

**LONDON BOROUGH OF WALTHAM FOREST**

Committee/Date	Planning – 7 <sup>th</sup> November 2023
Application Reference:	222487
Applicant	Forest side Real Estate Limited
Location	The Queen Elizabeth Riding School, Forest Side, Chingford, E4 6BA.
Proposed development:	Demolition of existing buildings and structures and construction of a part three, part four storey building comprising seven flats (3x3-bed & 4x2-bed) (Use Class C3) and a two storey block comprising two semi-detached dwellinghouses (2x3-bed) (Use Class C3) (total 9 residential units) with associated parking spaces, a replacement sub-station, hard and soft landscaping, refuse and recycling stores and bicycle parking and associated works.
Wards affected	Chingford Green
Appendices	None

**RECOMMENDATION**

- 1.1 That Planning permission be granted under reference 222487 subject to conditions, informatives and the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) with the following heads of terms:

**Epping Forest**

- A financial contribution of £5,623 (£627 x9) towards Strategic Access Management and Monitoring measures in relation to the Epping Forest Special Area of Conservation.
- A commitment to the display and maintenance of signage boards within the common parts of the development, explaining the special interest of the Epping Forest special area of Conservation, with particular reference to the risks associated with domestic pet predation within it.
- A commitment to restrict domestic fires within the development.

**Energy Efficiency and Carbon Reduction**

- In the event that a verification report submitted under the terms of planning conditions demonstrates that the 35% carbon reduction target has not been met, a financial contribution towards a carbon levy.

**Transport**

- A financial contribution of £500 towards Construction Logistics Plan Monitoring
- 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.
- A financial Contribution of £15,000 towards improving sustainable modes of transport including walking and cycling in the vicinity of the site.
- In the event that a CPZ is implemented in the future, with the exception of existing blue badge holders, this site must be classified as permit - free with no existing or future residents being entitled to parking permits.

### **Design**

- Design quality monitoring agreement for original architects to be retained during the construction to completion stage to ensure quality build, or with the written agreement of the Local Planning Authority an alternative suitably qualified Architect team to be procured.

### **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 total contributions.

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

In the event that the S106 agreement is not completed within a reasonable timeframe following the date of Planning Committee, the Assistant Director - Development Management and Building Control is hereby authorised to refuse the application on the basis of the harm that would arise through the absence of this Section 106 agreement and the contributions necessary to deliver the supporting infrastructure associated with the development. Financial contributions towards the following material planning considerations are the impact on the Epping Forest SAC and highways matters, which must be secured by the Section 106 Agreement.

## **2. REASONS REFERRED TO COMMITTEE**

- 2.1. The case has been referred to Committee due to the extensive level of public interest.

## **3. SITE AND SURROUNDINGS**

### *(i) The Site*

- 3.1 The site comprises an irregularly shaped piece of land set back off Forest Side in Chingford, comprising a section of the car park associated with the Queen Elizabeth Pub, and the land associated with the former Queen Elizabeth Riding School. It comprises a brick built sub-station, a cluster of derelict single storey buildings of various construction and a larger, more prominent, and significant stable building, which has a distinctive weatherboarded appearance with a pitched roof and two gable ends, with the ridge of the roof running parallel with Forest Side. To the rear of these buildings, there is a section of open land that appears to have historically served as a horse exercising area within the Riding School but is now heavily overgrown.



**Image 1: Site Location Plan**

*(ii) The Surrounding Context of the Site.*

- 3.2 The site occupies a position close to the eastern edge of the established settlement of Chingford, adjacent to the Epping Forest. To the north and east of the site is suburban housing along Victoria Road, Crescent Road, Warren Pond Road, Beech Tree Glade and Forest Side. This is largely 20<sup>th</sup> Century housing of mixed typologies, typically faced in brick and render, characterised by pitched roofs and surrounded by gardens. Woodedge Close partially encircles the Queen Elizabeth Pub, serving a row of 3 x 3 storey blocks of flats which extend to the boundary with the site. To the west of this row of flats and the site itself lies the Chingford Cricket club, with a public footpath running between Forest Side and Kimberley Way forming the northern boundary of the site and running to the northern side of the cricket club.

