsh Lane. As such, the additional footprint, height, and overall massing is accepted under visual terms, as any impact would be minimised by a clearer building articulation with consistent height and materiality.
- 8.37 Although the proposed buildings would contain a larger footprint by reason that these would maximise industrial capacity, the proposed height and massing raises no concerns and is accepted by the Council's Design and Conservation Team, considering also that it would achieve an acceptable relationship with the green areas of Dagenham Brook towards the west side.

Townscape Views:

- 8.38 Policy HC3 of the London Plan (2021) states that development proposals should not affect strategic and local views and should always contribute to the legibility of the city in a way that these respond to the form of the broader townscape. Whilst the site is positioned within a Protected Vista Extension of the strategic view from City Hall to the 'White Tower of the Tower of London', it is not considered that the proposed building would have a material impact of this view, by virtue of the proposed height and massing of the industrial warehouse buildings that would ultimately upgrade the current fragmented townscape within the industrial uses of the Estate Way/Church Road LSIS.
- 8.39 In the absence of the introduction of a taller building element and considering that the development site is not highly exposed from public views, the GLA raises no concerns at this stage and any potential impact on the protected views would be assessed at Stage 2. As such, the development would not conflict in principle with the surrounding townscape and would have no detrimental impact on the strategic view from City Hall to the Tower of London, in compliance with policy HC3 of the London Plan (2021).

Materiality and Façade Articulation:

- 8.40 The proposed industrial buildings would incorporate metal cladding (black and silver colours), Microrib composite cladding (orange colour), profiled roof cladding in grey, aluminium framed doors, steel bollards and steel personnel black doors that would provide a contrast in colour between the frontages and entrances to the buildings and walling features around the main facades. The contrast between fronts and backs would be defined by more simple metal cladding towards the rear with green screens that would soften the perception of massing and bulk.
- 8.41 The overall approach seeks to provide a consistent family of industrial buildings that would respond to the current heterogeneous visual appearance of the existing buildings, which contain a range of materials that include brickwork, metal cladding, render, metal roofs, tiled roofs and felt roofs. In the absence of an existing consistent approach, the proposed unified approach is welcomed and would address the odd relationship between the existing building forms within the site. Moreover, the proposed large expanses of glazing on the front elevations would define the office

areas and entrances and would result in a more inviting environment, with acceptable levels of surveillance.

- 8.42 Although final details and specifications of materials, including metalwork and cladding would be reviewed further at condition stage, the proposed approach to materiality is accepted and in line with the functional uses of the industrial site. The proposed neutral colour palette consisting of silver and grey tones with an element of orange panels to provide visual contrast is accepted by the Council's Design and Conservation Team and would create a sense of place within the industrial setting. Due to the above considerations, the development would be acceptable in terms of elevational treatment and materials and would be in accordance with policy D4 of the London Plan (2021) and policy DM29 of the WFLP Development Management Policies (2013).

Public Realm:

- 8.43 Policy D8 of the London Plan (2021) states that every form of development should contain well-designed, safe, accessible, inclusive, and well-connected public spaces, with appropriate landscaping treatment, planting, street furniture and surface materials that are durable and sustainable. The design of the public realm should follow an understanding of how the industrial estate would function to create a sense of place. The proposed landscaping strategy therefore identifies different character areas, which reflect the local natural features of the site and its immediate context.
- 8.44 The proposed public realm would be defined by three main character areas that would respond to the condition and constraints of the site and would seek to uplift the ecological value, considering that the existing condition of the site is largely built over and there is an absence of landscaping. These would include a landscape-led approach towards the brook, a defined access way with appropriate landscaping features along the access routes from Church Road and boundary treatments along Marconi Road and Tallack Road.
- 8.45 Due to the site's position at the east side of Dagenham Brook, the proposed design concept would seek to maximise wildlife and soft landscaping elements towards the west side, to provide a more welcoming edge along the brook and enable informal amenity spaces for future employees. This element of the landscaping strategy would respond to the informal play space and ecological treatment that has been assessed separately under the recently approved planning permission number 220695 on the neighbouring former Percy Ingle site.
- 8.46 The proposed landscaping strategy would consider a different approach towards the east side, by reason that the two access points to and from Church Road would require a different treatment that ensures legibility and accessibility to the site via Estate Way North and Estate Way South. The proposed approach towards the east side would therefore focus on pedestrian and vehicular movements that would be defined by a new street edge and boundary treatment.
- 8.47 Additionally, the proposed strategy would seek to respond to the boundary shared with existing residential properties at Marconi Road and Tallack Road by introducing a consistent and uniform means of enclosure that would be reinforced with planting and green screens on the rear elevations of the industrial buildings. The proposed approach towards the rear boundaries of neighbouring residential properties would be defined by a softer approach that would contribute to the green infrastructure network and biodiversity gain of the site.
- 8.48 Given that the development would focus on landscaping to soften the industrial activity by delivering soft landscaping areas along the boundaries of the site and towards Dagenham Brook, it is considered that the proposed public realm would be

an enhancement, in a way that it would result in an opportunity to improve the ecological value of the site and its connections to the Dagenham Brook.

- 8.49 Due to the above, the proposed design approach that would deliver an acceptable quantum of open space, is supported and considered consistent with policy D8 of the London Plan (2021), by virtue that the proposed landscape-led approach would result in well-designed, safe, accessible and inclusive public realm spaces that would co-exist with the industrial uses of the proposed development.

Conclusion on Layout, Scale and Design:

- 8.50 The proposed industrial buildings and public spaces would be acceptable under design, massing, bulk, materiality, and landscaping considerations, in that these would respond to the existing spatial flaws of the industrial estate by reinforcing links, pedestrian/cycle safety and building consistency and articulation. The proposed height and building footprint would conform with the proposed industrial intensification. Overall, the development would incorporate appropriate design guidelines in response to the aspirations for the site and the objectives of policy D4 of the London Plan (2021), policy CS15 of the WFLP Core Strategy (2012) and policies DM29 and DM32 of the WFLP Development Management Policies (2013).

D. IMPACT ON AMENITY

- 8.51 Policy D3 of the London Plan (2021) states that development proposals should make the best use of land and should provide appropriate visual outlook, privacy, and amenity. Moreover, development proposals should adopt mitigation measures to reduce any impact with regards to noise and poor air quality. Policy D3 of the London Plan (2021) seeks for a design-led approach, which should be based on an understanding of the site's conditions and the surrounding context of the site to establish the acceptability of the proposed form of development. Additionally, policy D4 of the London Plan (2021) seeks for high quality design and place-making principles that fully address visual, environmental and amenity considerations. New development should also minimise overshadowing and avoid any loss of daylight and sunlight on neighbouring sites, in accordance with the guidance provided within the 'BRE – Site Layout Planning for Daylight and Sunlight'.
- 8.52 Policy DM32 of the WFLP Development Management Policies (2013) states that when considering the impact of a new development on neighbouring amenity, the Council should have regards to (among other aspects) access to daylight and sunlight and shall only find development acceptable where it would not cause a detrimental impact on amenity of adjoining or future occupiers.
- 8.53 The ten existing industrial buildings would be replaced with five larger warehouse buildings. The proposed development would involve the formation of a new building line and visual relationship between the application site and the rear boundaries shared with residential properties at Marconi Road and Tallack Road. The proposed changes to the building configuration seek to respond to the requirements of policy E7 of the London Plan (2021), which only supports industrial developments that incorporate appropriate design mitigation measures to reduce any impact on amenity of nearby residents by minimising conflict between industrial uses and their surrounding sites.
- 8.54 The proposed principles of Agent of Change are assessed separately in Section E of the committee report. Additionally, details of design and visual impact that seek to respond to visual quality of building environment and visual amenity are also assessed separately in Section C of the committee report. Notwithstanding these assessments, the proposed building height, massing, and separation distances from neighbouring properties are reviewed as follows, with a comparison between existing

and proposed building forms to understand the effects on residential and visual amenity thoroughly:

8.55 Existing Building Form to be Demolished and Separation Distances:

- The existing buildings linked to the decommissioned waste handling depot labelled as Buildings E1, E2, C and D in Plan 2 for the 'Existing Site Plan and Building Location' (paragraph 8.8 above) adjoin the rear properties at Marconi Road (specifically Buildings C and D), which are positioned at approximately 7.00 metres from the rear boundary shared with residential terraces at Nos. 40 – 68 Marconi Road (approximately 16.80 metres from the rear elevation). Building C is the main warehouse building which has a maximum height of approximately 9.00 metres that slopes down to approximately 7.40 metres.
- The rear boundaries of residential properties at Nos. 34 – 38 Marconi Road overlook an open storage yard with no consistent means of enclosure. This yard was used in connection to the decommissioned waste processing use.
- The separation distance from the warehouse building towards southeast along the boundary shared with the Former Percy Ingle site is approximately 7.00 metres.
- The existing building labelled as Building H in Plan 2 for the 'Existing Site Plan and Building Location' (paragraph 8.8 above) was used as a waste handling storage warehouse and has an extremely limited separation distance of approximately 0.60 metres at its closest distance from the rear boundary at No. 32 Marconi Road (approximately 10.30 metres from the rear elevation at its closest distance) and 5.70 metres at its longest distance from the boundary shared with No. 18 Marconi Road (approximately 15.50 metres at its longest distance from the rear elevation). Building H has a maximum height of approximately 10.00 metres that slopes down to approximately 8.00 metres
- Existing buildings labelled as E1, and E2 in Plan 2 of the 'Existing Site Plan and Building Location' (paragraph 8.8 above) abut the side elevation of No. 32 Marconi Road and therefore have limited impact on the visual outlook provided to this residential property.
- Existing building labelled as H1 in Plan 2 for the 'Existing Site Plan and Building Location' (paragraph 8.8 above) abuts the rear boundaries shared with residential terrace properties at Nos. 44 – 56 Tallack Road and retains a separation distance of approximately 12.00 metres from the rear boundary of these properties (approximately 18.50 metres from the rear elevation). This building is used as a retail sale of cosmetic and toilet articles. The building measures approximately 9.60 metres in height that slopes down to approximately 7.50 metres in height at eaves.

8.56 Proposed Building Form and Relationship with Tallack Road and Marconi Road:

- Proposed Buildings 2, 3 and 4 would adjoin the rear boundaries shared with residential properties at Nos 34 to 68 Marconi Road. The building would have a separation distance of approximately 5.00 metres from the rear boundary shared with properties at Marconi Road (approximately 15.00 metres from the rear elevation of these residential properties). The building would have a ridge height of 11.47 metres that would slope down to 10.25 metres at parapet level.
- Proposed Building 5 would abut the rear boundaries shared with residential terrace properties at Nos. 44 – 56 Tallack Road. The building would have a separation distance of approximately 7.70 metres from the rear boundary of these terrace houses (approximately 15.20 metres from the rear elevation of these

houses). The building would have a ridge height of 9.08 metres that would slope down to 8.15 metres at parapet level.

- The proposed Buildings 1 and 1A towards the southeast side boundaries towards the Former Percy Ingle site would retain the existing separation distance as existing (approximately 7.00 metres). The proposed building, if assessed against the approved development at the Former Percy Ingle Site (Ref. 220695) would retain a separation distance of 15.60 metres from the approved linear blocks containing light industrial units within this neighbouring site.
- Proposed Building 7 would abut the side elevation of No. 32 Marconi Road and would retain a separation distance of approximately 13.80 metres from the side elevation of this property. The building would have a maximum height of 11.36 metres at ridge line that would slope down to 10.25 metres at parapet level.
- Proposed Building 8 would adjoin the rear boundaries shared with residential properties at Nos. 18 – 30 Marconi Road and would retain a consistent separation from the rear boundary of these properties of approximately 7.00 metres (approximately 16.80 metres from the rear elevation of these terrace houses). The building would have a maximum height of 11.20 metres that would slope down to 10.25 metres at parapet level.

