

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 5 th October 2021
Application reference:	203987
Applicant:	Mr Billy Pattison (Acting Agent)
Location:	Larkwood Works, 60 Larkshall Road, Chingford, London, E4 6PD
Proposed development:	Demolition of existing building and construction of a part two, part four storey residential building comprising 2x4, 2x3 bedroom dwellinghouses and 4x2 and 1x3 bedroom self-contained flats (Use Class C3) and associated works including private amenity spaces, cycle storage, refuse storage facilities, hard and soft landscaping and car parking spaces.
Wards affected:	Endlebury
Appendices:	None

RECOMMENDATION

1.1 Recommendation to GRANT planning permission subject to conditions and completion of a Section 106 Agreement with the following Heads of Terms:

- £1500.00 requested towards monitoring of the Construction Logistics Plan.
- £9,000 requested toward improving sustainable modes of transport including walking and cycling in the sites vicinity which will directly benefit new residents in this development.
- £5,000 is requested towards CPZ consultation and implementation.
- £5,000 is requested towards suitable greening and tree planting in the surrounding area
- £15,000 towards road safety improvements
- S278 works will be required upon completion of the works relating to the development prior to occupation. Works will include but are not limited to:

- o Renewal of the footway on both frontages of the site on Larkshall Road and Simmons Lane
- o Removal and renewal of the existing crossover
- o Renewal of road markings
- o Landscaping changes to the existing green space
- o Review of waiting and loading restrictions along Larkshall Road, Endlebury Road and Simmons Lane

The highways department will need to be contacted for an application form for developer highway works. The application will need to accompany a plan to be submitted for approval and estimate. Works will be carried out by the Council and funded by the developer.

- S38 Agreement in relation to land to be adopted by Highway Authority
- Parking Plan to allocate parking spaces to Houses A-D and Flat E

Legal Fees:

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

- 1.2 That authority to be given to the Assistant Director of Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the Section 106 Agreement and to agree any minor amendments to the conditions or the Section 106 Agreement on the terms set out above.
- 1.3 In the event that the Section 106 Agreement is not completed within 12 weeks following the date of Planning Committee, the Assistant Director of Development Management and Building Control is hereby authorised to refuse the application. In the absence of this Section 106 Agreement, the proposed development would not be able to deliver the residential development on the site. The implication of this happening is that the opportunity for securing the additional housing would be lost. Additionally, financial, and non-financial contributions would be lost towards transport related matters which must be secured by the Section 106 Agreement.

2 REASONS REFERRED TO COMMITTEE

- 2.1 There is significant public interest in the application and Councillors Emma Best, Mitchell Goldie and Roy Berg have asked for the application to be referred to the planning committee.

3 SITE AND SURROUNDINGS:

- 3.1 The application site relates to an irregular plot of land sited to the eastern side of Larkshall Road, towards the junction with Simmons Lane, Chingford.
- 3.2 The site currently accommodates a one/one and half storey industrial building that is currently in use for storage purposes, as well as associated ancillary structures that all fall within a Use Class B2 (General Industrial).
- 3.3 The site is wholly hard landscaped however immediately surrounding the site to the east, south and west, green space and trees can be found.
- 3.4 Access to the site is via Larkshall Road, where the site shares an existing crossover with the adjacent industrial site to the north.
- 3.5 A strip of land adjacent to the northern aspect of the site, including the building noted above, comprises a number of single-storey industrial buildings together with ancillary off street parking.
- 3.6 Further north of these units at 50 Larkswood Road, the land was previously utilised for similar industrial uses and has since been redeveloped for housing in the form of 14 dwellings (see planning application ref.2006/1165 granted 30/01/2007).
- 3.7 The remaining industrial units contrast from the surroundings with Larkshall Road, Endlebury Road and Simmons Lane which are all predominantly characterised by residential development largely in the form of two-storey, single-family dwellings albeit flatted residential development standing three-storeys in height is also found to the area.
- 3.8 To the east of the site sits a railway line operated by Network Rail with the buffer land separating the railway line and adjacent industrial units filled with various sized trees and shrubs.
- 3.9 The contiguous land immediately south of the site is an area of open green space adopted as Highway land, which acts as buffer to the corner turn to Simmons Lane. South of the roundabout to the junction of Simmons Lane and Larkshall Road is James and Holmes Court; four blocks of three-storey flatted developments.
- 3.10 To the west of the site to the other side of Larkshall Road are two-storey, single-family dwellings whilst a three-storey flatted block at the corner junction of Endlebury Road and Larkshall Road. It should be noted Larkshall Road is a B road, and has an inner lane for access to the residential developments; the two roads are separated by way of large amount of mature vegetation which screens views from the residential development from the industrial developments including the application site.
- 3.11 All residential development surrounding the site curtilage is separated by way of public highway with a minimum separation of 20m from the site.

- 3.12 The property is not located within a Conservation Area, is not listed and is not subject to an Article 4 direction. It falls within a PTAL 1b which is defined to be of very poor public transport accessibility with Chingford Station situated a 17-minute walk from the site.
- 3.13 Immediately to the east of the site, including the Network Rail owned land, the area is designated as a Site of Grade II Nature Importance (Local Plan Ref. SINC9). Further beyond this sits a designated allotment and Archaeological Priority Zone.

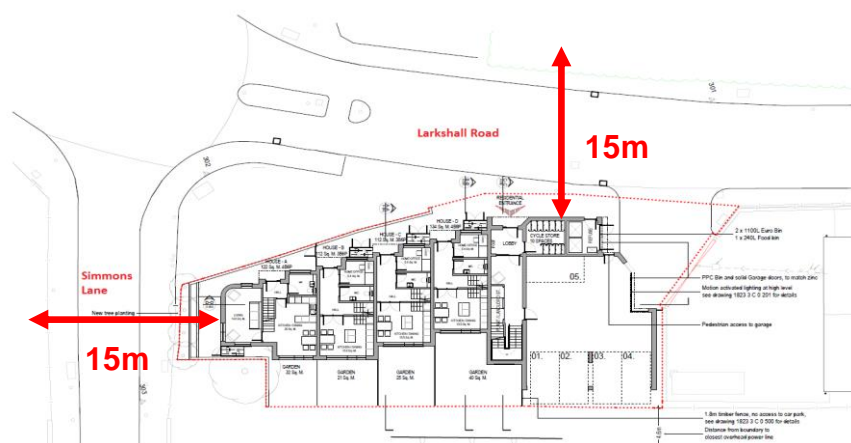
4. PROPOSAL:

- 4.1 The application proposes the demolition of the existing buildings on site and the construction of a part two, part four storey residential development together with associated landscaping, refuse/recycling facilities, cycle parking and undercroft car park.
- 4.2 The development would facilitate the creation of 9 residential units, with four terrace dwellings and five self-contained flats.
- 4.3 The family dwellings would all have private amenity space provided in the form of rear gardens, whilst Houses B, C and D would also benefit from amenity space to the roof.
- 4.4 Similarly, the flatted developments would all also benefit from private amenity space in the form of terraces or winter gardens.
- 4.5 The proposed development would provide the following housing mix;

Unit Type	Number of Units	Total Percentage
2-bed/3-person	2	45%
2-bed/4-person	2	
3-bed/5-person	1	33%
3-bed/6-person	2	
4-bed/6-person	1	22%
4-bed/8-person	1	
Total	9	100%

- 4.6 The footprint of the development would stagger to the front elevation as a result of following an irregular form and angle of the plot. The storey height would stand at its lowest level (two-storey) to the south of the site, rising three storeys up to House C before standing at a maximum four-storey level for House D and the flatted element.
- 4.7 The footpath fronting the existing site to Larkshall Road does not currently continue the width of the site. The proposal seeks to, subject to agreements with the Council's Highway department, continue the footpath along the frontage of the site towards the shared crossover. Residents would have walking access via this path.

- 4.8 The shared crossover with the adjacent industrial development is proposed to remain, providing vehicle access to the under-croft car park which provides five vehicle spaces.
- 4.9 Cycle parking is provided in the form of a sheltered, secure store to the front of each house, aside for House A where the store is provided towards the rear of the site albeit accessed via the flank wall. These stores allow two cycle spaces.
- 4.10 An internal cycle store is provided for the flats, providing 10 spaces. A shared refuse/recycling store is accessed externally situated towards north west corner of the site.
- 4.11 The car park would provide allocated parking for each of the houses together with one space allocated to the three-bedroom flat.
- 4.12 The proposed development would take a blocked form with flat roofs. A red multi brick finish is proposed together with red zinc cladding with diamond panelling for the fourth storey. Windows and door sets would be aluminium framed, whilst brick detailing, stone coping and soldier coursing are also shown on the plans. Glass balustrades would be used for balcony screening.
- 4.13 The proposal would result in the loss of one category C hedge, and would require protection measures to be carried out for two category C trees found within the curtilage of the development.
- 4.14 Extensive sedum green roofs are proposed to the roof areas not in use for amenity provision. PV panels are shown to the fourth storey.



5. RELEVANT SITE HISTORY:

5.1 A) Planning:

Reference: 130787

Description: Demolition of existing workshops/ offices and erection of part four and part three storey building to provide 9 self-contained flats

(5 x1 bed, 3 x 2 bed, and 1 x 3 bed). Provision of nine parking spaces and cycle store.

Permission: Refused (13/05/2013)

Reference: 140608

Description: Demolition of existing building and construction of 2 to 3 storey building to form seven self-contained flats (4 x 2 bed, 3 x 1 bed). Provision of seven parking spaces and refuse collection area.

Permission: Refused (25/03/2014)

- 5.2 Both submissions were refused owing to the poor design and layout of the development which resulted in a cramped form of development that would provide a substandard form of accommodation, fail to provide an active frontage and safe pedestrian access, whilst have a harm impact to the visual amenities of the street scene. The principle of the land use change was considered acceptable.

- 5.3 B) Enforcement:

There are no enforcement investigations associated with this site.

- 5.4 C) Adjacent Sites:

No relevant planning history.

- 5.5 D) Pre-Application:

Reference: 192744

Description: Demolition of existing building and construction of a five-storey building providing 40 residential units (class c3)

Reference: 194198

Description: Construction of a part 4, part 5 storey building providing 39 residential units Class (C3), follow on pre-app relating to reference 192744.

The above pre apps related to the wider site development which included the industrial lands adjacent to the application site.

6. PUBLIC CONSULTATION:

- 6.1 The Council sent out consultation letters to local residents surrounding the site on the 2nd March 2021.

- 3 Endlebury Road
- Endlebury Court, 2 Endlebury Road
- 83-97 (odd), 103 Larkshall Road
- 68-72 (even) Simmons Lane
- 133-137 (odd) Withy Mead

- 60A Larkshall Road
- James Court, 62 Larkshall Road
- Holmes Court, 64 Larkshall Road

- 6.2 The application was also advertised via a site notice dated 2nd March 2021.
- 6.3 The Council received a total of six letters of objection from the public consultation. In addition, Local Ward Councillors Emma Best, Mitchell Goldie, and Roy Berg have raised objection to the development. The objections and responses to the objections are outlined within the table below.