- 3.3 The Queen Elizabeth Pub provides the primary visual context for the site. This is widely understood to have been built in the nineteenth century by the Egan brothers, and being extended during the 20<sup>th</sup> Century. It is considered to have significant historical value as a link to the development of Chingford as an 'internal tourist resort' in the late nineteenth/early twentieth century. It is described in the Chingford Station Road Conservation Area Management Plan ("CAMP") as adopting '*a turn of the century style, characterised by grand proportions and featuring mixed materials, gabled roofs, red brick chimney stacks, oriel windows and terracotta ridge tiles and finials*'. The pub and stables are set back from the road and encircled by an extensive tarmacked car park which provides an open setting for this cluster of buildings, thus enhancing its prominence in the local townscape; but also reading as a rather barren and neglected space and being identified in the CAMP as an unsympathetic feature that dilutes historic character.



**Image 2: An existing view towards the site, from Forest Rise**

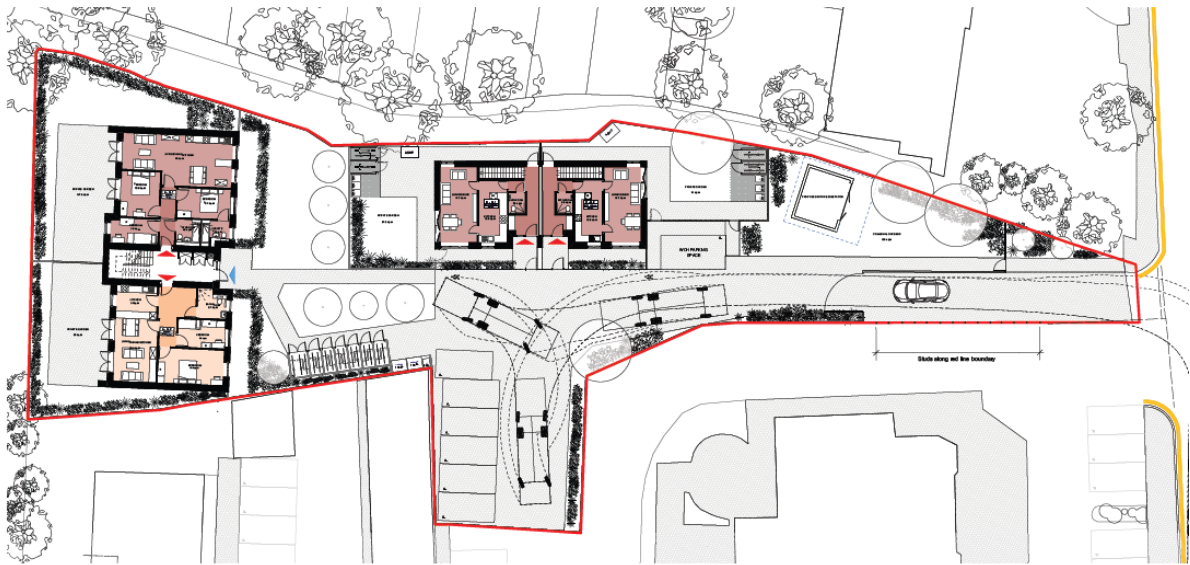
- 3.4 The stable building is smaller than the pub and sits away from it. In visual terms it is seen as an ancillary or adjunct to the pub, although it has been in separate use since at least the 1950's. There is limited definitive evidence on the historic origins of the stable building. The extent to which it has historically been used in connection with the pub is unclear; whilst it is believed that the stables were used for overnighting horses associated with guests of the hotel, this is disputed by the applicant in the heritage statement, drawing attention to the differences in architectural finishes, brickwork and the relatively small size of the Queen Elizabeth pub.
- 3.5 The site, together with the Queen Elizabeth pub, comprise an offshoot within the Chingford Station Road Conservation Area, which also encompasses part of



Victoria Road and Forest Side, connecting the site to the remainder of the Conservation Area. This was designated in April 2023, whilst the planning application was under consideration.

#### 4. APPLICATION PROPOSAL

- 4.1 The proposal involves the demolition of all structures on the site, including the stable building, which is recognised as a Non-Designated Heritage Asset. The redevelopment comprises 9 residential units comprised of 4x2 bedroom flats, 3x3 bedroom flats and 2x3 bedroom houses.