Visual Outlook:

- 8.57 The proposed building line would result in a separation distance that would range between 5.00 metres and 7.70 metres from the rear boundaries shared with neighbouring residential properties at Marconi Road and Tallack Road, which would result in a separation distance that would range between 15.00 metres and 15.20 metres when measured from the rear elevations of neighbouring residential properties at the east and north sides. The proposed building height would range between 8.15 metres and 10.25 metres (at eaves). Given that the building layout would introduce a separation between Buildings 4 and 7 towards the Marconi Estate, the overall scale and massing of the building line would be broken down.
- 8.58 The proposed building height at eaves would only have an additional height of approximately 2.80 metres towards Marconi Road and an additional height of 0.65 towards Tallack Road, when compared to the existing building height. Given the difference in ground level and that residential properties at Marconi Road are elevated by approximately 2.50 above the existing site, the sense of massing that would result from the additional height would be reduced when perceived from the rear elevations of these properties. In addition, the proposed sense of massing would also be reduced by reason that the development would incorporate freestanding green screens to the rear and sides of the industrial buildings, which would seek to break up the elevations further and reduce the sense of massing. As such, the development would not appear as an incongruous addition when perceived from the rear elevations of properties at Marconi Road and Tallack Road and would protect the visual outlook provided to existing residents of these houses.
- 8.59 The proposed building line would seek to provide a consistent height and setback to respond to the existing condition of the site, to address existing issues concerning visual outlook. For example, properties at Nos 34 – 38 Marconi Road currently overlook an open storage yard that fails to provide an attractive outlook towards the rear of these properties. These properties would now overlook Building 4, which would be in line with the visual outlook provided to other properties at the northwest side of the Marconi Estate, which would overlook Buildings 2 and 3.
- 8.60 Furthermore, the proposed Building 8 at the north side would now have a consistent setback from the rear boundaries shared with Nos. 18 – 30 Marconi Road of approximately 7.00 metres, which would respond to the existing separation distance,

which is extremely limited (less than 1.00 metre towards the northeast side of the site). Whilst the height and massing of Building 8 would be increased when compared to the building to be demolished, the proposed setback would now be acceptable, resulting in a separation distance of approximately 16.80 metres from the rear elevations of Nos. 18 – 30 Marconi Road.

- 8.61 With regards to properties at 44 – 56 Tallack Road, the proposed building line would result in a separation distance that would be reduced by 4.30 metres. However, the height would only be slightly increased by approximately 50 centimetres (at eaves) and given the proposed overall setback of 15.20 metres from the rear elevation of these houses and considering that extensive landscaping would be introduced along the northwest boundary of the site, including green screens, the impact on visual outlook would be limited.
- 8.62 In light of the above considerations, the impact on amenity with regards to visual outlook raises no concerns and the proposed industrial buildings would cause no sense of enclosure or canyon effect when seen from the rear elevations or gardens of residential properties at Marconi Road or Tallack Road.

Daylight, Sunlight and Overshadowing:

- 8.63 A 'Daylight and Sunlight Report' (dated 13th January 2023) provides a detailed assessment of the impact that the development would cause on neighbouring residential properties at Marconi Road and residential properties at Tallack Road, which are positioned towards the north and west sides of the site. Any impact with regards to overshadowing on the outdoor private gardens of residential properties at Marconi Road would not raise concerns, by virtue of the acceptable separation distance from the rear boundary of these properties and the fact that any overshadowing would result from Building 7 towards the north side, which would overshadow a service yard within the proposed development. Whilst Building 5 would cause some overshadowing towards the north side along the boundaries shared with residential properties at Tallack Road, any impact would be negligible, considering the fact that these warehouse buildings would have a lower height of 8.15 metres and would be positioned at an acceptable distance from the boundary line.
- 8.64 The submitted report undertakes a detailed analysis of the Vertical Sky Component (VSC) and no-skyline daylight distribution (NSL) to measure the impact on daylight and sunlight, including the Annual Probable Sunlight Hours (APSH) to test the percentage of probable hours of sunlight received by a window or room over the course of a year. The guide suggests that neighbouring residents would only notice the loss of sunlight if the APSH to main living rooms is both less than 25% annually (with 5% during winter) and if the amount of sunlight, following the proposed development, is reduced by more than 4% to less than 0.8 times its former value. Additionally, the guidance suggests that daylight would be adversely affected if any window achieves a VSC below 27% and has its levels reduced to less than 0.8 times its former value.
- 8.65 The report includes an overshadowing study with an analysis that follows that guideline, which suggest that if at least 50% of external private amenity areas receive at least 2 hours of sun on the 21st March, then it is likely that these external amenity spaces would remain adequately lit throughout the year. Notwithstanding the recommendations under the BRE guidelines and numerical values, it is important to note that this guideline is not mandatory and is only seen as an instrument to assess any impact on natural lighting. For that reason, the guideline should be interpreted in a flexible manner.
- 8.66 The report provides detailed results of the daylight and sunlight assessments in the context of windows serving neighbouring properties at Marconi Road and Tallack

Road. In the absence of residential windows at the south and west sides of the site, the impact is only reviewed against the following neighbouring residential properties:

22 – 74 Marconi Road:

- 8.67 These two-storey residential houses are positioned towards the east side of the site. The results of the VSC assessment show that a considerable majority of residential properties towards the west side of the site would satisfy targets for protecting daylight and sunlight. Given that the rear windows at ground floor level on these residential properties serve kitchen/dining areas, any impact on habitable windows would not raise significant concerns.
- 8.68 As noted, ground floor windows serving Nos. 22, 40, 52 and 64 Marconi Road would experience a shortfall ratio reduction that would range between 0.51 and 0.78 times its former value. However, this shortfall is not considerably short of the BRE recommended target of 80 times. Overall, properties along Marconi Road would retain good levels of sunlight and daylight and the levels would exceed 20% VSC, which is considered acceptable for an urban context. With regards to daylight distribution (DD), most of the ground floor windows would remain BRE compliant for daylight amenity, with small shortfalls on daylight distribution at Nos. 44 – 68 Marconi Road, which are considered minor and not of material concern.

44 – 56 Tallack Road:

- 8.69 These two-storey row of terrace houses are located at the northwest side of the site. The report concludes that one ground floor window within 46 Tallack Road, two ground floor windows at 50 Tallack Road, and one ground floor window at 54 Tallack Road would marginally experience a reduction in levels below the 27% target. However, the ground floor level kitchens would still exceed a 20% VSC, which is on balance accepted on an urban setting. The effect on the daylight and sunlight afforded to these properties is therefore limited.

Privacy and Overlooking:

- 8.70 The Mayoral Housing SPG (2016) states that development should maintain a distance between habitable windows that exceeds 18.00 metres. The SPG adds how there should be adequate levels of privacy in relation to neighbouring properties, the street scene, and other public places. The proposed industrial buildings raise no concerns in terms of impact on privacy and overlooking on neighbouring sites, by virtue that these would not introduce window that would overlook neighbouring sites. The proposed rear elevations of the industrial windows would have horizontal profile cladding in silver colour and the proposed framed entrance doors and aluminium windows would mainly overlook the proposed service yards with no ability to overlook neighbouring residential properties at Marconi Road or Tallack Road.
- 8.71 In the absence of residential windows within the proposed development and because the separation distance between the buildings and neighbouring sites would exceed 15.00 metres, the development does not raise concerns in terms of visual intrusion on neighbouring residential windows.
- 8.72 In light of the above considerations, the development would have no harmful impact on residential amenity in terms of loss of privacy and would meet the requirements of policy D6 of the London Plan (2021) and the Mayor's Housing SPG (2016), which recommends a minimum separation of 18.00 to 21.00 metres between habitable windows to ensure protection of privacy for residents.

Noise and Vibration:

- 8.73 Policy D14 of the London Plan (2021) requires mitigation measures on existing and potential adverse impacts with regards to noise and vibration because of new

development proposals, to enhance the acoustic environment of the site and its surroundings. In addition, policy DM24 of the WFLP DM Policies (2013) states that all major developments should aim to minimise the adverse impacts of noise through design, management, and operation.

- 8.74 The submitted 'Noise Impact Assessment' (dated 9th December 2022) sets out a detailed baseline noise monitoring methodology and provides details of a long-term survey that was undertaken between the 21st and 25th April 2022 at key positions. The survey identifies the dominant noise sources as industrial related activities, including HGV movements from existing on-site operations, that include night time movements occurring concurrently. Given the proposed design and screening of service yards with consistent treatments, the 'Noise Impact Assessment' concludes that the proposed HGV movements would see a reduction in HGV noise levels when compared to the existing estimated usage and would therefore ultimately improve the current conditions on amenity with regards to noise, particularly when perceived from sensitive receptors at Marconi Road and Tallack Road.
- 8.75 Additionally, given that the rear elevations of the proposed industrial buildings would be positioned along the boundaries shared with residential properties at the south, east and north sides, the openings of these facades are very limited, to ensure that internal industrial activities have no effects on the acoustic environment of neighbouring residents.
- 8.76 In light of the above, the proposed development would not raise concerns with regards to harmful impact on amenity in terms of noise and general disturbance in connection to vibration, by virtue of the proposed design measures, including boundary treatment and building layout. Appropriate mitigation measures, such as conditions requiring a construction/demolition method statement, details of noise mitigation measures, and noise levels controlled from plants are recommended, as advised by the Council's Environmental Health Team, in compliance with the requirements of policy D14 of the London Plan (2021) and policy DM24 of the WFLP Development Management Policies (2013).

Conclusion on Impact on Amenity:

- 8.77 The proposed development would be acceptable in terms of impact on amenity of neighbouring properties with regards to privacy, noise, loss of sunlight/daylight and visual outlook. Any impact with regards to noise, vibration, dust, and air quality is reviewed below in Section G of the committee report. On balance, the proposed building configuration and introduction of a consistent boundary treatment with a more landscape-led approach that would introduce green screenings to soften any perception of height and massing would protect the living environment of neighbouring residents with regards to visual amenity. As such, the proposal would not constitute an un-neighbourly form of development and would accord with policy D6 of the London Plan (2021) and policy DM32 of the WFLP Development Management Policies (2013).

E. AGENT OF CHANGE

- 8.78 Policy D13 of the London Plan (2021) sets out the agent of change principles, which requires mitigating measures with regards to noise and other nuisance-generating activities on proposed noise-sensitive developments. In addition, policy E7 of the London Plan (2013) also sets out principles of industrial intensification, co-location and substitution and requires development proposals that involve industrial uses to consider adequate operational requirements and design mitigation measures to reduce conflict between industrial activities and neighbouring residential sites to ensure that adequate levels of amenity for residents are protected, particularly with regards to noise.

- 8.79 The proposed development would consider 'Agent of Change' principles in respect of noise-generating uses and would address concerns with regards to pedestrian safety, air quality, dust, odour, light and vibration, by virtue of the orientation of the proposed industrial buildings with clear fronts overlooking the servicing yards and the rear elements towards residential properties, to screen the servicing yards in a way that these remain fully separated external spaces. This consideration follows a detailed evaluation of the submitted 'Noise Impact Assessment' (dated 9th December 2022), which concludes that the noise levels relating to HGV movements would improve existing conditions, by reason of building configuration and a consistent means of enclosure between the development and neighbouring sites. The proposed building configuration would therefore introduce acceptable mitigation measures by a clear separation noise sensitive sites from noise-generating activities that would be linked to the development, by appropriate screening, setback, and acoustic attenuation design measures.
- 8.80 In light of the proposed measures, which include the introduction of a consistent boundary treatment, the introduction of green screens along the boundaries and the demarcation between pedestrian/cycle flows and industrial movements, the proposed principles of Agent of Change are welcomed. Whilst the proposed hours of operation would enable 24 hours activity within the seven days of the week to ensure industrial intensification, the proposed mitigation measures would justify the operating hours and these would be accepted under a strategic point of view, by reason that the industrial units would supply chain infrastructure and would maintain stock levels of retailers in a way that efficiency would be optimised in hours when congestion is lower.
- 8.81 Moreover, it is noted that the proposed absence of restrictions in terms of opening hours would be consistent with the approach that has been adopted on other employment premises within the surrounding area, including Orient Industrial Park, the Leyton Business Centre, the Golden Business Park in Orient Way, and the Leyton Industrial Village in Argall Avenue. The no restriction seeks to attract business from a wide range of sectors and given that the proposed design approach would consider neighbouring residents in a way that noise impact would be mitigated, the unrestricted hours can be accepted. Under these terms, the Council's Environmental Health Officers raise no objections with regards to noise or disturbance.
- 8.82 The GLA confirmed that the proposed development satisfies in principle the requirements of policies D13 and E7 of the London Plan (2013), provided that appropriate mitigation measures for the envelope of the proposed industrial buildings are secured by condition, to ensure that the living conditions of neighbouring residents is protected. Details of mitigation measures with regards to noise and dust, which include the installation of dust management monitors, are therefore recommended by conditions, in line with the advice given by the Council's Environmental Health Team.