Objection Received	LPA Response
<p>The proposed building would at 4 storeys high be considered overbearing, out of keeping and out of character with the surrounding area. The development would stand taller than the existing building, with no buildings in the surrounding area taller than three storeys. The proposal is taller than the previous refused submissions and would be considered an overdevelopment of the site.</p>	<p>The proposed scale and massing of the development is considered acceptable in context of the surrounding three storey developments together with its overall high-quality design whereby the fourth storey incorporates various setbacks.</p> <p>Whilst the existing site height is noted, there is no requirement for the proposed works to follow existing heights at the site, rather optimising the site against all planning matters is considered appropriate.</p> <p>The concerns raised in the previous submissions have been addressed by way of the improved layout, design, and standard of accommodation. The proposal provides good sized, family accommodation and would not appear cramped nor an overdevelopment of the site.</p> <p>The design, scale and massing of the development is discussed further in section 9D of the report.</p>
<p>The area was originally assigned to industrial uses.</p>	<p>The existing site uses is noted however there are no designations that restrict the redevelopment of the site for housing.</p>

Objection Received	LPA Response
	<p>Furthermore, owing to the poor quality of the existing site, together with concerns regarding access and parking, it does not lend itself to continued industrial uses which would not optimise the land use.</p> <p>The principle of the land use and loss of industrial land is discussed further in section 9A of the report.</p>
<p>Traffic generation onto a main road with extra cars parked on the highway raises highway safety concern.</p>	<p>Double yellow lines are proposed along the redeveloped footway to the frontage of the site to avoid users parking on the kerb.</p> <p>Highway matters are discussed further in section 9F of the report.</p>
<p>Insufficient parking</p>	<p>The submitted data demonstrates that the proposal development where it provides 5 parking spaces, would not contribute to any significant parking stress to the surrounding area. The proposed car parking levels fall within the standards set out in Policy T6 of the London Plan (2021). Highway matters are discussed further in section 9F of the report.</p>
<p>Private amenity space falls below space standards set out in DM7</p>	<p>The private amenity provision does fall short of the minimum standards set out in Policy DM7 however the policy allows a flexible approach based on a site by site basis. This is discussed further in section 9C of the report.</p>
<p>The proposal would not accord with Policy DM32. The development would result in privacy concerns, overshadowing, increase sense of enclosure, loss of light and encourage anti-social behaviour due to the positioning of the terraces to the front.</p>	<p>The proposed development owing to the 25m separation distances from surrounding residential development, together with the predominantly three-storey height would not be considered to result in any significant harm to the amenity of any neighbouring occupiers. This is discussed further in section 9E of the report.</p>

Objection Received	LPA Response
The site is located in a suburban setting not an urban setting as per the planning statement.	The planning statement is a supporting document and officers have made their own assessment of the proposal against the site surroundings.
<p>Raise several concerns regarding the Daylight/Sunlight Report</p> <ul style="list-style-type: none"> - Report not stated for issue suggesting it is not the final version and the consultant does not support the findings - Report states it is for guidance purposes only - Should be recalculated to use appropriate guidelines for a suburban environment, whilst the entrance door to No.93 Larkshall Road was not included in any measure - On site assessment required as computer software does not accurately depict the path of the sun and shadow outlines of the existing buildings 	The daylight/sunlight report is a supporting document and officers have made their own assessment of the proposal against the site surroundings.
Concern regarding reference to future development north of the site	The proposal notes that it would not prejudice future development to the adjacent site.
Concerns with regards to the Construction method statement	It is unclear what concerns are raised with the document. Nonetheless, the Council's Environmental Health team have raised no objections.

6.4 The following internal consultees were consulted.

Consultees	Response
Environmental Health	No representation received.
Highways Development	<p>Raise objection to parking provision on site and use of shared crossover with adjacent industrial site raising highway safety concerns. Raise concerns regarding servicing strategy.</p> <p>Should the development be granted</p>

	<p>recommend S106 financial contributions in relation to CPZ consultation, highway safety improvements, sustainable transport improvements, urban greening, CLP monitoring. In addition, request S278 works and S38 works in relation to the adoption of private land.</p> <p>Recommend highway conditions.</p>
Nature Preservation	<p>Recommended amendments to the Arboricultural Report and Ecological Report, which have been carried out. Raise no objection to the development subject to conditions requiring accordance with the recommendations of the above stated reports and detailed planting details.</p>
Sustainability and Energy Efficiency	<p>No representation received.</p>
Transport Policy	<p>No formal response received however recommend a car free development. Recommend the cycle parking quantum is in line with the London Plan policies.</p>
Urban Design	<p>Recommended minor amendments to the development which have been carried out and raise no objection to the development.</p>
Waste Strategy	<p>No formal response received however raise concern regarding potential stopping of waste collection vehicle on the road. Suggest the vehicle be able to reverse into the site and exit in forward gear.</p>

7 DEVELOPMENT PLAN POLICIES

7.1 The policies considered relevant to this application are as follows:

National Planning Policy Framework (2021)

- 7.2 The National Planning Policy Framework was revised on 20 July 2021 and 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.
- 7.3 This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018, and updated in February 2019 and July 2021.

- 7.4 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".
- 7.5 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'
- 7.6 The specific policy areas of the NPPF considered to be most relevant to the assessment of this application are as follows:
- Achieving sustainable development
 - Delivering a sufficient supply of homes
 - Building a strong, competitive economy
 - Promoting healthy and safe communities
 - Promoting sustainable transport
 - Making effective use of land
 - Achieving well-designed places
 - Meeting the challenge of climate change, flooding, and coastal change
 - Conserving and enhancing the natural environment
- 2021 London Plan
- 7.7 On Tuesday 2nd 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.
- 7.8 The relevant policies within the London Plan 2021 are:
- GG1 Building strong and inclusive communities
 - GG2 Making best use of land
 - GG3 Creating a healthy city
 - GG4 Delivering the homes Londoners need
 - GG6 Increasing efficiency and resilience
 - D1 London's form, character, and capacity for growth
 - D3 Optimising site capacity through the design-led approach

D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D8 Public realm
D12 Fire safety
D14 Noise
H1 Increasing housing supply
H2 Small sites
H10 Housing size mix
E4 Land for industry, logistics and services to support London's economic function
E7 Industrial intensification, co-location, and substitution
G1 Green infrastructure
G5 Urban greening
G6 Biodiversity and access to nature
SI 2 Minimising greenhouse gas emissions
S1 13 Sustainable drainage
T1 Strategic approach to transport
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T7 Deliveries, servicing, and construction
T9 Funding transport infrastructure through planning
DF1 Delivery of the Plan and Planning Obligations

Waltham Forest Local Plan Core Strategy (2012)

- 7.9 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.

CS1: Location and Management Growth
CS2: Improving Housing Quality and Choice
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

CS13: Promoting Health and Well Being

CS15: Well Designed Buildings, Places and Spaces

CS16: Making Waltham Forest Safer

Waltham Forest Local Plan Development Management Policies (2013)

- 7.10 The Local Plan Development Management Policies Document was adopted in November 2013. This sets out the borough-wide policies that implement the Core Strategy and delivering the long-term spatial vision and strategic place shaping objectives. There is an emphasis on collaboration and a positive proactive approach to reaching a balance agreement that solves problems rather than a compromise that fails to meet objectives. The following policies are relevant in this case:

DM2: Meeting Housing Targets

DM5: Housing Mix

DM7: External Amenity and Internal Space Standards

DM10: Resource Efficiency and High Environmental Standards

DM13: Co-ordinating Land Use and Transport

DM16: Parking

DM20: Non-Designated Employment Areas

DM23: Health and Well Being

DM24: Environmental Protection

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

8. MATERIAL PLANNING CONSIDERATIONS

Shaping the Borough – London Borough Waltham Forest Draft Local Plan (Consultation Draft July 2019)

- 8.1 The Draft Local Plan underwent Regulation 18 public consultation between July 2019 and September 2019 and consultation on the proposed Submission Version between 26th October 2020 and 14th December 2020. It has now been submitted to the Secretary of State for examination. This is an early stage of the plan making process and less weight will be given to its policies.

- 8.2 The Draft new Local Plan proposes to be a “combined” document comprising 12 thematic policies and a revised spatial strategy, splitting the borough into North, South and Central Waltham Forest.
- 8.3 The Draft Local Plan clearly sets out the Council’s growth agenda which seeks to facilitate the sustainable delivery of 27,000 new homes and 46,000sqm of employment floorspace over the next plan period. The draft policies relating to housing type and mix are reflective of the London Plan (2021).

Policy 56 Delivering High Quality Design

Policy 58 Residential Space Standards

Policy 59 Amenity

Policy 68 Managing Vehicle Traffic

Policy 81 Biodiversity and Geodiversity

Epping Forest Special Area of Conservation

- 8.4 Natural England issued an Interim Advice Letter on 6th March 2019, in relation to the Epping Forest SAC (Special Area of Conservation), which is based on updated research on the impacts on the SAC and proposed measures to mitigate those impacts with particular reference to those understood to arise from the recreational impact generated by occupiers of new development. The Local Planning Authority is a “competent authority” under the Habitat Regulations and is legally obliged to take Natural England’s advice into account in decision making and attach great weight to it.
- 8.5 Waltham Forest shares a boundary with the Epping Forest Special Area of Conservation and following research in the form of a visitor survey by Footprint Ecology, has been found to fall within a wider Zone of Influence (ZOI) based on the distance the majority of visitors will travel to visit Epping Forest SAC. This report identified that 75% of visitors travelled up to 6.2Km to the SAC and as result of the whole of the London Borough of Waltham Forest falls within this ZOI for recreational pressure. It is anticipated that new residential development within this ZOI constitutes an LSE (Likely Significant Effect) on the sensitive interest features of the SAC through increased recreational pressure, either when considered ‘alone’ or ‘in combination’.
- 8.6 The Council as Local Planning Authority is obliged to ensure that any grant of planning permission would have sufficient mitigation measures in place so as to ensure that there would be no harmful impact on the Epping Forest SAC arising from LSE.
- 8.7 Natural England’s Interim Guidance assumes that all new residential development within Waltham Forest will create an impact on the Epping Forest SAC which will need to be mitigated. The Interim Guidance suggests that mitigation measures should take a threshold approach whereby development of 100 dwellings or more is treated differently to schemes of 99 dwellings or less.

- 8.8 For schemes of 99 units or less, an initial draft of costed Strategic Access Management Measures (SAMM) has been prepared by the City of London Conservators of Epping Forest. This package of measures is to be used in the interim period until the full Mitigation Strategy has been agreed and adopted. However, as an indication under the interim Strategic Access Management Measures, Waltham Forest is expected to contribute circa £1m towards the mitigation works which equates to 37% of the total.
- 8.9 For applications received after 1st April 2019 a SAMM levy is requested for all new residential developments of 10 units or more to contribute towards the Epping Forest mitigation. This is calculated at £100 per unit. The SAMM levy is not being sought for schemes of less than 10 units as the administrative costs are greater than the amount collected. Natural England is supportive of this approach, provided the total expected contribution is delivered.

Other Material Considerations

Department for Communities and Local Government Technical housing standard – nationally described space standard (March 2015).

The National Design Guide: Creating Well Designed Places (2019)

Living with beauty: report of the Building Better, Building Beautiful Commission (2020)

Waltham Forest Supplementary Planning Document - Urban Design SPD (2010)

Waltham Forest Local Plan Planning Obligations Supplementary Planning Document (2017)

Waltham Forest Design Charter 10 Principles for well-designed homes

Local Finance Considerations

- 8.10 Local finance considerations are a material consideration in the determination of all planning applications. 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 the Community Infrastructure Levy (CIL).
- i) There are no grants which could be received from central government in relation to this development.
 - ii) The Council has not received but does expect to receive an income from LBWF CIL in relation to this development.
 - iii) The Council has not received but does expect to receive an income from Mayoral CIL in relation to this development.

