

LONDON BOROUGH OF WALTHAM FOREST MINUTES OF THE PLANNING COMMITTEE

10 October 2023 at 7.08 pm

PRESENT:

Chair: Councillor Jenny Gray

Committee Members: Councillors Emma Best, Marie Pye, Keith Rayner and Steve Terry

Councillors in Attendance: Councillor Mitchell Goldie

Officers in Attendance:

Justin Carr	Assistant Director - Development Management and Building Control
Mahnaz Chowdhery	Deputy Planning Manager - North Area Team
Sonia Malcolm	Planning Manager - South Area Team
Kelvin Bathie	Principal Planning Officer
John Clayton	Principal Engineer, Drainage & Flood Risk Management
Joanna West	Planning Lawyer
Jennifer Richards	Democratic Services Officer

94. APOLOGIES FOR ABSENCE AND SUBSTITUTE MEMBERS

Apologies for absence were received from Cllrs John Moss, Kira Lewis and Sebastian Salek. The following substitute arrangements were in place:

Cllr Emma Best was present as a substitute for Cllr John Moss.
Cllr Steve Terry was present as a substitute for Cllr Sebastian Salek.
Cllr Marie Pye was present as a substitute for Cllr Kira Lewis.

95. DECLARATIONS OF INTEREST

Councillor Emma Best declared a non-pecuniary interest on Item 4.1, 64 Sewardstone Road, Chingford, London, E4 7PR, as she had campaigned against the application and as a consequence took no part in the discussion or vote.

96. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 5 September 2023 were agreed by the Committee.

97. DEVELOPMENT MANAGEMENT

The Committee considered applications for planning permission received by the Assistant Director – Development Management & Building Control under the Town and Country Planning Act 1990 and took into account the oral representations made by members of the public and applicants and their agents. The update report of the Assistant Director – Development Management & Building Control was noted in accordance with the urgency provisions of Section 100 B (4) of the Local Government Act 1972 to ensure that Members had before them all the relevant facts and information about the planning applications set out in the agenda.

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

98. 64 SEWARDSTONE ROAD, CHINGFORD, LONDON, E4 7PR (220957)

RESOLVED

That planning permission be granted in line with the recommendations, conditions, reasons and informatives as set out in the committee report and update report for application 220957 for construction of a part 3, part 5 and part 8 storey building to facilitate 422.5m² of commercial floorspace on the ground, 40 flats above (10 x 1 bed, 17 x 2 bed, 9 x 3 bed and 3 x 4 bed), 7 car parking spaces, including disabled persons' parking, to the rear and two communal gardens, with associated alterations to the public highway along Sewardstone Road, vehicular access from Laurel Gardens, landscaping, refuse/recycling and cycle storage facilities and service areas subject to the conditions and informatives set out in the report and update report and completion of a Section 106 Legal Agreement with the Heads of Terms below.

Heads of Terms

Affordable homes:

- The delivery of 9 units of affordable housing equating to 27.3% (by habitable room) of the development with 67% of that provision (by habitable room) as social rent and 33% (by habitable room) as intermediate shared ownership.
- An early-stage viability review mechanism to be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted or otherwise agreed in writing by the LPA. In all other events a late stage viability review will be required.

Accessibility:

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

Transport:

- A S278 plan must be submitted with the location and depth of utilities. The orange line on ground floor plan needs be adjusted to reflect the S278 areas requested below.
- The S278 works will be required upon completion of the works, prior to occupation. The developer will be required to pay for the S278 works, which will be carried out by the Council and must be completed prior to occupation of the site. An application for Highway Works will be required. The extent of works will include but are not limited to:
 - o Renewal of both footways in Laurel Gardens
 - o Renewal of the footway along the frontage of the site on Kings Head Hill
 - o Provision of new layby on Sewardstone Road
 - o Provision of new southbound cycle lane on the footway (as per following comments)
 - o Public Realm improvements on the frontage of the site on Sewardstone Road to include; tree planting subject to the location of utilities, soft landscaping, cycle parking and other features to be agreed.
 - o Review and amendments to Traffic Orders and extension of no waiting/loading restrictions in the Drysdale and Mansfield Hill area
 - o Renewal of road markings in the vicinity.
- A S38 agreement will be required for Highways to adopt two small triangular pieces of land on the corners of the building on the Sewardstone Road frontage.
- A S106 contribution of £1500 i towards monitoring of the CLP.
- A S106 contribution of £25,000 towards the consultation of a CPZ
- A S106 contribution of £15,000 towards the Waltham Forest North West – Sewardstone Corridor Flood Study. This Flood Study is being undertaken to identify potential for strategic flood mitigation within the Sewardstone Road area.
- A S106 request of £60,000 toward improving sustainable modes of transport including walking and cycling in the sites vicinity which will directly benefit new residents in this development. This would be for further cycle improvements near to the site.
- A condition survey to ensure, if the public highway is damaged as a result of the construction works, that any damage would be reinstated by the Council and funded by the developer.
 - In the event a CPZ is implemented in the future, with the exception of existing blue badge holders, this site must be classified as car-free with no existing or future residents being entitled to parking permits. Future residents to be advised of this as part of marketing and subsequent transactions.