F) TRANSPORT AND HIGHWAYS

- 8.83 Policy T1 of the London Plan (2021) states that proposals should support the delivery of the Mayor's strategic target of 80% of all trips in London to be made by foot, cycle, and public transport by 2041. Policy T1 of the London Plan (2021) also requires development proposals to make the most effective use of land, in a way that these acknowledge the connectivity and accessibility of existing and future transport links, walking and cycling routes to ensure that any impact on the London's transport networks and supporting infrastructure is mitigated. In addition, policy T4 of the London Plan (2021) requires a detailed revision of Transport Assessments to review the impact and the compatibility that development proposals would have on travel

and the requirements for servicing and delivery, to avoid any impact on all modes of transport, including cycling and walking.

- 8.84 At a local level, Core Strategy Policy CS7 (2012) states that the Council will promote sustainable travel by guiding developments to accessible locations, to reduce the need to travel by car and to encourage walking, cycling and the use of public transport. Additionally, policy DM14 of the WFLP Development Management Policies (2013) states that the Council will encourage sustainable modes of travel. Major developments should contribute to a well-connected network of streets to optimise permeability and legibility. In addition, development proposals should seek to enhance the walking and cycling environment of application sites and their surroundings. The key highways and transport issues are reviewed below as follows:

Trip Generation:

- 8.85 Policy T3 of the London Plan (2021) seeks for development proposals to connect to local public transport and active travel networks by facilitating the delivery of local connections. In addition, policy T4 of the London Plan (2021) aims to minimise the cumulative impact of development on public transport to reduce any associated effects on safety and public health.
- 8.86 The submitted 'Healthy Streets Transport Assessment (dated December 2022) and 'Technical Note for Multimodal Trip Generation Analysis' (dated March 2023) sets out the multimodal trip generation of the existing site, which outline details of the site when it was fully operational and employed approximately 200 people, which is associated with the former waste and skip hire operations, which generated a total of 888 inbound and 877 outbound trips over the day. The submitted 'Technical Note' provides a detailed trip analysis and net change in trip generation forecasts, which result in a significant decrease because of the development, by virtue that the number of people walking and cycling to the site would be increased by 197 inbound and 175 outbound. This would result in an expected two-way trip forecast of 457 daily vehicle movements (237 arrivals and 220 departures). The forecast has been carried out against employment densities and expected modal split movements, which result in a substantial decrease in vehicular movements.
- 8.87 The proposed sustainable modes of travel would be reinforced by the proposed 3 metres wide route along Dagenham Brook, which is seen as an opportunity to introduce a strategic walking and cycling route from Marsh Lane to Lea Bridge Road. A condition recommending the submission of a Management and Maintenance Plan of this route has been secured, to ensure that the details with regards to lighting, security, materiality, and maintenance are consistent with the details that have been also secured by condition on the former Percy Ingle Site, which was approved under planning application reference 220695. As such, a financial contribution for the restoration of Dagenham Brook has also been secured.
- 8.88 As noted, the existing site is also characterised by Heavy Good Vehicles (HGV) movements and a large number of these are associated with the former waste operations and skip hire companies that served the waste handling waste depot. The proposed reduction in HGVs movements and provision of more sustainable forms of industrial function of the site is welcomed.

Car Parking and Highways Works:

- 8.89 The streets surrounding the site are part of a Controlled Parking Zone (CPZ), except for Marconi Road. This prevents any site users from parking on the local surrounding roads. The site holds a Public Transport Accessibility Level (PTAL) of 2 to 3, which is classified as 'poor' and it's positioned at approximately 1.5 kms from Lea Bridge Railway Station. The development would include the provision of 73 car parking spaces, in compliance with policy T6.2 of the London Plan (2021), which sets a

maximum parking provision of 1 space per 600 sqm in Outer London Opportunity Areas. Whilst the proposed quantum of parking is supported, a condition requiring a Car Parking Management Plan is recommended, to assess details with regards to electric vehicle charging points and passive infrastructure, allocation of parking spaces per industrial unit, parking management/enforcement measures, road marking details and specifications of security of gates.

- 8.90 Overall, the parking layout is supported, as these would be accessed via the two existing entrances from and to Church Road, and the parking spaces would be located adjacent to building access points but away from servicing areas for heavy good vehicles (HGVs). The development is reviewed as an opportunity to improve pedestrian access from the junctions at Church Road to respond to highways safety and encourage sustainable modes of travel.
- 8.91 As such, the highways works include reconstructing access points and creating a continuous pathway for pedestrians and cyclists, including increasing the width of the existing footpath at Estate Way North to 1.80 metres and the construction of a new footpath along Estate Way South, with a minimum width of 1.80 metres, in compliance with accessibility guidance. The proposed approach is welcomed and considered consistent with the vision to uplift sustainable modes of travel to respond to the fact that Church Road is a designated cycle way that provides links between Leyton High Road and the A104.
- 8.92 The highways team advised that the development should be built to existing public highways levels and water cannot be discharged onto the public highways. S278 works will be required upon completion of the works relating to the development prior to occupation, and the extent of works will include the following, to ensure that the development has no harmful impact on the public highways:
- Reduction in width and amendments to the treatment of the existing junctions at Church Road/Estate Way North and South. The detail and works required will be subject to the assessment of future trip generation and vehicle classification at these junctions;
 - The provision of street lighting to the same standards as public highway;
 - Changes to the private parking management;
 - Provision of 1.8 metre demarked footways on Estate Way North and South; and,
 - Private road drainage.

Servicing and Delivery:

- 8.93 The servicing areas would be positioned at the front of the new buildings with designated loading areas. Although a draft Delivery and Servicing Plan (DSP) has been submitted, with details of how conflicts between vehicles and pedestrian links would be minimised and details of delivery and servicing forecasts, a detailed Delivery and Servicing Plan is recommended by condition and a financial contribution towards monitoring has been agreed. Moreover, a separate condition requiring details of a waste and refuse strategy is also recommended, to assess in detail bin storage capacity, location, and collection routes of bins.

Travel Plan:

- 8.94 A Travel Plan dated March 2023 has been submitted with the application, which states that the framework travel plan would be initiated once the development is completed and will be submitted within 3 months from full occupation, to ensure that sustainable travel options in relation to the site are secured. A financial obligation towards the implementation and monitoring of the travel plan has been secured, to monitor car parking usage and identify opportunities to reduce vehicular movements

further where appropriate. The proposed travel plan is proposed to be implemented over a five-year period, which is welcomed.

Cycle Parking:

- 8.95 The proposed cycle stores would be built adjacent to each industrial unit. The stores would be covered, secured and well-lit. The provision of external cycle stores is accepted, by reason that these would be positioned in accessible locations close to the proposed entrances to each unit. The development would accommodate a total of 42 cycle spaces, in the form of Sheffield stands, in compliance with the minimum standards set out in Table 10.2 under policy T5 of the London Plan (2021). Overall, it is considered that the proposed cycle facilities would be high-quality, as these would also be linked to supporting facilities within each industrial unit, including accessible toilets and showers that would serve cyclists within each industrial unit. Notwithstanding the acceptability of the proposed quantum of cycle parking provision, a cycle parking strategy is recommended by condition, to ensure that the number of Sheffield stands are acceptable.
- 8.96 Whilst the site has a low PTAL level, the proposed cycle parking strategy would support a more sustainable modes of travel from Church Road and beyond through the site, considering the number of residential properties within the wider setting of the site, which are positioned at a cycling distance of 5 kilometres. This would therefore result in future employees living within a cycling distance to use the proposed continuous links, particularly along the proposed route at Dagenham Brook and enhanced cycle routes at Estate Way North and Estate Way South, which would connect the site to future routes at Marsh Lane, Leyton Jubilee Park, Orient Road and Lea Bridge Road. As advised by the GLA, the shared path at Dagenham Brook is welcomed and in line with policy T5 of the London Plan (2021).

Conclusion on Highways and Transport:

- 8.97 In light of the above considerations, Highways Services have no objections against the proposed development, subject that a Section 278 agreement is secured for the works, which would be required on completion with financial contributions and conditions that are also recommended. Conditions requiring details of drainage/SuDS, a detailed Construction Logistics Plan, a Servicing and Delivery Plan, a Car Park Management Plan, external illumination, and Stage 2/Stage 3 road safety audits are secured, as requested by the Council's Highways and Transport Policy Teams. The development would therefore be consistent with policies T1, T5, T6 and T7 of the London Plan (2021) and policies DM13, DM14 and DM16 of the WFLP Development Management Policies (2013).

G) WASTE MANAGEMENT

- 8.98 Policy SI7 of the London Plan (2021) promotes a more circular economy that improves resource efficiency that encourages waste minimisation and waste prevention through the re-use of materials. The policy requires the submission of a Circular Economy Statement for all major applications that are referable to the Mayor of London. Additionally, policies D3 and SI8 of the London Plan (2021) seek for development proposals to integrate principles of circular economy as part of the design process in response to waste needs in a way that measures to reduce waste in line with the principles of the Circular Economy are fully considered.
- 8.99 At a local level, policy DM32 of the Development Management Local Plan (2013) also states that new developments should ensure that the provision of adequate facilities

for the storage, collection and disposal of refuse are delivered in a secured way. Development proposals should be consistent with the 'Waste & Recycling Guidance for Developers' (2019) in terms of design to ensure safe and secure storage facilities with appropriate collection arrangements.

- 8.100 The submitted 'Site Waste Management Plan' (dated March 2023) provides details of how waste would be managed, with the aim to maximise the use of reclaimed materials on site and dispose of reusable materials in a way that others can reuse these. The proposed management plan includes a logistics plan that would aim to be efficient. Given the commercial nature of the industrial development, forthcoming occupiers would select different waste contractors that could operate different waste collection regimes and therefore there is no single method of managing the waste at application stage. Notwithstanding this, the proposed strategy provides detailed consideration on measures to reduce, segregate and dispose waste and includes an indicative location of the refuse and waste stores within each industrial unit, by reason that these would be managed by the occupier of each unit.
- 8.101 The proposed space for vehicle movement and loading with direct access either from Estate Way North or Estate Way South is accepted by the Council's Highways Team. Notwithstanding the acceptability of the proposed waste strategy, a condition requiring an updated waste strategy is recommended, to review a detailed refuse and recycling strategy and 'Delivery and Servicing Management Plan' for the physical operation of the site in compliance with policy DM32 of the Development Management Local Plan (2013).

H) ENVIRONMENTAL IMPACT OF THE DEVELOPMENT

- 8.102 Policy DM24 of the WFLP Development Management Policies (2013) seeks to control and mitigate impact on environmental issues, including air quality, land contamination, drainage, flood risk, biodiversity, water efficiency, and green infrastructure. The environmental issues of the development are therefore reviewed as follows:

Air Quality:

- 8.103 Policy SI1 of the London Plan (2021) sets out the requirements for new development proposals to address poor air quality. All forms of development must be at least air quality neutral. At a local level, policy DM24 of the WFLP Development Management Policies (2013) states that new developments should neither contribute nor suffer from unacceptable levels of air pollution. All major applications should demonstrate appropriate mitigation measures through an Air Quality Assessment.
- 8.104 At a local level, policy DM24 of the WFLP Development Management Policies (2013) states that new development proposals should neither contribute nor suffer from unacceptable levels of air pollution. A borough-wide air quality management area (AQMA) has been declared in the London Borough of Waltham Forest and therefore there is the requirement to reduce the level of nitrogen dioxide and other particular matter emissions.
- 8.105 The submitted 'Air Quality Impact Assessment' dated December 2022 was reviewed by the Council's Air Quality Officer. The report provides details of the baseline air quality conditions of the site and covers the impact that would result from traffic emissions, including the impact that would result from the construction phase of the development, particularly with regards to dust emissions. In addition, the assessment includes a detailed evaluation of the operational phase of the development with impacts on future occupiers and their exposure to the prevailing levels of air pollution.