9 ASSESSMENT

- 9.1 The main areas which shall be addressed within this report relate to the following:

- A. The Principle of the Development;
- B. The Proposed Housing Mix;
- C. The Standard of Residential Accommodation;
- D. The Design of the Development;
- E. The Impact on Neighbour Amenities;
- F. Impact on Highways, Parking and Servicing;
- G. The Impact on Trees and Nature Conservation;
- H. Environment and Sustainability;
- I. Planning Obligations

A. The Principle of the Development

(i) Proposed residential land use and loss of employment and industrial space

- 9.2 Previous planning submissions ref.140608 and ref.140787 accepted the redevelopment of these sites for housing. The loss of employment space was considered acceptable as part of these submissions albeit these applications were ultimately refused due to other matters such as the overall design, layout, access, and standard of accommodation proposed. Since these decisions, new national and regional policy has been adopted (NPPF 2021, London Plan 2021) which is considered below.
- 9.3 Policy E4 of the London Plan (2021) states that any release of industrial land in order to manage issues of long-term vacancy and to achieve wider planning objectives, including the delivery of strategic infrastructure, should be facilitated through the processes of industrial intensification, co-location and substitution set out in Policy E7.
- 9.4 The retention, enhancement and provision of additional industrial capacity should be prioritised in locations that:
- 1) are accessible to the strategic road network and/or have potential for the transport of goods by rail and/or water transport
 - 2) provide capacity for logistics, waste management, emerging industrial sectors or essential industrial-related services that support London's economy and population
 - 3) provide capacity for micro, small and medium-sized enterprises

- 9.5 Part C of Policy E7 of the London Plan states that Mixed-use or residential development proposals on Non-Designated Industrial Sites should only be supported where:
- 1) there is no reasonable prospect of the site being used for the industrial and related purposes set out in Part A of Policy E4 Land for industry, logistics and services to support London's economic function; or
 - 2) it has been allocated in an adopted local Development Plan Document for residential or mixed-use development; or
 - 3) industrial, storage or distribution floorspace is provided as part of mixed-use intensification (see also Part C of Policy E2 Providing suitable business space).
- 9.6 Any release of industrial capacity in line with Part C should be focused in locations that are (or are planned to be) well-connected by public transport, walking and cycling and contribute to other planning priorities including housing (and particularly affordable housing), schools and other infrastructure.
- 9.7 Policy CS8 of the Local Plan Core Strategy states that a pragmatic approach to non-designated employment land and premises should be taken so that land no longer fit for purpose can be released for more productive uses.
- 9.8 Policy DM20 of the Local Plan Development Management Policies supports strategic objective CS8 and states that where there are clear barriers to the sites future employment use, such as access and parking or poor building repair, a more productive use could be considered. Preference is given to mixed-use development, education and training facilities, day centres, clinics and health centres or offices.
- 9.9 The onus is on developers to demonstrate the benefits of appropriate alternative uses that respond to individual site characteristics.
- 9.10 The application site relates to one of a number of purpose-built employment sites situated adjacent to the railway to the eastern side of Larkshall Road. Six of these buildings remain with the previously used industrial space to the north having been redeveloped for housing.
- 9.11 The site is not protected by any employment designation, is not designated in a SIL or LSIS and outside of the sites adjacent to the railway line, the area is predominantly residential, largely in the form of family housing.

- 9.12 The plot is of a relatively modest scale, measuring 0.0675 ha, and owing to its irregular shape, together with its site surroundings, and overall accessibility makes it unsuitable for the preferred uses suggested in Policy DM20.
- 9.13 The existing buildings on site are of a relatively poor quality, and the contribution this space makes to both employment figures, and to the provision of B2 Uses within the borough is considered relatively limited.
- 9.14 The site suffers from issues with access to/from the site in particular for larger vehicles owing to the shared dropped kerb, the position of the site close to the junction as well as the limited size of the plot, its irregular form and the existing position of buildings resulting in difficulties for larger vehicles to turn on site. These constraints further deter the site from being considered suitable for continued B2 Uses.
- 9.15 With changing social needs, the requirement for industrial land in the form B2 Uses is lessening, with B8 (Storage and Distribution) in greater demand. Whilst the site could alternatively be converted to such a use, the poor accessibility, level of parking and poor overall quality of the site makes such a conversion sub-optimal.
- 9.16 The proposal would therefore not provide optimal planning benefit in retaining the existing uses on the site. Whilst a comprehensive redevelopment of the wider site would allow greater benefit, noting the surrounding residential character, and the development of the site further north, it is not considered any future development would reasonably provide a B2 or B8 use that maximises the opportunity for development to this small scale site.
- 9.17 National, London and Local plan policies all seek to encourage sustainable housing development on appropriate sites in urban areas. In particular, Policy CS2 of the Waltham Forest Local Plan Core Strategy identifies the need to prioritise development on previously developed or underused land and optimise housing densities.
- 9.18 The application site, noting the above assessment, together with the surrounding residential character, lends itself to redevelopment for housing. The provision of housing on this site would contribute towards a strategic need within the borough whilst optimising this underdeveloped, underutilised parcel of land.
- 9.19 Policy objectives seek to efficiently maximise the use of land, so long as it is compliant with other policy requirements. Policy H2 of the London Plan (2021) states that boroughs should pro-actively support well-designed new homes on small sites, such as this one.

- 9.20 The proposed development would provide 9 new residential units which would add to the overall housing stock in the borough and would count towards meeting the Council's housing target which is set by the London Plan. Of these 9 units, 5 would be of family sized accommodation, a mix in high demand within the borough.
- 9.21 The proposed loss of non-designated employment space to provide 9 residential units is therefore considered acceptable in principle in line with policy objectives however, this must be balanced with other matters including; appropriate housing mix, high quality design, standard of accommodation, residential amenity, highway matters, nature conservation and environmental matters which would ensure that any development would be sustainable.

B. The Proposed Housing Mix

- 9.22 National Planning Policy requires new development to deliver sustainable, inclusive, and mixed communities in accessible locations.
- 9.23 Policy H10 of the London Plan seeks to ensure that new residential developments comprise a mix of unit sizes to address the housing needs of the local area. The policy does not, however, specify a precise mix of housing types.
- 9.24 Policy CS2 of the Local Plan sets out that the Council will facilitate sustainable housing growth by 'creating a mixed and inclusive community by enabling a variety of housing types to meet the identified local needs of older and vulnerable people'.
- 9.25 Paragraph 6.6 of the same policy document recognises that the proposed housing mix of new development should be considered on a site by site basis, and that LBWF take a flexible approach when applying the preferred housing mix outlined above.
- 9.26 LBWF will consider site specific aspects such as:
- The character and context of the site and surrounding area,
 - The size of the site and constraints; and
 - Financial viability.
- 9.27 Policy DM7 outlines that the Council aims to ensure each development should contribute to the creation of mixed and balanced communities by containing a mix of large and small homes overall. In order to prioritise larger family housing, the Council aims to provide at least 50% of new private and social / affordable rented homes as three bed plus.

- 9.28 The proposed mix of the housing proposed within the development is outlined in the below table:

Unit Type	Number of Units	Total Percentage
2-bed/3-person	2	45%
2-bed/4-person	2	
3-bed/5-person	1	33%
3-bed/6-person	2	
4-bed/6-person	1	22%
4-bed/8-person	1	
Total	9	100%

- 9.29 The proposal falls under the threshold (10 units) to be constituted as a major development and therefore affordable housing contributions are not sought as part of the proposal in line with the NPPF (2021).
- 9.30 The proposed scheme is relatively small, however provides 5 family sized homes which is highly sought of within the borough. Therefore, the proposed unit mix would be considered acceptable given the context of the site, in line with Policy DM5 of the Waltham Forest Local Plan Development Management Policies (2013).

C. The Standard of Residential Accommodation

(i) Internal Spaces

- 9.31 London Plan Policy D6 states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment.
- 9.32 Local Plan policy DM7 states that the Council would ensure that all new residential development would be of the highest quality both internally and externally in terms of the space provided. The Department for Communities and Local Government Technical Housing Standard – Nationally Described Space Standard sets the requirements for internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy.

	Minimum standards required (sqm)	House A (4b6p)	Accords
Gross Internal Area (sqm)	112	122	Yes
Double Bedroom	11.5	21 + 14.5	Yes
Single Bedroom	7.5	9 + 7.5	Yes
Combined floor area of living, dining, and kitchen spaces	31	34.6	Yes
		House B (3b6p)	Accords
Gross Internal Area (m2)	108	112	Yes
Double Bedroom	11.5	14.5 + 12 + 11.5	Yes
Single Bedroom	7.5	N/A	Yes

Combined floor area of living, dining, and kitchen spaces	31	31.1	Yes
		House C (3b6p)	Accords
Gross Internal Area (m2)	108	112	Yes
Double Bedroom	11.5	14.5 + 12 + 11.5	Yes
Single Bedroom	7.5	N/A	Yes
Combined floor area of living, dining, and kitchen spaces	31	31.1	Yes
		House D (4b8p)	Accords
Gross Internal Area (m2)	130	134	Yes
Double Bedroom	11.5	14.5 + 12 + 12 + 12	Yes
Single Bedroom	7.5	N/A	Yes
Combined floor area of living, dining, and kitchen spaces	31	31.1	Yes

	Minimum standards required (sqm)	Flat A (2b3p)	Accords
Gross Internal Area (sqm)	61	73	Yes
Double Bedroom	11.5	11.5 + 11.5	Yes
Single Bedroom	7.5	N/A	Yes
Combined floor area of living, dining, and kitchen spaces	25	31	Yes
		Flat B (2b3p)	Accords
Gross Internal Area (m2)	61	62	Yes
Double Bedroom	11.5	11.5	Yes
Single Bedroom	7.5	8.5	Yes
Combined floor area of living, dining, and kitchen spaces	25	30	Yes
		Flat C (2b4p)	Accords
Gross Internal Area (m2)	70	73	Yes
Double Bedroom	11.5	11.5 + 11.5	Yes
Single Bedroom	7.5	N/A	Yes
Combined floor area of living, dining, and kitchen spaces	27	31	Yes
		Flat D (2b3p)	Accords
Gross Internal Area (m2)	61	62	Yes
Double Bedroom	11.5	11.5	Yes
Single Bedroom	7.5	8.5	Yes
Combined floor area of living, dining, and kitchen spaces	25	30	Yes
		Flat E (3b5p)	Accords
Gross Internal Area (m2)	86	96	Yes
Double Bedroom	11.5	13.5 + 11.5	Yes
Single Bedroom	7.5	7.5	Yes
Combined floor area of living, dining, and kitchen spaces	29	38	Yes

- 9.33 The table illustrates the minimum required gross internal area (GIA) as specified for each unit mix together with the proposed GIA provided.
- 9.34 All of the proposed residential units would exceed the minimum space standards set out within the 'Technical Housing Standards - nationally described space standard' (2015) and DM7 of the Local Plan (2013).