**Image 3: The proposed layout plan.**

- 4.2 The block of flats would be a contemporary brick and tile faced building with a low pitched roof. The rear elevation would comprise balconies overlooking the cricket club. It would be surrounded by private amenity space to the rear, with an extended hedgerow comprising the boundary with the cricket club. To the front of the block of flats would be a large communal garden and an area dedicated to bin and cycle storage.



**Images 4 and 5 – Images of the proposed development**

- 4.3 A second two storey structure provides two dwelling houses, also with a low pitched roof. This would sit close to the northern boundary of the site, and would also be faced in brick and tile. Both of these properties would have

private gardens to their sides. To the front of the site would be a landscaped area that extends to Forest Side, housing a relocated substation and providing a green setting to the housing on the site.

- 4.4 There would be a shared surface access road leading in to the site, with the entrance to the development being set back away from the road. This would lead to 6 car parking spaces, located within a narrow enclosed jut of land to the rear of the pub with an associated turning area in the centre of the site. A disabled parking space is provided between the block of housing and the substation.
- 4.5 The proposal before the committee was amended from the version initially submitted in August 2022 by the Applicant. These changes include:
- A reduction in vehicular parking from 9 parking places to 7, with a commensurate increase in soft landscaping around the proposed block of flats.
  - An amended parking layout.
  - Relocation of the flats away from the boundary of the cricket club.
  - New lighting plan and landscaping plan.
- 4.6 Further technical information was submitted in the course of 2023. This included a heritage statement and associated addendum dealing with the impact of the proposal on the now adopted Chingford Station Road Conservation Area
- 4.7 Following discussions with the highways team, the applicant submitted a revised layout plan in September 2023. This had the effect of moving the vehicular entrance gate back by a distance of around 12 metres to reduce the possibility of conflict on the shared forecourt to the front of the site. A revised landscaping strategy was provided at this point. This is also reflected on a revised site layout plan and ground floor plan.

## **RELEVANT SITE HISTORY**

### **A Planning History for Site**

- 610182 Office and Store: Approved
- 680337: Hut for Youth Purposes: Approved
- 690205: Single Storey building to form Lavatory Block: Approved
- 780442: Single Storey building for use as Lecture/Store Room: Approved

### **B Pre-Application History of the Site**

- PRE/21/0262: Demolition of all existing buildings and structures on-site with the exception of the fenced enclosure to the sub-station and erection of a part 3, part 4 storey building comprising seven residential units and two 2 storey dwellinghouses with nine associated parking spaces, landscaping, refuse stores and cycle spaces. The pre application response confirmed the following:

- The loss of employment provision would not prejudice development of the site for an alternative use.
- Height and scale supported.
- Unit Mix, particularly the provision of family sized housing was supported.
- Recommendation to improve outlook within the development through improved provision of private and communal amenity space

#### C Planning Enforcement

There is no relevant or recent planning enforcement history

#### D Planning History of Adjoining Sites

7-12, 13-18, 19-24 Woodedge Close.

Planning Application references 213609, 213608 and 213607 relate to prior approval for the construction of a roof extension on each of the 3 detached residential buildings to create an additional floor providing two self-contained flats (2 x 2 bedroom Use class C3) Prior approval was granted at planning committee in June 2022. These properties are located to the south of the application site, and the new flatted block would be positioned aligned with these buildings.

## 6. CONSULTATION

### (i) Public Consultation

- 6.1 The applicant undertook community engagement prior to the formal submission of the planning application, writing to 242 properties in July 2022. This exercise is accounted for in the submitted Statement of Community Involvement. This led to two online events which involving 68 participants. This attracted a range of comments including concerns about parking and traffic, disruption from building works, design quality and overdevelopment of the site, concerns about the lack of infrastructure to support the development, and concerns about the proximity of the substation to the existing property at 99 Forest Side.
- 6.2 Following the submission of a planning application, public consultation took place in September 2022. A site notice was published along with circulation of 322 neighbour notification letters. The Council received 34 letters of objection from members of the public, along with objection from 3 ward councillors, Cllr Goldie, Cllr Isa and Cllr Palta-Imre.
- 6.3 Following the designation of the site within the new Chingford Station Road Conservation Area and following the receipt of an amended scheme, the Council again sent notification letters to neighbours on 25 May 2023. A site notice was posted outside the site on 25 May 2022 and a press notice was published on 25 May 2023. As of result of this consultation 25 further letters of objection were received and along with further responses from the 3 ward councillors.
- 6.4 Objections to the proposal were received from the three Ward Councillors are as follows:



<b>Issue Raised</b>	<b>Officer response</b>
Heritage – loss of non designated heritage Asset	This is considered under section B Design and Character (including Heritage)
Excessive size and bulk of the building, inappropriate design and materials.	This is considered under section B Design and Character (including Heritage)
Harm to the North Chingford Conservation Area.	This is considered under section B Design and Character (including Heritage)
Proposal would lead to increased pressure on existing transport network due to traffic and car parking requirements.	This is considered in the section Transport and Highways (Section E)
Concern about loss of amenity, in terms of loss of light, overbearing, overshadowing and loss of privacy in particular to 1a, 1b, 1c, 1d, 1e, 1, 3 and 5 Victoria Road and 19-24 Woodedge Close	This is considered in the section Impact on Amenity (Section D)

6.5 The responses from neighbouring residents set out the following issues:

<b>Issue Raised - Heritage</b>	<b>Officer response</b>
Loss of attractive building of historic merit. The building has a strong degree of architectural and historic significance derived from its relationship to the Queen Elizabeth Public House.	This is considered in the section Transport and Highways (Section E)
The applicant has failed to describe the significance of the building and failed to take in to account its historic significance.	The information submitted by the applicant meets the requirements of legislation and policy
Alternative uses of the existing building should be proposed as an alternative to demolition.	This is considered under section B Design and Character (including Heritage).
The building has been deliberately neglected in order to justify its demolition. They have failed to take due care of the building leaving it exposed to vandalism and removing features such as windows, doors and signage.	The building has been derelict for over a decade in which time there was no heritage related controls on its demolition. It was only designated as falling within a Conservation Area in 2023. The deterioration of the building and its features took place largely prior to this and is visible on the photographs of the site dating back to 2011.



	The site has been secured by way of fencing. As such, its neglect cannot be regarded as 'deliberate'.
Building has local cultural, historic and social significance as one of the few Essex weatherboarded houses in Chingford; has local significance due to age, equestrian use and is a historic visitor attraction. It is also noted that there is a particular need to conserve old buildings given the lack of heritage in the Borough.	This is considered under section B Design and Character (including Heritage) In addition to the conservation of any one particular individual building, the Council must consider the impacts of development on the Character or Appearance of the Conservation area as a whole.
Flooring mangers and stores are original features of the building and should be recorded or preserved.	It is possible to record these and other details, such as the forge, and a planning condition is recommended to this effect.
Concern about the loss of a building with social significance to those who learned to ride horses in the area.	This is considered under section B Design and Character (including Heritage)
Concern about the lack of an Archaeological Assessment	There is no specific policy requirement for an Archaeological Assessment on a scheme of this size.
Building should be retained in the scheme.	The decision must be taken on its own merits. The survey data and visual inspection of the site indicate that the building is in very poor condition.
Concern about the impact on the setting of the adjacent Queen Elizabeth Pub	This is considered in the introduction to the report and again in section B Design and Character (including Heritage)
<p>The stable building has always been used in connection with the pub and the claims to the contrary of this are incorrect. A history of the pub and riding school has been provided by local residents making (in summary) the following points:</p> <ul style="list-style-type: none"> <li>- The Long family arrived on Forest side in the 1840's. The sold beer to neighbours, labourers and travellers.</li> <li>- The QE hotel was built in 1884/85. Stables probably built at the same time but could have been an existing building enlarged and modernised.</li> </ul>	<p>There is limited authoritative historical information about the history of this building relating to the period prior to its use as a riding school.</p> <p>The evidence relied on by the applicant is largely based on mapping data whilst the evidence provided by objectors is based on documentary research about Forest Side and the surrounding Area and local history.</p>