- 8.106 Additionally, a revised ‘Dust Risk Assessment and Dust Management Plan’ (dated March 2023), which outlines mitigation measures to reduce emissions of pollution on air in connection to dust, gases and particles was submitted and reviewed. The proposed measures include avoidance on the deposit of dust on neighbouring properties, introduction of dust screen netting and introduction of waste stores in either small or large capacity skips within the site, which would remain separated from neighbouring residential properties.
- 8.107 As advised by the Council’s Environmental Health Team, the submitted ‘Air Quality Assessment’ is acceptable and therefore air quality would not pose a constraint for the development. Whilst the Air Quality and Dust Management Plan concludes that monitoring is not recommended at this stage, the Air Quality Officer recommends continuous visual assessments for the site, by reason of on-going complaints from neighbouring residents with regards to dust nuisance within the Marconi Estate. As such, a condition requiring an automatic dust monitor on site is recommended, to assess concerns efficiently to re-assure residents that dust levels would not be increased as a result from the development.
- 8.108 Due to the above, the development would be acceptable with regards to air quality and pollution and in accordance with policy SI1 of the London Plan (2021) and policy DM24 of the WFLP Development Management Policies (2013), subject to conditions in connection to non-road mobile machinery requirements and the provision of an on-site automatic dust monitor on site. Moreover, a financial contribution that ensures that the development protects the amenity and health of neighbouring residents in terms of air quality has also been secured.

Water Efficiency:

- 8.109 Policy SI5 of the London Plan (2021) states that development proposals should minimise the use of water in line with the operational requirements of Building Regulations. These requirements can be met through the capture and re-use of surface, greywater, and rainwater. In addition, policy DM34 of the WFLP Development Management Policies (2013) states that every form of development should implement water efficiency measures on any development exceeding 100 sqm in floor area, in line with the requirements of policy SI5 of the London Plan (2021).
- 8.110 The submitted ‘Energy and Sustainability Strategy’ dated 21st December 2022 includes measures that would ensure that water consumption is reduced and managed within each industrial unit, with efficient components within sanitary areas during the fit out works, and the installation of water meters that would be specified on the mains supply of each industrial unit. Overall, the development would adopt acceptable sustainable measures and would incorporate water efficient fixtures into the design, to reduce effective flush volumes of water. Notwithstanding the above considerations, a condition requiring a water leak detection system is recommended, as advised by GLA Officers within the Stage 1 Report, to ensure that the requirements of policy SI5 of the London Plan (2021) and policy DM34 of the WFLP Development Management Policies (2013) are met.

Flood Risk and Urban Drainage:

- 8.111 A ‘Flood Risk and Drainage Impact Assessment’ revised in April 2023 identifies potential flood risks on the site, considering that there are limited areas of the site along its perimeter at the west side that fall within Zone 2 flooding areas and the fact that the existing site has limited drainage, as it’s almost entirely built over with impermeable hard standing with very limited of permeable soft landscaping. Given that the site is almost entirely within a Flood Zone 1, there is no requirement to raise

finished floor levels to reduce any flood risk. The levels of the industrial areas would therefore remain unchanged.

8.112 The revised report re-calculates the greenfield discharge rate and incorporates the amended greenfield runoff rate with attenuation volumes that remain above ground when possible. The report also addresses potential sources of flooding (fluvial, tidal, sewers, surface water and ground water), which are identified as low. Notwithstanding the low risk of flooding, the proposed surface drainage strategy and drainage systems (SuDS) have been considered as part of the design process, which include green roofs, soakaways, permeable paving on the servicing yards, rain gardens and water butts. The GLA advised that a Flood Warning and Evacuation Plan (FWEP) would need to be prepared and reviewed at condition stage, which should consider identified risks of reservoir flooding.

8.113 Overall, the submitted 'Flood Risk Assessment' confirms that the development would be safe and would not increase the risk of flooding within the site or elsewhere. The proposed industrial development is considered suitable for the site and there is no requirement to set finished floor levels above a specific level as localised on-site surface water flooding would not pose a risk. Moreover, the development would incorporate acceptable flood risk reduction measures and would therefore be consistent with policy SI12 of the London Plan (2021) and policy CS5 of the WFLP Core Strategy (2012).

Land Contamination:

8.114 Policy SD1 of the London Plan (2021) only supports developments that take appropriate measures that deal with contamination that may exist within a site. Policy CS13 of the WFLP Core Strategy (2012) sets out that the Council will aim to create and develop healthy and sustainable places and communities. Development proposals are required to meet appropriate standards that address the risks arising from contaminated land and hazardous substances. In addition, policy DM24 of the WFLP Development Management Policies (2013) states that sites which are potentially contaminated should identify risks and agree on a strategy to overcome these risks.

8.115 The submitted 'Phase II Geo-environmental and Geo-technical Site Assessment' (revised in April 2023) provides details and the scope of works for ground investigation and conditions, including findings on heavy metals, asbestos in soil, ground gas and groundwater in the monitoring wells, where some concentrations of contamination within the northern portion of the site were identified, which would require mitigation measures.

8.116 As advised by the Council's Land Contamination Officer, groundwater monitoring is required, and a remedial method statement should also be reviewed at condition stage. Conditions requiring an asbestos survey and a verification report that provides details of the data in order to demonstrate that works set out in the remediation strategy are complete are therefore recommended, to ensure that the development doesn't pose a risk for future residents of the site and meets the requirements of policy SD1 of the London Plan (2021), policy CS13 of the WFLP Core Strategy (2012) and policy DM24 of the WFLP Development Management Policies (2013).

Ecology:

8.117 London Plan Policy G6 (2021) states that "development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best ecological information and addressed from the start of the development process". Policy DM35 of the WFLP Development Management Policies (2013) seeks for the avoidance of detrimental impacts in designated sites of ecological importance. The policy also states that development proposals should

provide measures to support species and habitats using appropriate landscaping strategies.

- 8.118 The application site is partly enclosed and contains industrial buildings with hard landscaping that have no ecological value. Waltham Forest is a 'competent authority' under the Habitats Regulations as it shares a boundary with the Epping Forest Special Area of Conservation (SAC) and the development is within the wider 'Zone of Influence' that identifies recreational pressure on the SAC, as it is located at approximately 2.26 kms to the east. However, due to the nature of the industrial development and considering its position within proximity to the Leyton Jubilee Park, which accommodates a playground and café with sports grounds, the development would not create recreational pressures on the SAC. Under these terms, Natural England raises no objections on the proposed development.
- 8.119 The submitted 'Preliminary Ecological Appraisal and Bat Building Survey' (dated December 2022) provides details of the survey results on habitats within the site, which are largely to have ecological value within the immediate vicinity only along the west side at Dagenham Brook. Although the population of protected species within the site is not significant, a condition with details of a 'Construction, Environmental Management Plan' (CEMP) is recommended, to ensure that protected species on site are safeguarded, particularly by reason of the ecological value of the western side of the site along Dagenham Brook.
- 8.120 The submitted details were reviewed in detail by the Council's Tree and Landscaping Team, who support the recommendations that are set out by the 'Preliminary Ecological Appraisal (PEA) and Bat Survey', as these would incorporate suitable measures to safeguard protected species and consider acceptable precautions on clearance of vegetation in respect to bats in trees, breeding birds, and other groups of species.
- 8.121 In addition, the Council's Regeneration Team request a financial contribution towards the future regeneration of Dagenham Brook, in line with the strategic approach that has been adopted on forthcoming developments within the emerging LSIS, such as the Former Percy Ingle Site. The proposed vision to uplift the open space and regenerate Dagenham Brook as a key focal green space that would link the site with its wider setting, is welcomed and likely to support a net gain in biodiversity. A detailed landscaping assessment, including urban greening for the proposed development is also reviewed in detail in Section L of this planning committee report.
- 8.122 Having considered the potential effects on the Epping Forest SAC and given the fact that the development would have no harmful impact on the biodiversity and ecological value of the site, Natural England and the Council's Tree and Landscaping Officer support the application. The development would therefore be in accordance with policy G6 of the London Plan (2021) and policy DM35 of the WFLP Development Management Policies (2013).

Green Infrastructure and Urban Greening:

- 8.123 Policy G5 of the London Plan (2021) states that major development proposals should contribute to urban greening and include this factor as a fundamental element of site and building design. This policy requirements can therefore be achieved by introducing high-quality landscaping, green roofs, green walls, and nature-based sustainable drainage. The policy identifies an appropriate amount of urban greening for development proposals, based on different factors, which set a threshold of 0.3 score for industrial developments.

- 8.124 The proposed UGF has been reviewed as part of the application, in response to initial concerns raised by the Council's Tree and Landscaping Team. Additionally, in the Stage 1 response, GLA Officers have requested the applicant to re-calculate the proposed UGF to aim to achieve the specified target of at least 0.3. The revisions involve increasing the amount of semi natural vegetation through the introduction of a species rich lawn, which replaced an initially proposed amenity grass and incorporating green roofing, to support multifunctionality. The proposed approach is welcomed and considered in accordance with Policy G1 of the London Plan (2021), which seeks for green infrastructure to be designed and managed in an integrated way. The urban greening factor has therefore been increased from 0.14 to 0.21, as specified in the revised Urban Greening Factor Report dated May 2023. The overall calculations and UGF are incorporated as an asset for the site, which focuses on the protection and enhancement of biodiversity, in response to the proximity of the site to Dagenham Brook.
- 8.125 Although the proposed urban greening factor would fail to meet the target score of 0.3 for commercial developments, it is noted that policy G5 of the London Plan (2021) excludes B2 and B8 uses from this target and considers local circumstances to assess the acceptability of urban greening for new developments. In this instance, the development seeks to uplift soft landscaping along the boundary with Dagenham Brook and include green walls as an opportunity to introduce green screens with native species to maximise soft landscaping provision. Whilst green roofs would have been welcomed to increase the urban greening factor, this would have had significant effects on viability, as evidenced in the submitted 'Green Roof Structural Cost Report' dated May 2023. Given the improvements to the Dagenham Brook and the introduction of public realm to the west side of the site, the UGF is accepted, subject to a condition requiring further details of planting, modular green walls, filtering SuDS planting and permeable paving to reduce the areas of sealed surfaces across the site.

I) SUSTAINABLE DESIGN AND ENERGY EFFICIENCY

- 8.126 London Plan Policy SI2 (2021) requires major developments to meet a net-zero carbon target, to reduce greenhouse gas emissions in operation and minimise energy demand. Moreover, policy DI3 of the London Plan (2021) states how relevant energy companies and bodies should engage at an early stage of development proposals, to establish the future energy and infrastructure requirements that would arise from large-scale development proposals. The submitted 'Energy and Sustainability Statement' was assessed by the GLA's Energy Team and the Council's Energy and Sustainability Consultant, who provided detailed comments in relation to carbon emissions, sustainable design, energy reduction measures, energy infrastructure, water efficiency and overheating. Planning obligations, conditions and informatives are recommended, in line with the recommendations given by the Energy and Sustainability specialists.

Carbon Emissions:

- 8.127 The revised 'Energy and Sustainability Strategy' dated 21st December 2022 and the additional information that has been submitted in response to the Stage 1 Report has been reviewed by the Council's Energy and Sustainability Consultant. Policy SI2 of the London Plan (2021) sets out a carbon emission reduction target for regulated emissions only, of 50% against Building Regulations 2021 using SAP10 carbon factors as calculated using the GLA Energy Reporting Tool. The policy also requires that non-domestic units achieve 15% of this from 'Be Lean' measures. Under SAP10 carbon factors, the development is predicted to achieve 101% total on site CO2 reductions in regulated emissions against Part L 2021 Building Regulations. Under

SAP10 carbon factors, the development is also predicted to achieve the 15% Be Lean CO2 reductions in regulated emissions against Part L Building Regulations. The proposed development would therefore achieve acceptable targets on emissions that would exceed the targets set out by the London Plan (2021).

- 8.128 Notwithstanding the above, a condition is recommended, which requires the submission of a report that demonstrates how the scheme would reduce the carbon dioxide emissions of the development in a way that the measures mentioned in the 'Energy and Sustainability Statement' have been implemented during the construction of the development.
- 8.129 Given that the development is predicted to be zero carbon (regulated energy) and would exceed the on-site reduction targets, no carbon offset payments are anticipated. However, the S106 allows for a collection of any future payment in case the 'As Built' results differ and show that a small amount of carbon has been emitted. The option for future collection is therefore captured in the S106 and would be subject to final 'As Built' energy results.

Sustainable Design:

- 8.130 The submitted 'BREEAM Pre-Assessment Report' (dated 25th November 2022) has been examined by the Council's Energy and Sustainability Consultant. As confirmed, the report demonstrates that the development would achieve BREEAM 'Excellent' with 74.65%, which is welcomed. Notwithstanding the BREEAM pre-assessment, a condition is recommended, which requires the proposed industrial units to achieve no less than the BREEAM 'Excellent' and that the units shall not be occupied until formal certification has been issued with confirmation that the excellent standards have been achieved.