- 9.35 Due to the design, orientation and positioning of the proposed dwellinghouses, the proposed internal space of units would benefit from natural cross ventilation and a greater capacity to address overheating, mitigating pollution, greater flexibility in the use of rooms, and more potential for future adaptability by altering the use of rooms.
- 9.36 The internal layouts are of the dwellings considered to allow for a high-quality standard of accommodation for future residents, with all living spaces afforded good levels of outlook, natural light, and privacy. Movement throughout the units are not constrained. The fenestration placement is traditional in that it is found to the front and rear of the dwelling, looking out to the soft landscaped frontage of the site and the rear gardens of the properties.
- 9.37 For the flatted units, these are dual aspect also, allowing them to benefit from associated benefits in respect to ventilation and overheating etc. The internal layouts are well-designed and allow good circulation spaces, whilst the position of the fenestration allows relatively good quality outlook as well as a good level of natural light and privacy for future occupiers. The northern elevation provides one high level window to each floor; the high level of this window avoids any future privacy issues to arise whilst allowing additional natural light to enter the spaces they serve.
- 9.38 Noting the position of the site adjacent to the railway line, there is potential for noise from the line impacting the future occupant's amenity. The application is supported by a Noise and Vibration Impact Assessment.
- 9.39 The report has been assessed by the Council's officers who have in addition carried out their own assessment of the proposal. It is considered that subject to noise insulation measures being installed within the fabric of the building including the design and specification of the windows, that the internal spaces would not face any significant adverse noise impact arising from the railway line. The Council's specialist Noise officers raise no objections to the proposal.
- 9.40 Any development would be subject to a condition to ensure all units are built to accord with Access to and use of Buildings, Approved Document M (2015 as amended), Volume 1: Dwellings, M4 (2): Accessible and adaptable dwellings.
- 9.41 The proposed position and design of the development is also considered well placed ensuring future development to adjacent sites are not prejudiced.

- 9.42 On the whole, the proposed development would provide a high-quality standard of accommodation, exceeding minimum space standards, and providing good levels of outlook, natural light, and privacy relative to the site surroundings. This satisfies the objections of DM7 of the Local Plan (2013).

(ii) Sunlight and Daylight for the occupiers:

- 9.43 All proposed units would be east and west facing. This allows each unit to benefit from maximum available direct sunlight, and with the dual aspect nature of the units, each unit would receive a good level of natural light and direct sunlight.
- 9.44 As such, the proposed design ensures a good level of sunlight and daylight for the occupiers in accordance with DM7 of the Local Plan (2013).

(iii) Amenity Space Provision:

- 9.45 Policy DM7 states the minimum space requirements for private amenity space, a minimum of 50 sq.m of private amenity space for one and two bed houses. For houses containing three or more bedrooms, an additional 10 sq.m per bedroom should be provided (e.g.: 3 bed house - 60 sq.m and 4 bed house - 70 sq.m). For flatted developments a minimum of 10 sq.m amenity space is to be provided per bedroom space. The overall provision can be provided in the form of private amenity and communal amenity space however a minimum of 5sqm private amenity space is required. External amenity space should be well-designed, appropriately located, and usable.
- 9.46 The table below outlines the provision of private amenity space provided for each unit against the minimum provision required.

Dwellinghouse	Minimum required private/communal amenity space (sqm)	Proposed private amenity space (sqm)	Accords
House A (4b6p)	70	61	No
House B (3b6p)	60	46	No
House C (3b6p)	60	50	No
House D (4b8p)	70	49	No
Flat A (2b3p)	20	7	No
Flat B (2b3p)	20	6	No
Flat C (2b4p)	20	7	No
Flat D (2b3p)	20	6	No

Flat E (3b5p)	30	30	Yes
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- 9.47 The proposed dwellings fail to provide to meet the minimum standards required for private amenity space on site, and whilst all flats do meet the minimum private amenity space requirements for balconies, flats A-D fall short of meeting the total amenity space standards (private and communal).
- 9.48 Policy DM7 states that each site needs to be considered on a site by site basis and a flexible approach needs to be considered when applying external space standards, giving consideration to;
- Access to shops, public transport, public services, community facilities, parks, and green spaces;
 - The character and context of the site and surrounding area;
 - The size of the site and constraints; and
 - Financial viability
- 9.49 The application site, owing to irregular shape, and the immediate surrounding context, creates difficulties in providing acceptably shaped amenity provision, particularly at ground floor level. It is considered presumably for this reason the proposal has sought to supplement the ground floor amenity provision with terrace spaces for the dwellinghouses.
- 9.50 The proposed dwellings provide a minimum of 46sqm of private amenity space per unit, split between rear garden space at ground floor level and terrace level space. Where the quantum of the space does not meet the overall size, standards set out in policy, the overall quality of these spaces would be considered of an acceptable quality. The spaces would be regularly shaped, provide differing levels of views, together with good landscaping detail which includes planters and seating.
- 9.51 Similarly, for Flats A-D, the proposed terrace and winter gardens are considered appropriately designed and positioned relative to the site surroundings.
- 9.52 The site is also situated a 9-minute walk from Pimp Hall Nature Reserve and 14-minute walk from Hatch Forest.
- 9.53 Therefore, whilst there is a shortfall in the quantum of the communal and private amenity space proposed, it is considered that the owing to a combination of the quality of the spaces proposed, the site constraints, together with the availability of green spaces in the

surrounding area, that the proposed development would be justifiable in respect of this shortfall, particularly when balanced against other benefits of the scheme.

- 9.54 When considered in the balance of the overall standard of accommodation, it is considered that this development, both the flats and the dwellings would provide an acceptable level of accommodation for future occupiers of the site. The proposal would therefore be in broad conformity with the requirements of Policy DM7 of the Waltham Forest Local Plan Development Management Policies (2013).

Summary

- 9.55 In summary the proposed development, given the internal and external spaces and layout of habitable rooms, would be acceptable in accordance with the London Plan (2021), Technical Housing Standards (2015), Policy CS16 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM7 and DM33 of the Development Management Policies (2013).

D. The Design of the Development

- 9.56 Local Plan Core Strategy Policy CS15 and Development Management Plan Policy DM29 state that new developments will be expected to ensure the highest quality architecture and urban design and that they should reinforce and/or enhance local character and distinctiveness, taking account of patterns of development, urban form, and building typology.
- 9.57 Paragraph 124 of the NPPF requires good design within developments which should be of a high quality and design due to the contribution towards making better places for people.
- 9.58 The proposal seeks the construction of a part two, part four storey residential building comprising of 4 dwellings and 5 flats, together with associated landscaping, refuse/recycling facilities, cycle parking and an under-croft car park.





Scale, Massing and Layout

- 9.59 The surrounding area is generally comprised of two-storey, family dwellings however to two of the junctions to Larkshall Road at the roundabout benefit from three-storey developments; to the junction of Endlebury Road and to the opposing junction with Simmons Lane.
- 9.60 These developments set a precedent for taller development to this setting, both developments of which sit comfortably within the surrounding area owing to their design, position, and surrounding soft landscaping which helps mask long views towards these developments.
- 9.61 The proposed mass of the development reduces from four-storeys, adjacent to the commercial development to the north to two-storeys towards the southern aspect of the site adjacent to Simmons Lane.
- 9.62 At three-storey level and below the proposed development would have a bricked finish, with a staggered front elevation that reduces towards the southern aspect of the site. Where the development stands at four-storeys, it would have a red zinc finish, incorporate a 4.05m setback from the front projection and be sited towards the northern aspect of the site away from the junction with Simmons Lane (17.3m from the southernmost elevation of the site).
- 9.63 Views of the development, notably the northern aspect of the site which would have the fourth storey would be somewhat masked from surrounding vantage points owing to the line of mature trees and vegetation that sits between the eastern and western side of Larkshall Road.

- 9.64 Noting the surrounding context, the design of the development with its staggered front elevation, and setbacks to the massing, would be considered an acceptable addition to this setting. The proposed development would not be considered out of scale with the surrounding area and whilst the predominant two-storey form is noted, the positioning of the site to the opposing side of Larkshall Road, adjacent to potential redevelopment sites that benefit from their own context allows for an increase to the two-storey form.
- 9.65 The proposed layout of the development relates positively to the irregular form of the site, maximising the available space whilst providing an active frontage for the width of the site.
- 9.66 As such, the overall scale, form, and massing is considered to sit acceptably within the context of the surrounding area, being well-designed and having taken a thought-out urban design analysis of the surrounding area.

Detailing and Materials

- 9.67 The surrounding area is characterised by its use of red brick and tiles together with a supporting use of white render.
- 9.68 The proposed development seeks to use a red multi brick up to three storeys whilst the fourth storey would have a Pigmento red zinc with a diamond patterning. Cast stone would be found to the edges of the entrances of the dwellings and main entrance of the flat, whilst glass balustrades utilised to the balcony spaces. Windows frames would match the red zinc to the fourth storeys. Cycle stores would be brick built to match the elevations with cast stone to the edges also.
- 9.69 The proposed detailing and material palette are considered to be of a high quality; the use of a red toned brick relates positively to the appearance of the surrounding area whilst the multi-brick approach accentuates its overall visual quality.
- 9.70 The use of a red zinc together with its diamond patterning ensures that whilst the top floor is differentiated from the lower floors, it nonetheless complements the predominant elevational treatment without appearing heavy or overly bulky to the top. The use of zinc to the top floor works well with the panel sizes reading smaller from the street level.
- 9.71 Care has been given to the detailed matters of the elevation, including the parapet coping, the stone casting to the entrances and cycle stores and the diamond patterning. These details serve to enhance the overall quality of the development and demonstrate detailed consideration.

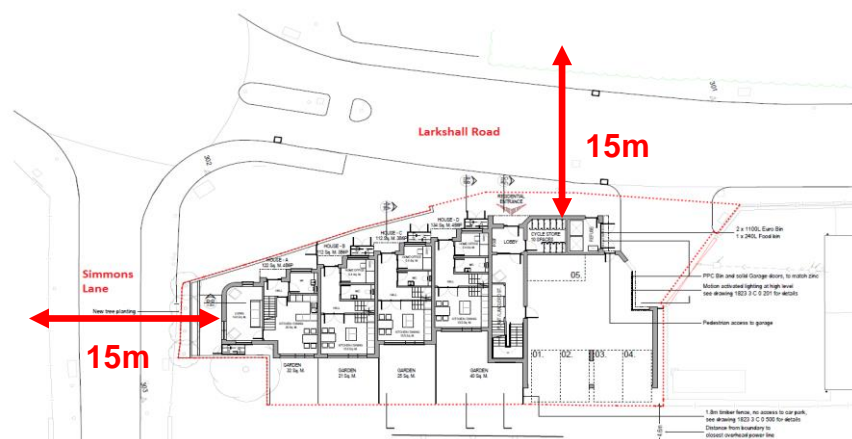
- 9.72 The use of glass balustrades to the terrace spaces ensures that these areas remain lightweight; whilst alternative options were considered by the LPA it was considered that the glass balustrades were most appropriate. It is recommended any grant of permission be conditioned to ensure these spaces are not utilised for storage purposes.
- 9.73 The overall proposed material finish and attention to detail ensures that the proposed building would be of a high quality.

Summary

- 9.74 In summary it is considered that the proposed development, given its height, scale, design, layout and use of materials, would be acceptable within the existing urban form in the vicinity and the wider locality in accordance with the London Plan (2021), Policy CS15 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM29 of the Development Management Policies (2013).