- a Travel Plan will be secured which will include the appointment of a Travel Plan Coordinator for the site to be responsible for overseeing the implementation of the Travel Plan Action Plan for a period of 5 years with yearly reviews

Air quality:

- A financial contribution of £10,925 towards mitigating the impact of existing poor air quality on the proposed development.

Energy efficiency and carbon reductions:

- A financial contribution of £50,017 towards the Carbon Offset Fund to address the shortfall in carbon emission reductions. 100% upfront payment of the carbon offset payment to be made on implementation.
- Evidence confirming engagement has occurred with an energy supplier working towards registration with the Heat Trust scheme
- Measures to secure post-construction monitoring (“Be Seen”).
- Post Construction monitoring (be seen):
 - o A. Within 8 weeks of the grant of planning permission, to submit to the GLA accurate and verified estimates of the ‘Be Seen’ energy performance indicators.
 - o B. Prior to occupation, the Owner shall provide updated accurate and verified ‘as-built’ design estimates of the ‘Be Seen’ energy performance indicators for each Reportable Unit of the development.
 - o C. Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit of the development.
- o In the event that the ‘In-use stage’ evidence submitted under Clause c) shows that the ‘As-built stage’ performance estimates derived from Clause b) have not been or are not being met, the Owner should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the ‘Be Seen’ in-use stage reporting webform. An action plan comprising measures identified in Clause c) shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.)

Epping Forest:

- A financial contribution of £25,080 (40x £627) towards Strategic Access Management and Monitoring + measures (SAMMs).

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

- The payment of the Council's legal fees for the preparation and completion of the S106.
- A financial contribution towards the implementation and monitoring of and securing compliance with the S106, equal to 5% of the total of all other financial contributions.

That authority be given to the Assistant Director of Development Management and Building Control, in consultation with the Council's Legal Services, for the sealing of the S106 and to agree any minor amendments to the conditions, informatives, and/or the S106 heads of terms.

If the S106 is not completed within a reasonable timeframe following the date of Planning Committee, that the Assistant Director of Development Management and Building Control is hereby authorised to refuse this application, if appropriate, in consultation with the Planning Committee Chair. In the absence of the S106 the proposed development would not be able to secure the provision of compatibility with the extant planning permission scheme; affordable homes; accessible homes; high quality design; appropriate transport mitigation; air quality mitigation; energy efficiency and carbon reductions; and the scheme delivers the necessary measures are to ensure that any Likely Significant Effect on Epping Forest is appropriately mitigated.

99. ST MARYS C OF E PRIMARY SCHOOL, BROOKE ROAD, WALTHAMSTOW, LONDON E17 9HJ (230072)**RESOLVED**

That planning permission be granted in line with the recommendations, conditions, reasons and informatives as set out in the committee report for application 230072 for installation of new 2.5m high fencing, walls and gates at Brooke Road frontage for flood protection and safeguarding.

100. PUBLIC SPEAKERS

4.1	64 Sewardstone Road, Chingford, London, E4 7PR (220957)	Peter Heatherley Cllr Mitchell Goldie Mark Pender
4.2	St Marys C of E Primary School, Brooke Road, Walthamstow, London, E17 9HJ (230072)	Pat Addow Jenni Matthews

The meeting closed at 9.05 pm

Chair's Signature _____

Date _____