Energy Demand Reduction (Be Lean) and Overheating:

- 8.131 The 'Energy and Sustainability Strategy' confirms that the demand reduction measures would deliver a 15% savings against the baseline for the development. The industrial development would therefore achieve the GLA target of 15% energy efficiency saving for non-residential floorspace.
- 8.132 As advised by the Council's Energy and Sustainability Consultant, the U-values that are being proposed comply with acceptable standards for an industrial development. The proposed approach to lighting and lighting controls is supported. The cooling hierarchy would also be followed, including suitably limiting of solar gain and ventilation. The artificial cooling would be provided by the heat pumps and due to the extent of the PV array, this approach would not generate additional carbon. Overall, the cooling demand would be lower than that of the Building Regulations.
- 8.133 A "Thermal Comfort Assessment" dated 14th December 2012 has been submitted and provides detailed results of the thermal comfort of the development with results of the overheating assessment with respect to the maximum overheating criterion. As advised, the buildings have been designed to limit the risk of overheating, in accordance with the adaptive comfort methodology. The information and analysis on naturally ventilated spaces and measures to avoid overheating by introducing active cooling modes is accepted and considered compliant under normal and heatwave conditions.

Low Carbon Energy Supply (Be Clean):

- 8.134 The 'Energy and Sustainability Strategy' confirms that it is not currently feasible to connect to an existing District Heating Network (DHN), as the units would be constructed to core with the energy demands difficult to predict at this stage. However, policy SI3 of the London Plan (2021) requires all major development proposals to be designed in a way that these are able to connect to a Decentralised

Energy Network (DEN) and therefore all schemes are required to incorporate a communal heating network linking all elements of the development with detailed specifications. The proposed energy strategy confirms that the development would be future proofed for connection to a district heating networks and plans showing how each industrial unit would be connected to a future DHN have been provided. The 'connection ready' requirement is therefore secured in the Heads of Terms. Correspondence with potential heat network stakeholders has also been submitted, as requested by GLA Officers.

- 8.135 In accordance with the London Plan hierarchy under policy SI2 of the London Plan (2021), where a connection to a district heating or cooling networks are not viable, on-site low carbon heating plant should be proposed and heat pumps should be prioritised followed by lower emission CHP if heat pumps are not viable. Ultra-low NOx gas boilers should only be considered if no alternative is viable. Under these terms, the submitted energy strategy demonstrates that the development would be provided with heating and hot water via heat pumps, which is an on-site low carbon plant. The approach in not using on-site CHP systems is accepted by the Council's Energy and Sustainability Consultant and the non-provision of a site wide heat work is accepted, by reason of the industrial nature of the development.

Renewable Energy Supply (Be Green):

- 8.136 Policy DM11 of the WFLP Development Management Policies (2013) requires development proposals that exceed 100 sqm to reduce the site's carbon emissions through on-site renewable energy to ensure that the proposed renewable system is appropriate and has no adverse impact on local amenity and the environment, including air quality. The development would maximise renewable energy, including PV provision on suitable parts of the roof where maintenance and access would not be a maintenance issue. The proposed solar PV installation with outputs of 719kWp would cover an area of 3,497 sqm. The development proposes heat pumps in the form of a VRF system, to meet the cooling and heating energy requirements, with a total energy of 171,040 kWh, which would provide 90% of the site's heating and cooling demand.

Energy Report (Be Seen):

- 8.137 The submitted 'Energy and Sustainability Strategy' confirms that the development would enable post construction monitoring and that the information set out in the 'be seen' guidance will be submitted to the GLA at the appropriate reporting stage. The post construction ('Be Seen') monitoring measures are therefore secured as follows in the Heads of Terms:
- Within 8 weeks of planning permission to submit to the GLA accurate and verified estimates of the 'Be Seen' energy performance indicators;
 - Prior occupation, to provide updated and verified 'as built' design estimates of the 'Be Seen' energy performance indicators; and,
 - 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 requirement to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development.

J) TREES AND LANDSCAPING:

- 8.138 Policy D8 of the London Plan (2021) requires development proposals to encourage and explore opportunities to create new public realm where appropriate. Development proposals should provide well-designed, safe, accessible, inclusive,

and attractive public realm spaces that relate to the local context of the site. Landscaping proposals, including planting, street furniture and surface materials should be of good quality and sustainable. Additionally, lighting should be well-designed to minimise light pollution and reduce intrusive forms of illumination.

- 8.139 At a local level, policy DM12 of the WFLP Development Management Policies (2013) states that development proposals should optimise physical and visual access between the built environment and open spaces. The policy also seeks to enhance green infrastructure and maximise access to open spaces within the borough by improving connectivity within the green infrastructure network.
- 8.140 The submitted 'Design and Access Statement' (revised in March 2023) and 'Arboricultural Impact Assessment' - AIA (dated 12th December 2022) identify the tree constraints on and adjacent to the site and confirms that the development would have no undue impact on trees because of the industrial development. The development is rather assessed as an opportunity to deliver arboricultural and public realm improvements by defining key character areas to achieve a landscaping strategy that responds to the local features of the site and the operational requirements of the industrial units.
- 8.141 The proposed boundary treatment along the east boundary of the site, which would include green screens and buffer planting to improve the boundary edge and reinforce the landscaping character of the development is supported, as these features would support urban greening and biodiversity and offer a natural screen to the industrial development, protecting the visual amenity of neighbouring residents. Furthermore, the proposed soft landscaping towards the west side along Dagenham Brook, would be consistent with the strategic aspiration to link the site with Marsh Lane via the Former Percy Ingle Site and Tallack Road to enhance permeability to Church Road and the wider area towards Lea Bridge Road. The works would therefore introduce a pedestrian and cycle route that would be surfaced with bound gravel. The proposed boundary treatment along the west side would be visually permeable to ensure that natural surveillance is maintained to deliver a safe environment for pedestrians, public users, and employees.
- 8.142 Given the introduction of external amenity spaces around the pedestrian and cycle routes and in the absence of the removal of significant trees, it is considered that the development would enhance the quality of the public realm. The development would define the existing street access points at Estate Way North and Estate Way South with elements of soft landscaping and clearer pedestrian routes. The development would introduce appropriate soft and hard landscaping features within the key areas that are identified within the development site in a comprehensive way, considering also that the proposed building layout would retain an acceptable setback from existing trees to ensure suitable separation distances for their sustainability.
- 8.143 Considering the above measures, the proposed landscaping approach is welcomed, as confirmed by the Council's Tree and Landscaping Officers. However, notwithstanding the acceptability of the 'Arboricultural Impact Assessment' a condition requiring details of a revised Arboricultural Method Statement is recommended, to ensure that details with regards to tree protection, foundation design, root barriers and other steps required for the safeguard of trees is reviewed and agreed further. Additionally, a condition requiring details of soft and hard landscaping is also recommended, in accordance with the requirements of policy D8 of the London Plan (2021) and policy DM12 of the WFLP Development Management Policies (2013).

K) ARCHAEOLOGY AND HERITAGE

- 8.144 Policy HC1 of the London Plan (2021) states that development proposals affecting heritage assets and their setting should be sympathetic to the assets' significance and appreciation within their surroundings. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations in the design process. In addition, policy DM28 of the WFLP Development Management Policies (2013) states that the Council will ensure the preservation, protection and where possible, the enhancement of the archaeological heritage of the Borough.
- 8.145 The submitted 'Written Scheme of Investigation for an Archaeological Evaluation' dated December 2022 has been reviewed in the context of the site's location within a Tier III Archaeological Priority Area (APA), which is defined by a possible route of the Roman Road running from London to Great Dunmow. Moreover, to the south of the site lies the 'River Lea Archaeological Priority Area (APA)', that is defined by Holocene floodplain deposits. The report provides details of an evaluation methodology for the site, which should be carried out prior to ground demolition to provide the basis for considering and designing any mitigation works that may be necessary.
- 8.146 Given that forthcoming geo-archaeological investigations would be undertaken in accordance with the Historic England guidance on environmental sampling and in the absence of concerns from Historic England, it is considered that in principle the effects of the demolition and construction of the development would have limited adverse impact on archaeology. However, a planning condition requiring a Written Scheme of Investigation is recommended to ensure that any effects on archaeology are negligible once a detailed evaluation has been carried out.
- 8.147 With regards to built heritage, there are no listed buildings, designated or undesignated heritage assets within the site or the immediate surrounding area. The site does not lie in a Conservation Area. The closest listed buildings lie approximately 80 metres to the southeast of the site at Icehouse, within the St Joseph's Roman Catholic School, which is Grade II Listed. The Grade II listed Eltoe House is also approximately 130m to the southeast of the site. However, these heritage assets are obscured from views from and to the current site by reason of the built form and spatial configuration.
- 8.148 In light of the above and the recommended condition with regards to a Written Scheme of Investigation in connection to archaeology, the development would have no detrimental effects on heritage or on the significance of Listed Buildings within the context of the site. As such, the development would be consistent with policy HC1 of the London Plan (2021), policy CS12 of the WFLP Core Strategy (2012) and policy DM28 of the WFLP DM Policies (2013), which seek to manage growth and change in a way that conservation, enhancement, and enjoyment of heritage assets is respected.

L) SAFETY AND SECURITY

Secured by Design

- 8.149 Policy D11 of the London Plan (2021) sets out policy requirements that ensure all new forms of development to incorporate acceptable levels of safety and security measures, in a way that buildings remain resilient to emergencies. Moreover, policy DM33 of the WFLP Development Management Policies (2013) seeks for a safe environment with appropriate levels of natural surveillance.
- 8.150 The submitted 'Design and Access Statement' and 'Security Needs assessment' (dated 14th February 2022) set out measures to tackle crime prevention with recommendations to enhance security. These documents have been reviewed by the

Design Out of Crime Officer. As advised, the proposed security measures are on balance, considered suitable for achieving Secured by Design accreditation and a condition requiring details of these measures is recommended. Additionally, given that no contact has been made with the Counter-Terrorism Security Advisors, a separate condition is recommended to ensure that this aspect has been given full consideration. Notwithstanding the acceptability of the proposed security measures, concerns with regards to lighting and visual permeability were raised by the Metropolitan Police, particularly along the west boundary of the site at Dagenham Brook. Due to these concerns, details of external lighting and boundary treatment to review any ability to trespass are recommended by condition.

- 8.151 Other design security details with regards to CCTV, intruder alarms, door/windows specifications, access control and keypads would also be dealt with by condition, in consultation with the Metropolitan Police. As such, it is considered that the proposed security measures, including building layout and gating to the parking areas would be acceptable and would secure SBD accreditation, in accordance with the requirements of policy D11 of the London Plan (2021).

Fire Safety:

- 8.152 Policy D12 of the London Plan (2021) requires the submission of a 'Fire Safety Statement' for all major forms of development proposals. This strategy should be produced by a third-party, independent, and suitably qualified assessor and should aim for design proposals that incorporate appropriate features to reduce the risk of a fire. The strategy should include appropriate fire alarm systems, measures for minimising the risk of fire spread, details of means of evacuation and passive/active fire safety measures.
- 8.153 The submitted 'Fire Statement' (dated 13th February 2022) provides details of means of escape within each industrial unit and specifications of features that would reduce the risk to life, such as fire detection and alarm systems, passive fire safety measures, access routes of fire service vehicles and hydrants, to meet the highest standards of fire safety in accordance with policy D12 of the London Plan (2012).
- 8.154 In the absence of a response to the Council's consultation from the London Fire Brigade, a condition requiring the submission of a fire strategy is recommended, to ensure that appropriate safety measures are reviewed in detail in consultation with the London Fire Brigade.

Lighting:

- 8.155 Policy D8 of the London Plan (2021) states how the lighting of the public realm requires careful consideration to ensure it addresses safety and security and makes night-time activity areas and access routes welcoming and safe in a way that light pollution is minimised. Given that the industrial units would operate 24 hours a day and considering the comments raised by the Metropolitan Police with regards to how external illumination is a key material consideration when assessing the security of the site, an 'External Lighting Assessment' dated 28th November 2022 has been submitted with the application, which provides details of external lighting, by reason that the existing luminaires would be removed to make way for a new lighting layout that would respond to the development and current BREEAM standards.
- 8.156 The proposed external illumination would combine columns and wall mounted LED fittings. The proposed hours when these would be switched on are from 07:00 to 23:00 during times when the daylight has reduced sufficiently to require extra lighting with some lighting required to stay on through the night by security reasons. Notwithstanding the proposed details, a condition requiring detailed plans of external illumination to ensure that light spillage from the site is minimised is recommended,

as also requested by the Council's Highways Team, which would be reviewed in consultation with the Council's Lighting Engineer and the Metropolitan Police, in accordance with the requirements set out by policies D11 and D8 of the London Plan (2021).