E. The Impact on Neighbour Amenities

- 9.75 Policy DM32 of the Development Management Policies (2013) states that when considering the impact of a new development on neighbouring amenity, the Council will have regard to access to daylight and sunlight, outlook, privacy and noise and disturbance. LBWF will only find development acceptable where it would not cause an unacceptable loss of amenity to adjoining or future occupiers of the development.
- 9.76 A Daylight and Sunlight Report was submitted with the proposal. Whilst this would normally not be required for a scheme of this nature, an assessment of the impact to the existing surrounding properties was undertaken. Officers have reviewed the findings and undertaken their own assessment of the proposal.





- 9.77 All residential development in proximity of the site curtilage is separated by way of the public highway. When measuring from the nearest elevations of the surrounding residential development, there is a 25m separation distance to the curtilage of the application site.
- 9.78 Furthermore, relative to the properties found to the opposing side of Larkshall Road, there is a large amount of mature vegetation that screens the views between the residential development and the application site.



- 9.79 Given the large separation distances, together with the scale and design of the development, which incorporates setbacks at fourth storey level it is considered there would be no significant amenity harm arising from the development in relation to outlook, natural light, and

privacy. This is supported by the findings of the applicants Daylight/Sunlight assessment, which concludes that all the properties assessed will continue to meet BRE standards.

- 9.80 In summary, in relation to residential amenity, it is considered the proposal on the basis of the preceding assessment is considered to have an acceptable level of impact with regards light, privacy and outlook for the occupiers of adjoining residential properties and noise nuisance and would therefore comply with Policies CS13 of the adopted Waltham Forest Local Plan – Core Strategy (2012), Policy DM32 of the Development Management Policies (2013) and The London Plan (2021).

F. Impact on Highways, Parking and Servicing

- 9.81 Policy DM14 (Sustainable Transport Network) states that the Council will actively encourage sustainable travel. Developments should not have a harmful impact on the walking and cycling environment.
- 9.82 Policy DM16 states that the Council would seek to effectively manage parking by encouraging car-free and car-capped development in locations that have high levels of parking stress. Adding that in car-free and car-capped developments, the Council would be limiting on-site car parking for these developments to spaces designed for disabled people and operational and service needs; and introducing controlled parking zones in the vicinity of the development.
- 9.83 Policy T6 of the London Plan states Car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity.
- 9.84 Draft Local Plan Policy 68 'Managing Vehicle Traffic' states that whilst car free developments are encouraged, in areas of low accessibility parking provision on site could be considered acceptable subject to a robust transport assessment.
- 9.85 The site falls within an area of a PTAL 1b which is described as very poor. Access to Chingford Station is an 18-minute walk from the site whilst the 444-bus route is sited opposite the site, and Balgonie Road bus stop is a 7-minute walk from the site providing bus routes 179, 212, 397 and 444. The site is not situated within a CPZ.

(i) Car Parking

- 9.86 The Council's Highway department has recommended the development be considered car-free with no provision of on-site parking to be provided.

- 9.87 The application proposes the provision of five off-street parking spaces to be positioned to an under-croft parking area. The parking spaces are annotated to serve each of the family sized units (Houses A-D and Flat E), providing one space per family.
- 9.88 Whilst the recommendation of the Council's Highway officers is noted, as is Local and Regional Planning Policy which seek to ultimately reduce car dependency, the provision of off-street parking in this context is accepted.
- 9.89 With the site not falling within a CPZ, and the timing of any future implementation of a CPZ unknown at this time, removing the car parking would not necessarily reduce car dependency of future occupiers of the site. In the event of off-street parking not being available, residents could seek to park in the surrounding area.
- 9.90 The proposed parking arrangement would allow each of the family units to benefit from such a space; these users are generally likely to be the most dependant on car ownership. Given the relatively poor PTAL of the surrounding area, family occupiers would be more so dependent on car ownership.
- 9.91 With no mechanism to restrict future occupiers of the site from parking in the surrounding area, the development would increase on street parking pressures albeit to a relatively limited degree given the modest scale of the development. Notwithstanding the limited additional pressure, it is considered appropriate that where off-street parking can be incorporated that this be made available to mitigate any harmful impact.
- 9.92 Table 10.3 of Policy T6.1 (Residential Parking) sets out the maximum parking standards for residential development. For an Outer London PTAL 2-3, 0.75 spaces per dwelling can be provided for a 2-bedroom dwelling and 1 space per dwelling for a 3+ bedroom dwelling. The proposed development would comfortably fall within these standards which are not set out as the minimum, rather the maximum. By not exceeding the standards the proposal would satisfy the parking standards set out in Policy T6 of the London Plan (2021).
- 9.93 Any permission would be subjection to a condition to ensure electric charging points are installed to encourage use of electrical vehicles. In addition, by way of a legal agreement, the parking spaces proposed would be allocated to the relevant units and would not be sold separately.

- 9.94 Furthermore, the applicant has agreed to the requested contribution of £9000 towards improving sustainable modes of transport in the area together with a £5000 request towards CPZ consultation and implementation. These contributions, together with the continuing of the public footway to the frontage of the site seek to support improve the permeability of the surrounding area and would mitigate any harmful impact arising from the development.
- 9.95 As such, in the absence of a CPZ and noting the poor PTAL context, it is considered that the provision of off-street parking in this instance is considered acceptable.

(ii) Cycle Parking

- 9.96 Local Plan Policy DM16 sets the minimum requirements for cycle parking for new developments at one cycle space/one-bedroom dwellings and two cycle-spaces/two-bedrooms or above. Accordingly, each dwelling would be required to provide two spaces whilst the communal cycle storage for the flatted development would need to provide a minimum of ten spaces.
- 9.97 Each dwelling benefits from its own cycle store which provides two cycle spaces each. The cycle stores are conveniently positioned for future residents to access, whilst benefitting from natural surveillance for additional security. The stores would be sheltered and lockable, which is considered acceptable and appropriate.
- 9.98 The proposed communal cycle store for the flatted element of the development is situated within the fabric of the building, ensuring it is safe, secure, and sheltered whilst being conveniently accessed. Sufficient space is provided for users to turn and store their cycle. Ten spaces are provided which meets the minimum requirements for cycle parking.
- 9.99 The proposed development provides the sufficient provision of cycle parking, which is secure, sheltered and appropriately positioned. This is considered acceptable in line with the objectives of adopted Local Plan policy DM16.

(iii) Proposed Highways Works:

- 9.100 To facilitate the development, S278 Highway works are required to be carried out prior to the occupation of the site. These works would include, but not limited to, the following works:
- Renewal of the footway on both frontages of the site on Larkshall Road and Simmons Lane

- Removal, renewal and/or realignment of the exiting crossover
- New lighting provision on the new 1.8 m footway
- Renewal of road markings
- Landscaping amendments and improvements to the existing green space
- Review of waiting and loading restrictions along Larkshall Road, Endlebury Road and Simmons Lane

9.101 As a S106 agreement is required for this development, the S278 works will be secured within that agreement. A highway plan will be required to be submitted prior to the competition of the s106. Works will be carried out by the Council and funded by the developer.

9.102 The S278 works have been reviewed and agreed by the developer.

9.103 In addition to the above, the proposal following the Council's Highways teams' recommendations, illustrates a minimum 1.8m footway along Larkshall Road where previously no footway exists. The footway would allow future residents of the site, as well as the local community to benefit from walking safely across the frontage of the site.

9.104 The works would require a S38 agreement be entered into where land is offered to the Highway Authority for adoption. The applicant has agreed to this matter and this will be included as a Heads of Term as part of any S106 agreement.

(iv) Refuse Store and Collection

9.105 Local Plan Policy DM32 states that in managing the impact of new developments on neighbouring amenity, new developments should ensure the provision of facilities for the storage, collection, and disposal of refuse.

9.106 The plans illustrate a communal refuse store for use by all residents of the development. The store is sited towards the northern aspect of the development adjacent to the entrance to the car park.

9.107 The proposed refuse store appears to be of a size that can sufficiently accommodate the require volume of bins whilst its position is considered relatively convenient for all users, and access in and out of the store raises no concerns.

9.108 In terms of collection, the Council's Waste Strategy team have raised concern with regards to the collection of refuse/recycling owing to the

site's proximity to the roundabout. It is considered stopping on the road for collection would not be acceptable.

- 9.109 The objection follows an objection from the Council's Highway's team with regards to the vehicle access into the site. These matters will be discussed in the section below.

(v) Delivery, Servicing and Access

- 9.110 The application site shares an existing dropped kerb with the adjacent commercial development. Neither site benefits from any alternative access.

- 9.111 The Council's Highway team and Waste Strategy team raise concern to the continued shared use of this dropped kerb, with potential conflict with the adjacent site use. Due to the geometry of the public highway, the site is located on hill near a mini-roundabout adjacent to a pedestrian island crossing. The visibility of this junction is vital to maintain road safety in a location with a collision history. The proposal for waste and delivery vehicles to reverse into the site is not acceptable to Highways as it does not create a safe environment for pedestrians nor any existing road users. This is fundamental as the development will increase pedestrian and cycle trips across Larkshall Road.

- 9.112 Servicing vehicles post construction must be able to stop and load within the site boundary, off the public highway. Larger vehicles including refuse vehicles must be able to turn and exit the site forward gear.



- 9.113 Further information was submitted by the applicant to detail the anticipated number of vehicle trips accessing the adjacent site, including HGV vehicles, and the anticipated number of vehicle trips for the proposed residential use including the number of servicing trips.

9.114 The data states that the following:

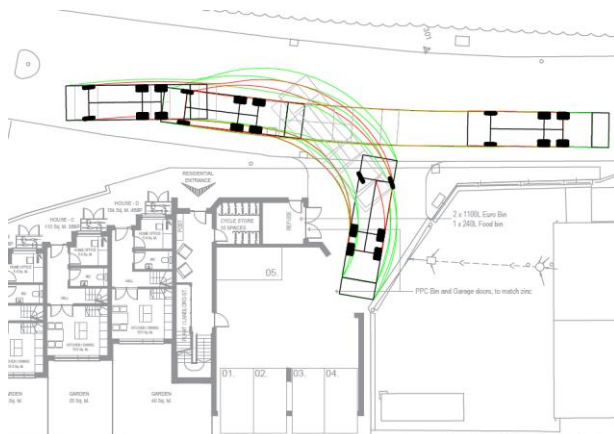
Adjacent Commercial Site

- 15 two-way vehicle trip per day
- 1 HGV trip per day

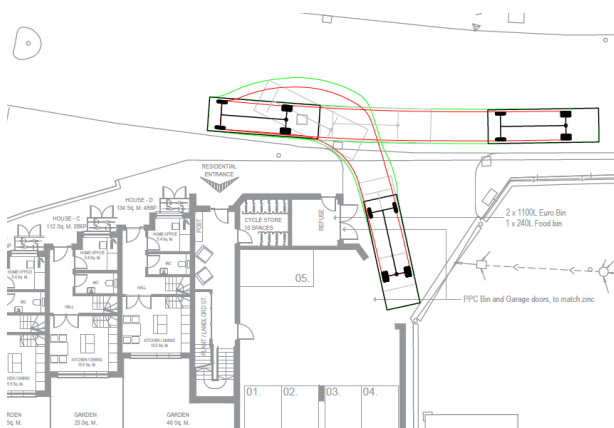
Proposed Residential Use

- 1 servicing vehicle per day
- 48 vehicle trips per day (5 during AM peak hour and 4 during PM peak hour)

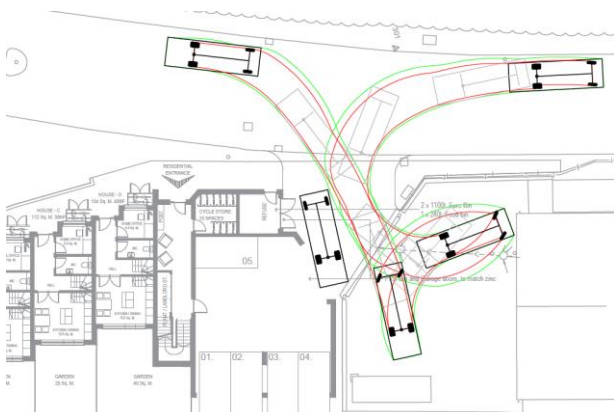
9.115 In addition, swept path drawings have been submitted to illustrate how vehicles servicing the residential use would enter and exit the site.



Refuse Collection



Delivery Vehicle



Residential / Commercial Use

- 9.116 Officers note the concerns raised by Highway and Waste strategy teams and have considered the proposal accordingly against all matters.
- 9.117 Noting the up to date information taken from TRICS (Trip Rate Information Computer System) it is considered that on balance the proposed vehicle conflict arising from the development and adjacent commercial site would not be significant to warrant a reason for refusal.
- 9.118 The data shows that deliveries to the site would be relatively infrequent (1 per day) and delivery drivers could conceivably stop and reverse into the site without significant difficulty. Given the infrequent nature of this trip and short nature of such visits it is not considered this would be cause any significant harm to vehicle users of adjacent/application site.
- 9.119 In regard to the refuse collection, similarly the swept path drawings show the refuse vehicle could reverse into the site without blocking the highway. The drawings do show that the vehicle would sit on the public footway which the Council's Highway team raises concerns with. However, noting the public highway does not continue beyond the application site northwards, there would be no conflict arising from the vehicle partially stopped on the public footway. Any future development on the adjacent site would give opportunity to address this issue, and in the absence of any adjacent development given the lack of public footway there would be no significant harm arising from this action. Again, given the infrequent nature of such trips (1 per week) it is not considered this would raise any significant harm in respect to highway congestion or safety.
- 9.120 The proposed residential use is likely to cause a relatively frequent number of residential trips to and from the site. These vehicles could conflict with vehicles accessing the commercial site, which the Council's Highway officers raise concern to. However, noting the existing use and access to the site, it is unclear how the proposed development would cause any greater conflict than any existing from the shared use of the dropped kerb and access. No information has been submitted to demonstrate vehicle conflict resulting in harm to this site and in the absence of such information together with the TRICS data and the swept path analysis carried out, there is limited basis to warrant a reason for refusal.
- 9.121 In addition, £15,000 will be secured by S106 agreement towards highway safety improvements in the surrounding area, which will be benefit road and pedestrian users.

- 9.122 As such, officers consider that the proposed development, which is of a relatively small scale, would not, on the basis of the above assessment raise any significant concern with respect to highway and pedestrian safety.

(vi) Zebra Crossing

- 9.123 Previous discussions regarding the application site related to a larger development north of 30 units in which a zebra crossing was proposed as part of the development. The crossing has not been proposed as part of this development however officers note specific objections have been raised in regard to its absence.
- 9.124 The application site previously formed part of the wider site development for a comprehensive redevelopment of the site. The current application does not propose the redevelopment of the wider site rather focuses on a singular unit and its curtilage. The site is situated in the southern most strip of commercial development and sits closest to the roundabout.
- 9.125 Owing to the proximity of the site to the roundabout and the existing presence of the crossing island, it is not considered appropriate nor proportional to the development to request the provision of a zebra crossing be included as part of any application. The existing island provides safe crossing along this portion of Larkshall Road.
- 9.126 In addition, financial contributions are to be secured as part of this development towards highway improvement to the area in relation to walking and cycling.
- 9.127 As such, the request for a zebra crossing is not considered necessary to facilitate the development and the absence of any such proposal is considered acceptable.

Summary of impact on Highways, Parking and Servicing

- 9.128 In summary, officers are satisfied that the proposed development would not give rise to any significant transport safety or highway concerns whilst the S106 contributions secured as part of the development will benefit road and pedestrian users in the surrounding area. The proposal sufficiently accords with Policy CS6 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM14, DM16, and DM32 of the Waltham Forest Local Plan Development Management Policies (2013).

G. The Impact on Trees and Nature Conservation

- 9.129 Local Plan policy CS5 states that the Council would endeavour to protect and enhance green infrastructure and biodiversity and to maximise access to open spaces across the Borough by enhancing the green infrastructure network through better connectivity and the creation of new open spaces while conserving their historic value.
- 9.130 The application site sits adjacent to network rail land towards the rear (east) and an area of green space that provides a buffer from the highway to the application site to the south.
- 9.131 To facilitate the development there would be the loss of one category C hedge, whilst protection measures would be required for two category C trees found within the curtilage of the development.
- 9.132 The application is supported by a Arboricultural Impact/Method Statement together with an Ecological Impact Assessment. These reports have been reviewed by the Council's Nature Conservation officer and following amendments the reports are considered fit for purpose. In addition, the Council's Parks team has reviewed the submission and raises no concerns in relation to the loss of the Category C hedge.
- 9.133 The proposed development incorporates replacement planting together with various soft landscaping measures, including green roofs to the cycle stores and to areas of the roof to the main building.
- 9.134 Whilst any grant of permission would be subject to further planting detail, the proposed measures appear acceptable and appropriate resulting in the appropriate replacement of any loss of vegetation together with a biodiversity net gain on site. Habitat boxes are proposed to each rear garden space, which would be supported by pollinator friendly planting thereby encouraging wildlife which is supported.
- 9.135 In addition, £5000 is to be secured by S106 agreement towards greening and planting in the surrounding area. This is to the benefit of the local community.
- 9.136 As such, the proposal would subject to appropriate conditions for planting details, is considered acceptable in accordance with the requirements of Policy CS5 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM35 of the Development Management Policies (2013).

G. Environment and Sustainability

- 9.137 Policy CS4 of the Waltham Forest Local Plan Core Strategy (2012) seeks to ensure high environmental standards of development and sustainable resource management and efficiency to support the long-term sustainability of our environment and respond to climate change in a practical and effective way.

(i) Carbon emissions

- 9.138 The London Plan sets out a CO₂ reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. The Waltham Forest Local Plan DM10 requires developers to submit a self-assessment including calculation of the energy demand and carbon dioxide emissions for both regulated and unregulated energy separately at each stage of the energy hierarchy. This requirement applies to all developments over a threshold of one residential unit and therefore would be applicable to this application.
- 9.139 No information has been submitted detailing sustainable design aspects in relation to the development. Therefore, in order to fully comply with Local Plan Policies CS4 and DM10, a pre-commencement condition requiring the development to submit details of the measures adopted to achieve at least a 35% reduction in carbon emissions over the 2013 Building Regulations together with details of the renewable sources of energy to be incorporated within the development will be required.

(ii) Water Efficiency

- 9.140 Local Plan policy DM34 states that developments should implement water efficiency measures to achieve usage of less than or equal to 105 litres per person per day for residential use.
- 9.141 No information has been provided with regards to water efficiency; however, it is considered acceptable to condition any permission to demonstrate how this target would be achieved.

(iii) Air Quality

- 9.142 The development management policies of the Local Plan 2013 indicate the following policy in relation to air quality policy DM24 which states that new developments should neither contribute to, nor suffer from unacceptable levels of air pollution, measured having regard to DEFRA's Local Air Management Technical Guidance and London Council's Air Quality and Planning Guidance or successor documents. The application is not considered a major application and therefore did not require an air quality assessment to be submitted.

- 9.143 Given the scale of the development proposed, it is not considered that a financial contribution to the Air Quality Action Plan is required which would normally be requested for major developments only. To ensure minimal impact with regards to air quality and dust emission it is recommended a pre commencement condition be attached to any permission for an Air Quality and Dust Management Plan to be submitted.

(iv) Surface Water Drainage and Flooding

- 9.144 All new schemes need to be designed to ensure redevelopment will be safe without increasing flood risk and designed to sufficiently manage water run-off as directed by Local Plan Policies CS4 and DM34 and London Plan Policy S1 13.
- 9.145 The application is supported by a Flood Risk Assessment and Drainage Strategy.
- 9.146 The site falls within a Flood Zone 1, which is considered to have a low risk of flooding. The proposed development is not considered to result in any unacceptable increase in flood risk to the site or elsewhere. No objections have been raised by the Council's flood risk officers.
- 9.147 As a result of the increased soft landscaping on site and use of permeable paving, the proposed development would lead to a reduction of brownfield land and improve the level of surface water drainage relative to the existing site.
- 9.148 No objections have been raised by the Council's drainage officers however an updated drainage maintenance schedule is requested prior to the commencement of development. Any grant of approval would be subject to said condition.
- 9.149 As such, the proposed development would be considered acceptable in respect of surface water drainage and flood risk in line with Local Plan Policies CS4 and DM34 and London Plan Policy S1 13. This would represent an enhancement of the existing site.

Summary

- 9.150 Considering all the points above, the proposal would achieve an acceptable level of sustainable measures for carbon emission reduction, energy and water efficiency and surface water drainage in line with The London Plan and Local Plan policies DM7, DM10, DM11, DM34 and DM35.

I. Planning Obligations

9.151 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 of 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.

9.152 In terms of the s106 Agreement, the required Heads of Terms, having regard to planning policy, the Waltham Forest Local Plan Revised Planning Obligations SPD (2017) and the Waltham Forest Local Plan Affordable Housing and Viability SPD (2018), for this development relate to:

- £1500.00 requested towards monitoring of the Construction Logistics Plan.
- £9,000 requested toward improving sustainable modes of transport including walking and cycling in the sites vicinity which will directly benefit new residents in this development.
- £5,000 is requested towards CPZ consultation and implementation.
- £5,000 is requested towards suitable greening and tree planting in the surrounding area
- £15,000 towards road safety improvements
- S278 works will be required upon completion of the works relating to the development prior to occupation. Works will include but are not limited to:
 - o Renewal of the footway on both frontages of the site on Larkshall Road and Simmons Lane
 - o Removal and renewal of the exiting crossover
 - o Renewal of road markings
 - o Landscaping changes to the existing green space
 - o Review of waiting and loading restrictions along Larkshall Road, Endlebury Road and Simmons Lane

The highways department will need to be contacted for an application form for developer highway works. The application will need to accompany a plan to be submitted for approval and estimate. Works will be carried out by the Council and funded by the developer.