M) PLANNING CONTRIBUTIONS

- 8.157 Section 106 Agreements are a material consideration in the determination of a planning application. The purpose of such an Agreement is to make otherwise unacceptable development acceptable and they should only be sought where they meet all the following tests: i) Necessary to make the development acceptable in planning terms, ii) Directly related to the development and iii) Fairly and reasonably related in scale and kind to the development.
- 8.158 In terms of the S106 Agreement, the required Heads of Terms, having regard to planning policy and the Waltham Forest Supplementary Planning Document "Obligations" (2017), for this development relate to:
- Local Labour and Employment Strategy;
 - Highways Infrastructure (including Section 278 Agreement, condition survey of the carriageway and footways fronting the site, monitoring of the Construction Logistics Plan);
 - Parking permit restriction;
 - Dagenham Brook (feasibility studies, maintenance, and enhancements);
 - Air Quality Action Plan;
 - Monitoring, implementation, and compliance of the S106 Agreement;
 - Retention of Architect; and,
 - Legal Fees.
- 8.159 The details of these requirements are set out in the recommendation section of this report, paragraph 1.1.

9. CONCLUSION

- 9.1 The principle of the re-development of the industrial site is supported, by virtue of the densification of industrial floorspace and the uplift of employment capacity, that would ultimately support the consolidation of the emerging Church Road/Estate Way LSIS and boost job generation within the designated site, in accordance with the objectives set out in the Draft Site Allocations Document (2021) and in accordance with the indicative capacity of the industrial estate of 24,000 sqm of industrial floorspace. In addition, the loss of the safeguarded waste site facility has been accepted, by reason that it has been demonstrated that appropriate compensatory capacity has been carried out.
- 9.2 The proposed building configuration would have proper regard to layout, scale, height, and massing and would ensure that there is an acceptable separation between residential and industrial uses, by providing a consistent boundary treatment and building form that would enhance the visual outlook provided to neighbouring residents at Marconi Road and Tallack Road. The layout would seek to maximise the employment capacity of the site and would provide a landscape-led approach that would incorporate appropriate screening when viewed from neighbouring residential properties. As such, the proposed design would enhance the industrial environment

of the site and would create safer/legible pedestrian and cycle access routes to enhance public amenity spaces that would be appropriately linked to the wider context of the site.

- 9.3 The proposed development would have no adverse impact on the visual or residential amenity of neighbouring properties with regards to privacy, sunlight/daylight and visual outlook. Moreover, the development would be broadly in line with BRE guidance, causing no meaningful reduction in sunlight/daylight of neighbouring sites. Additionally, given the proposed building layout with clear front elevations and rear sections, the industrial vehicular movements and servicing areas would be well screened from the rear windows of neighbouring residents at the east, north and south sides of the site and would therefore raise no concerns in terms of harm on residential amenity with regards to noise, disturbance or poor visual outlook. The development would therefore adopt acceptable agent of change principles, which would mitigate impact with regards to noise and disturbance.
- 9.4 The proposed development would have an acceptable impact on highway safety and would involve highways works that would aim to enhance the public realm and the pedestrian/cycle safety of future employees and residents within proximity of the site. The development would deliver key walking and cycling improvements around the site and would enhance the access points from Church Road, with clear footways and cycle paths that would be segregated from vehicular movements. The development would also provide 73 parking bays and 42 cycle parking spaces, which are accepted. The proposed external cycle stores would be well integrated to the access points of each industrial units and would be well-lit and secured. Conditions requiring details of a Delivery and Servicing Plan, Construction Logistics Plan, Parking Design and Management Plan have been secured, to ensure that any impact on nearby residential areas is mitigated.
- 9.5 The submitted drainage strategy (as revised) meets the greenfield run-off rate. Moreover, a SuDS condition has been recommended, to review the details, including location and dimensions of SuDS within a drainage plan.
- 9.6 The proposed pedestrian and cycle route along Dagenham Brook is welcomed, as this forms part of a key strategic aspiration for the wider context of the site with a vision to create links between Leyton Jubilee Park, Marsh Lane, Church Road, and Lea Bridge Road. Moreover, the restoration works would enhance biodiversity and green infrastructure. The proposed urban greening factor score of the development is 0.21, which is considered acceptable. The UGF would be achieved by additional planting, green infrastructure, and permeable paving. The development would deliver a comprehensive landscaping strategy that would include planting of new trees within different parts of the site, including enhancements on both access routes via Estate Way North and Estate Way South. The proposed soft landscaping would introduce varied habitats and planting that would support the biodiversity of the site and its surroundings.
- 9.7 The development would incorporate the highest environmental standards and would be sustainable, in that it would deliver substantial energy reduction measures and exceed the required carbon dioxide reduction targets, delivering a net zero carbon development. The development would achieve 'excellent' BREEAM standards. In addition, the impact on air quality, flood risk, contamination and sustainable drainage systems are considered acceptable, subject to conditions requiring further details to ensure that the development meets the highest standards in terms of sustainability. The introduction of sustainable drainage systems, which include green roofs and permeable paving is a significant improvement to the current situation of the site.
- 9.8 The development would integrate appropriate principles of circular economy, as a revised Circular Economy Statement has been submitted in line with adopted

guidance, with full consideration on biodiversity, waste, and pollution. Additionally, a condition requiring details of a post-construction circular economy report in accordance with the GLA's template is recommended, as advised by the GLA in the Stage 1 report.

- 9.9 The development would achieve appropriate safety and security measures and conditions requiring Secured by Design certification and lighting details are recommended to ensure that suitable crime prevention measures are fully incorporated as part of the development, considering that the development would introduce a new south/north route along Dagenham Brook, which would be consistent with the approved development on the neighbouring site at the former Percy Ingle site.
- 9.10 The development would make significant CIL contributions. Any identified concern would be appropriately mitigated through the inclusion of conditions and obligations within the legal agreement. In light of the above considerations which would result in significant regenerative benefits for the site and its surrounding area, the planning application is strongly supported in planning terms when assessed against the relevant planning policies mentioned above.

10 ADDITIONAL CONSIDERATIONS

Public Sector Equality Duty

- 10.1 In making your decision you must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
- A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
 - C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
 - The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
 - The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 is only one factor that needs to be considered and may be balance against other relevant factors.
 - It is not considered that the recommendation to grant permission in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights:

- 10.2 In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as the London Borough of Waltham Forest to act in a manner that is incompatible with the European Convention on Human Rights.

- 10.3 You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation to grant permission is a proportionate response to the submitted application based on the considerations set out in this report.

11 RECOMMENDATION

- 11.1 The Planning Committee Planning Committee is recommended to grant planning permission subject to the conditions and informatives below and the prior completion of a Section 106 Agreement with the agreed Heads of Terms, as set out in paragraph 1.1 of this committee report.

Conditions

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

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

2. The development hereby approved shall be carried out in accordance with the following drawings and documents:

Documents:

- Cover Letter dated 23rd December 2022;
- Design and Access Statement (Revision C) dated March 2023;
- Daylight and Sunlight Report dated 13th January 2023;
- Security Needs Assessment (Revision B) dated 14th December 2022;
- Planning Statement dated December 2022;
- Economic and Marketing Assessment for Occupiers and Operations Document dated September 2022;
- Air Quality Impact Assessment dated December 2022;
- Phase II Geo-environmental and Geo-technical Site Assessment dated April 2023;
- Remediation Strategy dated October 2022;
- Construction Logistics Plan dated April 2023;
- Construction Traffic Management Plan dated December 2022;
- Travel Plan dated March 2023;
- Site Waste Management Plan (Revision 0) dated March 2023;
- Arboricultural Impact Assessment dated 12th December 2022;
- Flood Risk and Drainage Impact Assessment (Revision B) dated April 2023;
- Delivery and Servicing Plan dated March 2023;
- Healthy Streets Transport Assessment dated December 2022;
- Stage 1 Road Safety Audit Report dated April 2023;
- Car Parking Management Plan dated March 2023;
- Green Roof Structural Cost Report dated May 2023;
- Technical Note by Stunt Consulting in relation to Road Safety Audit dated April 2023;
- Technical Note by Stunt Consulting in relation to multimodal trip generation analysis dated March 2023;

- Noise Impact Assessment dated 9th December 2022;
- Dust Risk Assessment and Dust Management Plan dated March 2023;
- Thermal Comfort Assessment (Revision 001) dated 14th December 2022;
- City Multi VRF Seasonal Efficiency Catalogue Supplement 2025;
- Urban Greening Factor Report dated May 2023;
- Fire Statement (Version 02) dated 13th February 2022;
- BREEAM Pre-Assessment Report (Revision 001) dated 25th November 2022;
- Whole Life-Cycle Carbon Assessment (Revision 2) dated 26th May 2023;
- Health Impact Assessment dated December 2022;
- Biodiversity Net Gain Assessment dated 31st May 2023;
- Statement of Community Involvement dated December 2022;
- Circular Economy Statement (Revision 2) dated 26th May 2023;
- Archaeological Desk Based Assessment dated December 2022;
- Written Scheme of Investigation for an Archaeological Evaluation dated December 2022;
- Preliminary Ecological Appraisal and Bat Building Survey dated December 2022;
- External Lighting Assessment dated 12th December 2022;
- Passive Design Analysis (Revision 001) dated 14th December 2022;
- Energy and Sustainability Statement (Revision 002) dated 21st December 2022;
- BRUKL Output Documents

Drawings:

PL_100, PL_101, PL_102 (Revision D), PL_103, PL_104, PL_105 (Revision B), PL_106 (Revision B), PL_107 (Revision B), PL_108 (Revision B), PL_109 (Revision B), PL_110 (Revision B), PL_111 (Revision A), PL_120 (Revision C), PL_121 (Revision B), PL_122 (Revision B), PL_123 (Revision B), PL_124 (Revision B), PL_130 (Revision A), PL_131 (Revision A), PL_132 (Revision A), PL_133 (Revision A), PL_134 (Revision A), PL_150, PL_151, PL_153, PL_154, PL_155 and PL_156.

REASON: To ensure a satisfactory appearance in accordance with Policy CS15 of the Waltham Forest Local Plan Core Strategy (2012).

Materials:

3. Prior to commencement of the development (excluding ground works and substructure), and notwithstanding any indications shown on the submitted plans, samples, and a schedule of materials to be used in the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained as such for the lifetime of the development.

REASON: To ensure a satisfactory appearance in accordance with Policies CS12 and CS15 of the Waltham Forest Local Plan Core Strategy (2012), policy DM28 of the Waltham Forest Local Plan – Development Management Policies (2013) and policy D4 of the London Plan (2021).

Highways and Parking:

4. Prior to commencement of development hereby approved, a detailed Construction Logistic Plan in connection to the demolition phase of the development is required to be submitted for approval by the Local Planning Authority prior to commencement of works and using the TfL template and guidance, which include inter alia:

- Journey planning, highlighting access routes.
- Method of access and parking of construction vehicles.
- Measures to prevent deposition of mud on the highway.
- Dust mitigation and suppression measures to control the spread of dust from demolition, disposal, and construction.
- Site operation times.
- Loading and unloading locations, taking into consideration existing parking restrictions.

The development shall be implemented in accordance with the approved details.

REASON: In the interests of highway and pedestrian safety in accordance with policies CS7 and CS15 of the Waltham Forest Local Plan Core Strategy (2012).

5. Prior to commencement of construction works for the development (excluding demolition works) hereby approved, a detailed Construction Logistic Plan to cover construction works of the development is required to be submitted for approval by the Local Planning Authority prior to commencement of works and using the TfL template and guidance, which include inter alia:

- Journey planning, highlighting access routes.
- Method of access and parking of construction vehicles.
- Measures to prevent deposition of mud on the highway.
- Dust mitigation and suppression measures to control the spread of dust from demolition, disposal, and construction.
- Site operation times.
- Loading and unloading locations, taking into consideration existing parking restrictions.

The development shall be implemented in accordance with the approved details.

REASON: In the interests of highway and pedestrian safety in accordance with policies CS7 and CS15 of the Waltham Forest Local Plan Core Strategy (2012).