- S38 Agreement in relation to land to be adopted by Highway Authority
- Parking Plan to allocate parking spaces to Houses A-D and Flat E

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

10 CONCLUSION

- 10.1 The introduction of housing is supported within the development site.
- 10.2 The loss of non-designated employment and industrial space is considered acceptable owing to the constraints of the site, its poor quality and limited capability for optimising the land use.
- 10.3 The proposed development would offer an acceptable housing mix, which would make a contribution towards housing targets within the borough.
- 10.4 The standard of residential accommodation within the proposed development would be of a good quality.
- 10.5 The proposed building would have proper regard to scale, height and massing. The design and appearance of the resulting building would be of high quality and would complement the locality, as it would provide a satisfactory residential environment for prospective occupiers of the site and its surroundings.
- 10.6 The proposed development would have limited harm on the residential or visual amenity of adjoining residential developments.
- 10.7 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 safety of residents and include adequate cycle parking.
- 10.8 The development would incorporate the high environmental standards and would be sustainable, in that it would deliver acceptable energy and water reduction measures.
- 10.9 The development would improve the resilience of the site to deal with flood risk and surface water drainage.

- 10.10 The development would provide in principle adequate bin storage facilities that would be conveniently collected.
- 10.11 The development would provide an acceptable landscaping plan that would seek to enhance the green infrastructure of the site and its surroundings.
- 10.12 The development would achieve appropriate safety and security measures, including appropriate boundary treatment as illustrated in the submitted plans and supporting documents.
- 10.13 The conditions set out in the S106 Heads of Terms agreed would ensure that any adverse impact of the scheme is mitigated against and the positive aspects of the proposal advanced by the applicant are carried out through the implementation.
- 10.14 All material planning considerations have been taken into account, including responses to consultation, and it is considered that there are no material planning considerations in this case that would warrant a refusal of the planning application.
- 10.15 Due to the above considerations and taking into account the merits of the scheme and the consistency of the development when assessed against the Development Plan, the proposed development is considered acceptable in planning policy terms.

11 ADDITIONAL CONSIDERATIONS

Public Sector Equality Duty

- 11.1 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.

- 11.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 11.3 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 which is only one factor that needs to be considered and may be balanced against other relevant factors.
- 11.4 It is considered that the recommendation to grant permission in this case would not have a disproportionately adverse impact on a protected characteristic.

Human Rights

- 11.5 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.
- 11.6 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 considered to be a proportionate response to the submitted application based on the considerations set out in this report.

12 RECOMMENDATION

- 12.1 The Planning Committee is recommended to grant planning permission subject to the conditions and informatives below and the prior completion of a S106 legal agreement with the agreed Heads of Terms, as set out in the table below:

CATEGORY	TERMS
Highways	£1500.00 requested towards monitoring of the Construction Logistics Plan.
Highways	£9,000 requested toward improving sustainable modes of transport including walking and cycling in the sites vicinity which

	will directly benefit new residents in this development.
Highways	£5,000 is requested towards CPZ consultation and implementation.
Highways	£5,000 is requested towards suitable greening and tree planting in the surrounding area
Highways	£15,000 towards road safety improvements
Highways	<p>S278 works will be required upon completion of the works relating to the development prior to occupation. Works will include but are not limited to:</p> <ul style="list-style-type: none"> o Renewal of the footway on both frontages of the site on Larkshall Road and Simmons Lane o Removal and renewal of the exiting crossover o Renewal of road markings o Landscaping changes to the existing green space o Review of waiting and loading restrictions along Larkshall Road, Endlebury Road and Simmons Lane
Highways	S38 Agreement in relation to land to be adopted by Highway Authority.
Highways	Parking Plan to allocate parking spaces to Houses A-D and Flat E.
LBWF Fees	Payment of the Council's legal fees for the preparation and completion of the Legal Agreement.

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

- 12.3 In the event that the Section 106 Agreement is not completed within 12 weeks following the date of Planning Committee, the Assistant Director of Development Management and Building Control is hereby authorised to refuse the application. In the absence of this Section 106 Agreement, the proposed development would not be able to deliver the residential development on the site. The implication of this happening is that the opportunity for securing the provision of affordable housing would be lost. Additionally, financial, and non-financial contributions would be lost towards the transport related matters which must be secured by the Section 106 Agreement.

12.3 CONDITIONS:

1. The development hereby permitted shall begin not later than the expiration of three years from the date of this permission.

Reason: to comply with the provisions of section 91(1)(a) of The Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans and thereafter maintained as such for the lifetime of the development:

Documents:

- Arboricultural Survey & Impact Assessment Ref.AIA/MF/0175/20_RevA dated April 2021
- Construction Logistics Plan dated 18/08/2021
- Construction Method Statement Revision 02.1 dated 26/11/2020
- Daylight, Sunlight & Overshadowing Report Ref: 20-6696 dated November 2020
- Design and Access Statement Rev: 00 dated November 2020
- Ecological Impact Assessment Rev A dated 25/05/2021
- Flood Risk Assessment and Drainage Strategy dated November 2020
- Highways Note 2 dated 19/08/2021
- Highways Response dated 27/05/2021
- Noise and Vibration Impact Assessment Ref: 20-6696 Rev B dated November 2020
- Phase 1 Desk Study Ref: 20/11939/GO dated October 2020
- Planning Statement V3 dated 26/11/2020
- Transport Statement dated 27/11/2020

Plan Drawings:

001, 002, 100, 101, 200, 300 and 501 dated Nov 2020;
101 Rev 01, 102 Rev 01, 103 Rev 01, 104 Rev 01, 202 Rev 01, 203 Rev 01, 300 Rev 01, 301 Rev 01, 302 Rev 01, and 303 Rev 01 dated 20/04/2021;

100 Rev 02, 200 Rev 02, 201 Rev 02, and 500 Rev 02 dated 30/06/2021.

Reason: for the avoidance of doubt and in the interests of proper planning.

Design

3. Prior to the commencement of the development, notwithstanding site clearance and investigation works, demolition and construction to slab level, updated samples and/or an updated full schedule of materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details and thereafter retained as such.

Reason: in order to preserve and enhance the character of the area in accordance with policies CS12 and CS15 of the Adopted Waltham Forest Local Plan – Core Strategy (2012) and policies DM28 and DM29 of the Adopted Waltham Forest Local Plan – Development Management Policies (2013).

4. Prior to the commencement of the development on site, notwithstanding site investigation and clearance works, demolition and construction to slab level the details submitted 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 thereafter be carried out solely in accordance with the approved details and thereafter retained as such.

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).

5. All window reveals on the external faces of the development hereby permitted shall be set in 115mm (minimum) from the external face of the building and thereafter retained as such.

Reason: In the interest of visual amenity of the design of the building, in accordance with Policy CS15 of the Waltham Forest Local Plan – Core Strategy (2012) and Policy DM29 of the Waltham Forest Local Plan – Development Management Policies (2013).

6. The balconies of the proposed development hereby approved shall not to be used for storage and no materials or makeshift screening shall be installed or erected on the inside by any future occupant.

Reason: In the interest of visual amenity of the design of the building, in accordance with Policy CS15 of the Waltham Forest Local Plan – Core Strategy (2012) and Policies DM28 and DM29 of the Waltham Forest Local Plan – Development Management Policies (2013).

7. All residential units shall be constructed to The Building Regulations (2010) Access to and use of Buildings, Approved Document M (2015 as amended), Volume 1: Dwellings, M4(2): Accessible and adaptable dwellings as far as practicable. Prior to occupation the dwellings shall be provided to the standard set down in at M4(2) of the Building Regulations and thereafter retained as such for the lifetime of the development.

Reason: To provide accessible residential units which can be adapted to residents' changing needs throughout their lifetime in accordance with Policies CS2 and CS15 of the adopted Waltham Forest Local Plan Core Strategy (2012) and Policies DM29 and DM30 of the adopted Waltham Forest Local Plan – Development Management Policies (2013) and Policy 3.8 of the adopted London Plan (consolidated with alterations from 2011).

Landscaping & Ecology:

8. Prior to the first occupation of the development on site, details demonstrating compliance with the recommendations of the Arboricultural Survey & Impact Assessment Ref.AIA/MF/0175/20_RevA dated April 2021 and Ecological Impact Assessment Rev A dated 25/05/2021 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, and all works shall comply with BS 3998:2010 (Tree Work - Recommendations) and shall be supervised by a suitably qualified Arboriculturalist and any post-construction mitigation measures shall thereafter be maintained for the lifetime of the development.

Reason: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

9. Prior to the commencement of the development on site, notwithstanding site investigation and clearance works, demolition and construction to slab level, a Landscape Management Plan, which includes long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved Landscape Management Plan shall be implemented prior to the first

occupation of the development hereby approved and thereafter maintained for the lifetime of the development.

Reason: To ensure the well-being of the trees and in the interest of biodiversity, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

10. Prior to the commencement of the development on site, notwithstanding site investigation and clearance works, demolition and construction to slab level, a detailed soft landscaping and planting plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented prior to the first occupation of the development hereby approved and thereafter maintained for the lifetime of the development.

Reason: To ensure the well-being of the trees and in the interest of biodiversity, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Highways:

11. No development shall take place on site whatsoever, until a detailed Construction Logistics Plan has been submitted to and approved by the local planning authority. The logistics plan shall include details of site access, journey planning, access routes, hours of delivery, temporary traffic arrangements or restrictions, site operation times, loading and unloading locations and material storage. This document should include all stage of construction including all demolition and site clearance. This would need to be submitted using the TfL template and guidance found here: www.constructionlogistics.org.uk.

All works shall be carried out in accordance with the approved details throughout all demolition and construction works.

Reason: To ensure considerate construction and to protect the amenities of the nearby residents to ensure that disruption is kept to a minimum and does not affect highway traffic flows to comply with Policies CS7 and CS13 of the adopted Waltham Forest Core Strategy (2012) and Policies DM14 DM15, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

12. Prior to the commencement of development on site, the developer is required to carry out a condition survey of the adjoining carriageway and footways on Larkshall Road and Simmons Lane. This will be

required prior to the commencement of any works to include a wider scope than the developments immediate frontage to include all junctions using for vehicle routing.

The condition survey will need to be submitted to the Council's Highways team for records and will need to include a site plan showing the location of the photographs. The condition survey will be required in addition to the highway works, to ensure, if the public highway is damaged as a result of the construction works this would be reinstated by the Council and funded by the developer.

Reason: To ensure considerate construction and to protect the amenities of the nearby residents to ensure that disruption is kept to a minimum and does not affect highway traffic flows to comply with Policies CS7 and CS13 of the adopted Waltham Forest Core Strategy (2012) and Policies DM14 DM15, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

13. Prior to the commencement of development on site, notwithstanding site investigation work, clearance and demolition, a SUDS (Sustainable Urban Drainage System) to deal with all surface water drainage from the site, including details of proposed rainwater harvesting systems, green roofs and proposed soakaway designs together with infiltration test results, recommended soakage rates, and maintenance schedule shall be submitted to and approved by the Local Planning Authority.

The approved SUDS shall be fully implemented prior to first occupation of any building and thereafter maintained in accordance with the agreed details for the lifetime of the development.

Reason: To prevent the increased risk of flooding, both on- and off-site ensure that adequate drainage facilities are provided in accordance with Policies CS4 and CS15 of the adopted Waltham Forest Local Plan - Core Strategy (2012) and Policy DM34 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

14. Prior to the commencement of the development, notwithstanding site investigation and clearance works and demolition, full details relating to the following shall be submitted to and approved by the Local Planning Authority:

- a) The design of sheltered, secure, and lockable cycle stores,
- b) All forms of external lighting to be provided on site.

The development shall be carried out fully in accordance with the approved details prior to first occupation of the development and shall be thereafter maintained as such for the lifetime of the development.