6. Prior to the commencement of development on the site, a specification for a highway condition survey to assess the condition of highway before and after construction works shall be submitted to and approved in writing by the local planning authority and the condition survey report shall include a site location plan highlighting the location of the photographs. The highway condition survey shall then be carried out in accordance with the approved timescales contained within the approved specification and it shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied. Any damage to the highway incurred as a result of the construction works, will have to be re-instated by the Council but funded by the developer, in accordance with the timescales and details agreed as part of the survey.

REASON: In the interest of pedestrian and highway safety, to comply with Policy CS7 of the Waltham Forest Local Plan – Core Strategy (2012) and Policy DM14, DM15 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

7. Prior to occupation of the development hereby approved, a Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall be laid out and allocated in accordance with the approved management plan and shall be made available for the

purposes of parking private motor vehicles in association with the development and for no other purpose. The development shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.

REASON: In the interests of highway and pedestrian safety in accordance with policies CS7 and CS15 of the Waltham Forest Local Plan Core Strategy (2012).

8. Prior to first occupation of the development and notwithstanding any indication on the submitted drawings, a schedule showing the number and location of all cycle parking spaces and details of secure and sheltered cycle storage facilities, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed cycle strategy shall be fully implemented prior to occupation and shall be permanently retained thereafter.

REASON: In the interest of security and sustainable development, in compliance with Policies CS6, CS15 and CS16 of the Waltham Forest Local Plan - Core Strategy 2012 and Policies DM13, DM14, DM23 of the Waltham Forest Local Plan – Development Management Policies (2013).

9. Prior to first occupation of the development, a detailed Servicing and Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority. The DSP shall make reference to safety measures that will be in place to reduce conflicts between service vehicles and other users (cycle stores, disabled parking and any other pedestrians) and shall also include details on how delivery vehicles are restricted during peak periods.

REASON: In the interest of highway safety, in compliance with Policies CS6, CS15 and CS16 of the Waltham Forest Local Plan - Core Strategy 2012 and Policies DM13, DM14, DM23 of the Waltham Forest Local Plan – Development Management Policies (2013).

10. Prior to occupation, details of any form of external illumination and / or external lighting on the buildings and around the site including any street lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of any part of the development hereby permitted and retained as such for the lifetime of the development.

REASON: In the interest of health and to protect the living conditions of existing and future residents in the locality in accordance with Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012).

11. No development (other than demolition, site clearance and preparation, groundwork and development below DPC level) shall take place until a Stage 2 Road Safety Audit of the approved internal site layout is commissioned and a 'Road Safety Audit Response Report' is submitted to and approved in writing by the Local Planning Authority detailing how the recommendations of the audit have been addressed, implemented and retained as such for the lifetime of the development.

REASON: In the interest of highway safety, in compliance with Policies CS6, CS15 and CS16 of the Waltham Forest Local Plan - Core Strategy 2012 and Policies DM13, DM14, DM23 of the Waltham Forest Local Plan – Development Management Policies (2013).

12. Prior to occupation of the development, a Stage 3 Road Safety Audit of the approved internal site layout shall be commissioned, and a 'Road Safety Audit Response Report' shall be submitted to and approved in writing by the Local Planning Authority with details of the recommendations of the audit and how these have been addressed, implemented, and retained as such for the lifetime of the development.

REASON: In the interest of highway safety, in compliance with Policies CS6, CS15 and CS16 of the Waltham Forest Local Plan - Core Strategy 2012 and Policies DM13, DM14, DM23 of the Waltham Forest Local Plan – Development Management Policies (2013).

Air Quality and Noise:

13. A construction/demolition method statement shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include details of the following:

- Works of demolition and construction shall be carried out during normal working hours i.e., 8:00 – 18:00 Mondays to Fridays and 8:00 – 13:00 Saturdays with no noisy working audible at the site boundary being permitted on Sundays and Bank Holidays.
- Haulage routes.
- Likely noise levels being generated by plants.
- Details of any noise screening measures.
- Proposals for monitoring noise and procedures to be put in place where agreed noise levels are exceeded.
- When works are likely to lead to vibration impacts on surrounding residential properties, proposals for monitoring vibration and procedures to be put in place if agreed vibrations levels are exceeded. Note: It is expected that vibration over 1 mm/s measured as a peak particle velocity would constitute unreasonable vibration.

All the above submissions shall have regard to the Mayor's SPG.

The development shall be carried out in accordance with the hours of operation stated in this condition and the approved construction and demolition statement hereby required.

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

14. Prior to the commencement of the development (other than demolition, site clearance and preparation, groundwork, and development below DPC level), a sound insulation scheme shall be submitted to and approved in writing by the Local Planning Authority, which will incorporate details of sound insulation measures to be installed within the proposed buildings to manage noise and disturbance. The scheme of noise mitigation measures shall be prepared by a suitably qualified consultant/engineer and shall demonstrate that the proposed sound insulation will achieve a level of protection which is at least +5dB above the Approved Document E standard (Dwelling houses and flats) for airborne sound insulation and -5dB for impact sound insulation. The development shall be carried out in accordance with the approved scheme and shall be fully implemented prior to the development hereby

approved first being brought into use and shall thereafter maintained as such for the lifetime of the development.

REASON: To protect the amenities of occupiers and the surrounding area, to comply with Policies CS13 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

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

REASON: To ensure that air quality is not adversely affected by the development in line with London Plan policy 7.14 and the Mayor's SPG: The Control of Dust and Emissions during Construction and Demolition.

16. No demolition or development shall commence until full details of dust monitoring in the form of a revised Air Quality and Dust Management Plan (AQDMP) have been submitted to and approved in writing by the local planning authority. Baseline monitoring shall commence before the commencement of development works and shall continue throughout the construction phases of the development. Details of equipment, its position and a proposed alert system should be submitted to the local planning authority for approval. In preparing the AQMDP the applicant should follow the recommendations outlined in the AQ assessment 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. If the development is in or near an air quality focus area the applicant should follow the guidance on mitigation measures for **Medium Risk** as a minimum.

REASON: 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 London Plan Policies 5.3 and 7.14 (2016), and the London Plan SPGs for Sustainable Design and Construction and Control of Dust and Emissions during Construction and Demolition.

17. The noise of all new plant shall be 10dB(A) below the underlying background noise level (LA90) during the time of plant operation at a position one metre external to the nearest noise sensitive premises. The underlying background LA90 shall be determined in the absence of the new plant noise. This assessment must be completed in accordance with BS4142: 2014 Method for rating industrial noise affecting mixed residential and industrial areas.

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

Landscaping and Ecology:

18. Prior to the occupation of the development a scheme of hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Soft landscape works shall include planting plans, and schedules of plants, noting species, plant sizes and proposed numbers/densities within a planting schedule, also

the method of planting including soil composition, tying, and staking, a maintenance care regime including mulching and watering and the replacement of any species that die within 5 years of planting. The strategy shall include details of modular green walls, filtering SuDS planting and specifications of permeable paving to reduce the areas of sealed surfaces across the site. The development shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.

REASON: To ensure a satisfactory appearance and in the interest of local amenity and biodiversity in accordance with Policies CS15 of the Waltham Forest Local Plan Core Strategy (2012), and Policies DM23, DM32, DM35 of the Waltham Forest Local Plan Development Management Policies (2013).

19. Prior to commencement of the development (other than demolition, site clearance and preparation, groundwork, and development below DPC level), of the development, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The details shall include protection measures, foundation design, root barriers and any other steps required to ensure the protection of the highways tree adjacent to the site.

REASON: To ensure a satisfactory appearance in the interest of local amenity and biodiversity in accordance with Policies CS15 of the Waltham Forest Local Plan Core Strategy (2012), and Policies DM23, DM32, DM35 of the Waltham Forest Local Plan Development Management Policies (2013).

20. Prior to occupation of the development, detailed planting, management and maintenance plans shall be submitted to and approved in writing by the Local Planning Authority. The plans shall demonstrate how the soft landscaping proposals will be successfully implemented and maintained in the long term and shall include planting methods and maintenance schedules with reference to the relevant British Standards and horticultural and arboricultural best practice guidance.

REASON: To ensure a satisfactory appearance in the interest of local amenity and biodiversity in accordance with Policies CS15 of the Waltham Forest Local Plan Core Strategy (2012), and Policies DM23, DM32, DM35 of the Waltham Forest Local Plan Development Management Policies (2013).

21. All planting, seeding, or turfing comprised in the approved details of landscaping shall be carried out not later than the first planting and seeding seasons prior to the completion of the development. Any new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the Local Planning Authority agrees any variation in writing.

REASON: To ensure a satisfactory appearance and in the interest of local amenity and biodiversity in accordance with Policies CS15 of the Waltham Forest Local Plan Core Strategy (2012), and Policies DM23, DM32, DM35 of the Waltham Forest Local Plan Development Management Policies (2013).

22. All trees shall be planted in accordance with British Standard BS4043 - *Transplanting Root-balled Trees* and BS4428 - *Code of Practice for General*.

REASON: In the interest of biodiversity and local amenity, in accordance with policy CS5 of the Waltham Forest Local Plan – Core Strategy (2012) and Policy DM35 of the Waltham Forest Local Plan – Development Management Policies (2013).

23. Prior to the occupation of the development, a Habitat Enhancement Report shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the number, positioning and type of habitat bricks, boxes, and hibernacula proposed for birds, bats, and invertebrates.

REASON: In the interest of biodiversity in accordance with Policies CS15 of the Waltham Forest Local Plan Core Strategy (2012), and Policies DM23, DM32, DM35 of the Waltham Forest Local Plan Development Management Policies (2013).

24. Prior to the occupation of the development, an Ecological Management Plan (EMP) providing details of a long-term maintenance and habitat creation for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The details shall include surveys of protected species with an update of their presence, precautionary measures considered to vegetation clearance in respect to bats in trees, breeding birds, badger, otter, hedgehog and stag beetle.

REASON: In the interest of biodiversity and local amenity, in accordance with policy CS5 of the Waltham Forest Local Plan – Core Strategy (2012) and Policy DM35 of the Waltham Forest Local Plan – Development Management Policies (2013)

Waste Management and Circular Economy:

25. Prior to occupation of the development hereby approved, an updated Waste Management Strategy which sets out a scheme for the storage and disposal of waste and recycling, including details of methods for collection and enclosures, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details and the refuse stores brought into use prior to the occupation of the industrial units hereby permitted and shall be retained as such.

REASON: In the interests of highway and pedestrian safety in accordance with policies CS7 and CS15 of the Waltham Forest Local Plan Core Strategy (2012).

26. Prior to occupation of the development hereby approved, a post-construction monitoring circular economy report shall 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 alongside 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 hereby approved.

REASON: In the interest of sustainable development in accordance with policies D3 and SI7 of the London Plan (2021).

Energy and Sustainability:

27. The non-residential units hereby permitted shall be constructed to achieve not less than BREEAM 'Excellent' in accordance with the submitted Energy Report (or the equivalent standard in such measure of sustainability for non-residential building

design which may replace that scheme). The units shall not be occupied until formal certification has been issued confirming that not less than “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).

28. Prior to the occupation of any part of the development hereby permitted, a report demonstrating how the scheme reduces the carbon dioxide emissions of the development by at least 35% compared to the 2021 Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall reference the measures set out in the Energy Statement accompanying the planning application but shall explain what measures have been implemented in the construction of the development. The development and energy efficiency measures shall thereafter be retained

REASON: In the interest of sustainability and energy efficiency of the development and to meet the requirements of policy SI2 of the London Plan (2021) and policy DM10 of the Waltham Forest Development Management Policies (2013).

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

REASON: In the interest of sustainable development and to maximise on-site carbon dioxide savings in accordance with Policy SI2 of the London Plan (2021).

Water and Drainage:

30. Prior to the commencement of development (other than demolition, site clearance and preparation, ground works and development below DPC level), a scheme detailing measures of a water leak detection system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details and thereafter retained as such for the lifetime of the development.

REASON: To minimise the water use of the development, in accordance with the requirements of policy SI5 of the London Plan (2021).

31. Prior to the commencement of development (other than demolition, site clearance and preparation, ground works and development below DPC level), a drainage strategy detailing any on and/or off-site drainage works, shall be submitted to, and approved by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. The development shall be carried out in accordance with the approved details and thereafter retained as such for the lifetime of the development.

REASON: In the interests of future health of occupiers of the development and to Waltham Forest Local Plan – Core Strategy (2012) and policies DM23, DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

32. No drainage systems for the infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details and thereafter retained as such for the lifetime of the development.