Reason: Insufficient details have been provided as part of the planning application and in the interest of security and sustainable development, in compliance with Policies CS6, CS13, CS15 and CS16 of the adopted Waltham Forest Local Plan - Core Strategy 2012 and Policies DM13, DM14, DM23, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

15. Works of demolition and construction shall be carried out during normal working hours, i.e. 08:00 to 18:00 hours Monday to Friday, and 08:00 to 13:00 hours on Saturdays, with no noisy working audible at the site boundary being permitted on Sundays or Bank Holidays.

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 and CS13 of the adopted Waltham Forest Core Strategy (2012) and Policies DM14, DM15, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

16. Prior to the commencement of development on site, notwithstanding site investigation and clearance works and demolition, a pedestrian access strategy shall be submitted to and approved in writing by the local planning authority. The submission should include a plan showing dimensions and extents of the internal footpath which must be a minimum of 1.8 metres and ensure the footpaths are fit for purpose and are wide enough for all types of users such as those in wheelchairs or with buggies. The approved scheme shall be implemented before the development hereby permitted is brought into use and thereafter retained as such for the lifetime of the development.

Reason: To ensure access for all in order to comply with the Policies CS2 and CS15 of the adopted Waltham Forest local Plan – Core Strategy (2012), and DM29 and DM30 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

17. Prior to the commencement of development on site, notwithstanding site investigation and clearance works and demolition, a plan showing the new 1.8 metre footway across the whole frontage of the site on Larkshall Road including any areas that will require adoption via a S38. The approved scheme shall be implemented before the development hereby permitted is brought into use and thereafter retained as such for the lifetime of the development.

Reason: In the visual amenity of the street scene and highway safety, in accordance with Policies CS7 and CS15 of the Waltham Forest Local Plan - Core Strategy (2012) and Policies DM13, DM14, DM16 and DM29 of the Waltham Forest Local Plan – Development Management Policies (2013).

18. Prior to the commencement of development on site, notwithstanding site investigation and clearance works and demolition, an Approval in Principle (AIP) in relation to the retaining wall shown on plan drawing '500 Rev 02' dated 30/06/2021 shall be submitted to and approved in writing by the local planning authority. The AIP shall set out the design parameters design standards and methods of working to be adopted for the works is considered appropriate. In addition, the AIP must also clearly state how the works are to be achieved and how the effect to road users, including pedestrians and cyclists, and residents is minimised. The retaining wall shall remain solely within the ownership and maintenance responsibility of the applicant and follow the requirements of Highways Standard CG300 "Technical Approval of Highway Structures".

Reason: In the visual amenity of the street scene and highway safety, in accordance with Policies CS7 and CS15 of the Waltham Forest Local Plan - Core Strategy (2012) and Policies DM13, DM14, DM16 and DM29 of the Waltham Forest Local Plan – Development Management Policies (2013).

19. The vehicle parking spaces as shown on plan drawing 100 Rev 02 30/06/2021 shall all benefit from access to electric vehicle charging points. The parking spaces and charging points shall be retained as such thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of effective provision of safe and well-designed parking facilities in accordance with Policies CS7, CS15 and CS16 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM16 of the Waltham Forest Local Plan Development Management Policies (2013).

20. Prior to commencement of development (other than demolition, enabling and groundworks and development below DPC level) and notwithstanding any indication on the submitted drawings, details of electric vehicle charging point locations and technical specifications 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 retained as such thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of effective provision of safe and well-designed parking facilities in accordance with Policies CS7, CS15 and CS16 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM16 of the Waltham Forest Local Plan Development Management Policies (2013).

Contaminated Land:

21. The contaminated land details shall be carried out in accordance with the following document: Phase 1 Desk Study Ref: 20/11939/GO dated October 2020.

a) An intrusive investigation in the area of the proposed structure to prove the underlying natural strata and thickness of any made ground should be produced and approved in writing by the LPA before carrying out the works. The proposed scope of testing should include for contaminants identified within the CSM, which includes inorganics, heavy metals, and PAH.

b) During the course of the construction and carrying out of the development approved, access shall be provided to Council officers and their agents to ensure that any unforeseen contamination problems are recognised, and any such contamination shall be treated by remedial action specified by the Council or their agent or as agreed in writing.

c) The developer shall be required to provide certification on completion of remediation works from the specialist contractor that the works were completed wholly in accordance with the agreed details.

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 adopted Waltham Forest Local Plan - Core Strategy (2012) and Policies DM23, DM24 and DM34 of the adopted Waltham Forest Local Plan Development Management Policies (2013).

Sustainability:

22. Prior to the commencement of the development on site, notwithstanding site investigation and clearance works, demolition and construction to slab level, details of the specific measures to be adopted to achieve at least a 35% reduction in carbon emissions over the 2013 Building Regulations together with details of the renewable sources of energy to be incorporated within the development, shall be submitted to and approved in writing by the Local Planning Authority. Any subsequent shortfall shall be compensated by payment to the Council's Carbon Offset Fund. The approved measures shall be incorporated into the development, and thereafter maintained in accordance with the approved details for the lifetime of the development.

Reason: To ensure the development is sustainable and to comply with Policy CS4 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM10, DM11 and DM24 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

23. Prior to the first occupation of the development, a scheme detailing measures to reduce water use within the development, to meet a target water use of 105 litres or less per person, per day, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme and thereafter retained as such for the lifetime of the development.

Reason: To ensure the development is sustainable and to comply with Policy CS4 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM10, DM11 and DM24 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Air Quality:

24. No 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 (2021) policy SI and Policy CS13 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policy DM23, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Noise:

25. The development shall fully accord to the recommendations set out in Noise and Vibration Impact Assessment Ref: 20-6696 Rev B dated November 2020. The approved measures are to be completed prior to the occupation of the development and shall be permanently maintained thereafter. The developer shall certify to the local planning authority that the noise mitigation measures agreed have been installed.

Reason: To protect the amenities of occupiers and the surrounding area, in order to comply with Policy CS13 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).

26. Noise from all new building services plant for the lifetime of the development shall be controlled to a level not exceeding 10dB(A) below the typical 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 shall be completed in accordance with BS4142: '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).

Water

27. 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 subsurface water infrastructure, and the programme for 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: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

Fire Safety

28. The development shall fully accord with Part B5 of the Building Regulations.

Reason: In order to protect the living conditions and safety and security of the occupants in line with London Plan (2021) Policy D12, Adopted Policy CS1 of the Waltham forest Local Plan Core Strategy (2012) and Policy D11 of the London Plan Policies (2021).

12.3 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.

Highways matters

2. Noise from all new building services plant for the lifetime of the development shall be controlled to a level not exceeding 10dB(A) below the typical 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

shall be completed in accordance with BS4142: 'Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas'.

3. Construction activities must not affect traffic flows on the highway. No materials can be stored on the highway and no construction related activities can take place on the highway. It is an offence to place scaffolding, skip or hoarding on the highway without permission. Early contact with the Council's Network Operations is advisable, as it may affect the construction programme.

Air Quality

3. With regards to Condition 22: For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit "<http://nrmm.london/>".

Community Infrastructure Levy

4. The approved development is liable to pay Mayoral Community Infrastructure Levy (CIL) and Waltham Forest CIL. A 'CIL Form 1 (Assumption of Liability)' must be completed prior to commencement, at which time a Liability Notice, stating the payable amount, will be issued by the Council. A 'CIL Form 6 (Commencement Notice)' must be submitted to the Council prior to commencement of development, at which time a Demand Notice, stating the payment method and deadline, will be issued. You should note that any claims for relief, where they apply, must be submitted, and determined prior to commencement of the development. Failure to submit the necessary forms and follow the CIL payment process may result in penalties. More information on Waltham Forest CIL, including copies of all CIL forms, is available at: - <https://walthamforest.gov.uk/content/community-infrastructure-levy>. The Planning Portal provides general advice about CIL. This is available at: - https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy

Water

5. With regard to Condition 25: Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

6. There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

7. With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water, we will have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

We would expect the developer 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.

8. 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. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

9. Thames Water would advise that with regard to WASTEWATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

The proposed development is located within 15 metres of our underground wastewater assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with

the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

10. If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/building_water.

Network Rail

It is strongly recommended the developer contacts Network Rail's Asset Protection and Optimisation (ASPRO) team via AssetProtectionAnglia@networkrail.co.uk before works commence on site.

Network Rail strongly recommends the developer complies with the following comments and requirements to maintain the safe operation of the railway and protect Network Rail's infrastructure.

11. Demolition / Site Clearance:

Demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or stability of any nearby Network Rail assets. Demolition of existing structures to enable the proposed works must be carried out in accordance with an agreed method statement where the activity is deemed by Network Rail ASPRO to be in the influence of Network Rail infrastructure. Approval of the method statement must be obtained from Network Rail Asset Protection Engineer before the development and any demolition works can commence.

12. Fencing:

The contractor must provide at their expense a suitable permanent trespass proof fence (of at least 1.8m in height) enclosure to the proposed development, if not already in place, and make provision for its future maintenance and renewal without any encroachment on nearby Network Rail land. Network Rail's existing fence must not be removed or damaged and at no point either during construction or after works are completed on site, should the foundations of the fencing be damaged, undermined or compromised in any way. Any vegetation on

Network Rail land and within Network Rail's boundary must also not be disturbed.

13. Drainage:

In regard to general drainage provision, any Soakaways / attenuation ponds / septic tanks etc. required for the proposed scheme as a means of storm/surface water disposal should not be constructed within 10 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's land or into any Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be added to nor compromised by the proposed works. Suitable drainage is to be provided and maintained by the Developer to prevent surface water flows or run-offs onto Network Rail's property / infrastructure. Details of the drainage plans are to be submitted for acceptance by Network Rail Asset Protection Engineer; no works are to commence on site on any drainage plans without the acceptance of the Network Rail Asset Protection Engineers.

14. Safety:

Proposed works near NR infrastructure will need to be undertaken following contractor's engagement with NR ASPRO to determine the interface with NR assets, buried or otherwise and by entering into a BAPA (Basic Asset Protection Agreement), with a specified minimum notice period before commencement of physical works on the land. Where required, risk of building Glint / Glare from reflective surfaces and materials will need to be considered and must not cause train drivers any signal sighting issues.

15. Plant, Scaffolding and Cranes:

Any scaffold or temporary works which is to be constructed adjacent to NR land must be erected subject to NR ASPRO consent and in such a manner that at no time will any poles/tubes or cranes over-sail or fall onto the railway infrastructure. All plant and scaffolding must be positioned such that in the event of failure, they will not fall on to Network Rail land.

16. The Arboricultural Survey & Impact Assessment Ref.AIA/MF/0175/20_RevA dated April 2021 recommends pruning to the T1 sycamore. Due to the tree location it is recommended that Network Rail are contacted before any arborist carry's out work to a tree which is on or immediately contiguous to railway land as safety is paramount. Depending on the distance from the trackside (it appears that IS located on railway land) it may be possible the arborist will require a Personnel Track Safety (PTS) certification to undertake tree work. The landowner has the obligation to check that the contractor has all relevant insurance and certificates accordingly.

Fire Safety

17. The applicant is advised that the London Fire Brigade strongly recommends that sprinkler systems are considered for new development. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers and can reduce the risk to life.

13.BACKGROUND DOCUMENTS

None