REASON: In the interests of future health of occupiers of the development and to protect pollution of groundwater in accordance with policies CS4 and CS13 of the Waltham Forest Local Plan – Core Strategy (2012) and policies DM23, DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

33. No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to sub-surface water infrastructure and the programme of the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON: In the interests of future health of occupiers of the development and to protect pollution of groundwater in accordance with policies CS4 and CS13 of the Waltham Forest Local Plan - Core Strategy (2012) and policies DM23, DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

34. No development shall be occupied until confirmation has been provided that either a) foul water capacity exists off site to serve the development, or b) a development and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phase plan. Or c) All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

REASON: Network reinforcement works maybe required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents of groundwater in accordance with policies CS4 and CS13 of the Waltham Forest Local Plan – Core Strategy (2012) and policies DM23, DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

35. No development shall be occupied until a flood warning and evacuation plan is submitted and approved in writing by the Local Planning Authority in consultation with Thames Water. The development shall be retained in accordance with the details of the approved evacuation plan.

REASON: In the interests of future health of occupiers of the development and to Waltham Forest Local Plan – Core Strategy (2012) and policies DM23, DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

Contamination:

36. Prior to commencement of development, evidence that the site building(s) were built post 2000 or alternately a pre-demolition and refurbishment asbestos survey in accordance with HSG264 shall be submitted and approved by the Local Planning Authority, which shall be supported by appropriate mitigation measures to control risks to future occupiers of the development. The scheme must be written by a suitably qualified person and submitted to the Local Planning Authority for approval and shall demonstrably identify potential sources of asbestos contamination and detail removal of mitigation appropriate for the proposed uses. Detailed working methods are not required but the scheme of mitigation shall be independently verified for the satisfaction of the Local Planning Authority prior first occupation of the development.

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

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

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

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

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

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

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

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

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

Safety and Security:

38. Prior to commencement of development (other than demolition, site clearance and preparation, groundwork, and development below DPC level), details of 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 of Crime Officers. The development shall be carried out in accordance with the agreed details and maintained as such thereafter.

REASON: In the interest of security and to protect the living conditions of existing and future residents in the locality in accordance with Policy D11 of the London Plan (2021) and Policy DM33 of the of the Waltham Forest Local Plan Development Management Policies (2013).

39. Prior to occupation, an Access Control and Counterterrorism Security Strategy shall be confidentially submitted to and approved in writing by the Local Planning Authority, in conjunction with the Metropolitan Police. The strategy shall include the following details:

- A Dynamic Lockdown Plan for the building, which includes measures for restricting access and egress to the building and details of physical secured access/egress points, potential areas to be locked down, policies and procedures for staff and communication system.
- CCTV coverage.
- Security Lighting.
- Hostile Vehicle Mitigation (MCM) measures.
- Postal Screening Measures

The development shall be implemented in accordance with the approved details and the approved measures shall be brought into operation prior to the first occupation of any part of the development hereby approved.

REASON: In the interest of creating safer, sustainable communities, in compliance with Policy CS16 of the Waltham Forest Local Plan – WFLP Core Strategy (2012) and Policy DM33 of the Waltham Forest Local Plan – Development Management Policies (2013).

40. Prior to commencement of development (other than demolition, site clearance and preparation, ground works and development below DPC level) an updated Fire Safety Statement shall be submitted to and approved in writing by the Local Planning Authority in consultation with the London Fire Brigade. The statement should detail how the development proposal will function in terms of:

- The construction of the industrial buildings: methods, products and materials used;
- The means of escape for all building users: stair cores, escape for building users who are disabled or require level access, and the associated management plan approach;
- Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these;
- How provision will be made within the site to enable fire appliances to gain access to the building.

The development shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.

REASON: In order to protect the living conditions and safety and security of the occupants in line with London Plan Policy D12 (2021).

Boundary Treatment:

41. Prior to the construction of roof slab level, details relating to the siting, design and height and finish of all new walls, gates, fencing, railings, and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out solely in accordance with the approved details, prior to the first occupation of the use hereby approved and thereafter shall be fully retained and maintained accordingly for the lifetime of the development.

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

Dagenham Brook:

42. Prior to the occupation of the development, a Dagenham Brook Route Design and Operational Management Plan in connection to the footway and cycle route alongside Dagenham Brook shall be submitted to and approved by the Local Planning Authority in consultation with the Environment Agency. The Route Design and Management Plan shall include details of lighting, footpath material, street furniture design, CCTV and management of access to Dagenham Brook. The development shall be occupied and operated in accordance with the approved Dagenham Brook Route Design and Operational Management Plan.

REASON: To ensure that adequate arrangements are made for maintenance and security to the site and to ensure that the operational management of the development has no harm on the amenity of local residents in accordance with Policy H16 of the London Plan (2021), Policy CS13 of the Waltham Forest Local Plan – Core Strategy (2012) and Policies DM24 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

43. Prior to occupation of the development, a detailed design of the cycle route along the boundary shared with Dagenham Brook shall be submitted to and approved in writing by the Local Planning Authority. The design of the cycle route shall include details of materials, street furniture design and accessibility to Dagenham Brook. The development shall be occupied and operated in accordance with the approved design of the cycle route.

REASON: In the interest of visual amenity and safety in accordance with Policy H16 of the London Plan (2021), Policy CS13 of the Waltham Forest Local Plan – Core Strategy (2012) and Policies DM24 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

Archaeology:

44. No demolition or development shall take place until a Stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the

programme and methodology of site modelling and evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

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

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. Proposals for public outreach and interpretation if appropriate
- 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 protect historic assets of Archaeological interest that may be present on site, which the Local Planning Authority seeks to ensure investigated and conserved, in compliance with Policy CS12 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policy DM28 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Other:

45. Prior to occupation of the development, detailed plans demonstrating how the development would provide sufficient ducting space for full fibre connectivity infrastructure for all end users within the development shall be submitted and approved in writing by the local planning authority.

REASON: In order to support the delivery of full-fibre or equivalent digital infrastructure in accordance with Policy SI6 of the London Plan (2021).

46. Prior to occupation of the development, a wayfinding strategy shall be submitted to and approved in writing by the Local Planning Authority. All wayfinding will be paid for by the developer whether on private land or on public highway.

Reason: To ensure the safe movement of pedestrians and cyclists in accordance with Policies CS7 and CS13 of the Waltham Forest Local Plan – Core Strategy (2012) and Policy DM14 of the Waltham Forest Local Plan – Development Management Policies (2013).

Informatives

1. To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website, and which offers a pre planning application advice service. The scheme was submitted in accordance with guidance following pre application discussions and the decision was delivered in a timely manner.
2. Construction and demolition works audible beyond the boundary of the site should only be carried out between the hours of 0800- and 1800-hours Mondays to Fridays and 0800 and 1300 hours on Saturdays, and not at all on Sundays or Public/Bank Holidays.

3. The developer is to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.
4. The application is subject to both the Mayoral and the Waltham Forest Council Community Infrastructure Levy.
5. If approved it is the developer's responsibility to ensure all signage associated with the proposed development i.e., street nameplates, building names and door numbers are erected prior to occupation, as agreed with the Councils Street Naming/Numbering Officer.
6. The proposed development is located within 15 metres of Thames Waters underground assets. As such, the development could cause the assets to fail if appropriate measures are not taken. Please read the guide 'working near our assets' to ensure works are in line with the necessary processes that should be followed if it's considered working above or near Thames Water Pipes or other structures.
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>
7. A detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out. This increased provision of information by the applicant reflects the potentially greater risk to the water environment. The DQRA report should be prepared by a 'competent person', e.g., a suitably qualified hydrogeologist.

In the absence of any applicable on-site data, an arrange of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment.

GP3 version 1.1 August 2013 provided further guidance on setting compliance points sin DQRAs. This is now available as online guidance: <https://www.gov.uk/guidance/land-contamination-groundwater-compliance-points-quantitative-risk-assessments>

Where groundwater has been impacted by contamination on site, the default compliance point for both Principal and Secondary aquifers is 50 metres.

Where leaching tests are used it is strongly recommended that BS ISO 18772:2008 is followed as a logical process to aid the selection and justification of appropriate tests based on a conceptual understanding of soil and contaminant properties, likely and works-case exposure conditions, leaching

mechanisms, and study objectives. During risk assessment one should characterise the leaching behaviour of contaminated solid using an appropriate suite of tests. As a minimum, these tests should be:

- Up flow percolation column test, run to LS 2 – to derive kappa values.
- pH dependence test if pH shifts are realistically predicted with regard to soil properties and exposure scenario; and
- LS 2 batch test – to benchmark results of a simple compliance test against the final step of the column test.

Following the DQRA, a Remediation Options Appraisal to determine the Remediation Strategy in accordance with CRL 11.

The verification plan should include proposals for a groundwater-monitoring programme to encompass regular monitoring for a period before, during and after ground works. E.g., monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period. The verification report should be undertaken in accordance with guidance **Verification of Remediation of Land Contamination:**

<http://publications.environmentagency.gov.uk/pdf/SCHO0210BRXF-e-e.pdf>

8. Infiltration of surface water has the potential to mobilise contamination present within the soil. Where the proposal involves the discharge of anything other than clean roof water via sealed drainage, within sensitive groundwater locations, a risk assessment and suitable level of treatment may be required. In certain circumstances, the discharge may be classified as a groundwater activity and require an environmental permit.
9. No demolition or development shall commence until all necessary pre-commencement measures described in the AQDMP have been put in place and set out on site. The demolition and development shall thereafter be carried out and monitored in accordance with the details and measures approved in the AQDMP. The IAQM "Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites" details appropriate monitoring for the scale of the site or project.
10. The applicant must seek the advice of the MPS Designing Out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813.
11. The plan drawings appear to demonstrate that the 3rd, 4th, 5th, 6th, 7th and 8th floor amenity areas are located within the means of escape corridors. The amenity areas should be enclosed from the protected corridors by suitable fire-resisting separation and having lobbied access. Design changes necessary may not affect land use planning considerations in this instance, where only internal alterations are required.
12. Lobby protection will also be required to the northern lift area as it forms part of the firefighting shaft at ground floor level. The firefighting lift should not be accessed via such a large entrance lobby/amenity area. Fire safety standards state that a firefighting lift lobby should be of sufficient size and design to enable the fire and rescue service to carry out the following tasks without undue congestion, but not so large as to encourage any form of storage or

unauthorised use. Suitable lobby ventilation will also be required in accordance with Clause 27 of British Standard 9999, owing to the risk of smoke entry into the firefighting staircase. Resolving this issue is unlikely to affect land use planning considerations in this instance, where, for example, the installation of an internal door separating the firefighting lift from the ground floor amenity area, is provided.

13. Section 13 of the fire statement states that the reliance on existing hydrants for the proposed development is not known. Without confirmation that there is a suitable water supply and that the existing hydrants are useable, the proposal might be relying on a disused water main or faulty hydrant. Resolving this issue may affect land use planning considerations such as the landscaping around the development, should additional hydrant installations be required.
14. Section 6 of the fire statement states that there are no balconies proposed. It is noted that 2nd, 3rd, 4th, 5th, 6th, 7th and 8th floor plan drawings identify external access to resident terraces. It should be assured that the external wall systems for the development meet the required classification of A2-s1, d0 or better.
15. The roof plan indicates the proposal to install photovoltaic panels (PV) panels. Fire safety standards require suitable support of cabling to avoid obstruction of escape routes and firefighting access due to the failure of fixings. Where PV panels are proposed, consideration should be given to ensure that all power supplies, electrical wiring and control equipment is provided with appropriate levels of protection against fire.

16. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

17. The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message.
18. The AQDMP can form part of the Construction Environmental Management Plan (CEMP). The AQDMP shall include the following for each relevant phase of work (demolition, earthworks, construction and trackout):
 - a) A summary of work to be carried out;
 - b) Proposed haul routes, location of site equipment including supply of water for damping down, source of water, drainage and enclosed areas to prevent contaminated water leaving the site;
 - c) Inventory and timetable of all dust and NOx air pollutant generating activities;
 - d) List of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment;
 - e) Details of any fuel stored on-site;
 - f) Details of a trained and responsible person on-site for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions);
 - g) Summary of monitoring protocols and agreed procedure of notification to the local authority; and
 - h) A log book for action taken in response to incidents or dust-causing episodes and the mitigation measure taken to remedy any harm caused, and measures employed to prevent a similar incident reoccurring.