<ul style="list-style-type: none"> <li>- Pevsner supports the position that the QE Public House was built by Egan.</li> <li>- Stable building has carpenter's marks from 1700 suggesting reuse of materials.</li> <li>- In the early 1900's the stable building is likely to have been used for the housing of horses in the stable building. From the 1930's onwards it is believed to have been used to house horses for recreational/hunting purposes.</li> <li>- The stable building was the base of the first troop of Essex Horse Rangers founded 1954.</li> <li>- The building has the character of a coach/carriage house due to its height and separation distance from the main Pub building.</li> <li>- The weatherboarding to the front of the coach house is of particular value as evidence of a traditional Essex building.</li> <li>- The Flemish bond brickwork is also of particular merit/value.</li> <li>- Roof is pitched and covered with diagonal tiles with feature ridge tiles and embellished ridge horns.</li> <li>- There are two hay lofts within the building accessed by ladder.</li> <li>- Chevron patterned floor is of value as is the historic partitions within the building.</li> <li>- The forge within the building was actively used until at least 1987.</li> <li>- There are very clear similarities between the appearance and form of the building and the Historic England example of a Cart Shed.</li> <li>- Stables has been used for over 70 years and is the most well known and loved establishments in the area.</li> </ul>	<p>The applicant disputes that the stables building was built at the same time as the QE Public House (as reflected in the Conservation Area Management Plan) on the basis of mapping data.</p> <p>The comments of both residents and the applicant have been taken into account in the Council's own assessment of the significance of the building, as set out in this report.</p>
<p>The survey of the building was not conducted by a conservation surveyor and is thus not reliable as a supporting document. The survey was not undertaken in accordance with BS:7913.</p>	<p>The purpose of the survey submitted by the applicant at the time of the original planning application was to give an indication of the condition of the building and the costs involved in restoring or repurposing it.</p>
<p>Proposal would overshadow adjacent ancient footpath. This is believed to have ancient/medieval origins.</p>	<p>The building would not be of a scale that significantly overshadows the neighbouring</p>

	footpath to the detriment of its setting.
<p>Preference for the site to be used as a museum and concern that consideration has not been given to marketing the building for renovation.</p> <p>Use of the site as a Museum would promote investment in Chingford.</p>	<p>This is considered under section B Design and Character (including Heritage)</p>
<p>Detailed comments on heritage statement provided by appellant</p> <ul style="list-style-type: none"> <li>- Incorrect information about the history of All Saints parish church.</li> <li>- Insufficient consideration given to the ancient footpath which runs by the site.</li> <li>- Forest side was laid out in 1855.</li> <li>- Wrong to characterise the railway as leading to 'rapid development of the parish'. Population was 2737 in 1891, compared to 1268 in 1871.</li> <li>- References to Highams Park are incorrect as it falls outside the parish.</li> <li>- Population in 1801 was 601 not 'over 1000'.</li> <li>- Questioning implication that the Friday Hill estate was built by Edmund Egan.</li> <li>- Comment that "Edmond 'Teddy' Egan's sponsorship for ARIBA in January 1880 was proposed by Roland Plumbe, (1838-1919) an English architect, famous for being the author of many residential schemes across London with whom Egan may have worked in Chingford. Edmond's brother John, a builder arrived in Loughton in 1866 and Edmond followed from Ireland soon after"</li> <li>- Information about Horace White is queried as in 1891 he was an apprentice butcher, his career in architecture did not begin until years later.</li> <li>- According to the Whitbread archives Egan built the QE Public house in 1884/85. Lease information from the mid 1800's appears to include outbuildings that may incorporate the stables.</li> <li>- Dispute statement that Chingford is a well-connected suburb of London at the</li> </ul>	<p>These comments are noted. The officer level assessment of the significance of the building in the section of the report entitled 'design and character' takes account of the points made by the objectors and the historical research they have undertaken, in addition to the information provided by the applicant.</p>

<p>time of the building of the Chingford Rise Estate.</p> <ul style="list-style-type: none"> <li>- Incorrect characterisation of the fire in 1912 – only the top floor was destroyed.</li> <li>- Incorrect geographical and historical characterisation of the Epping Forest.</li> <li>- Riding School rented the Coach House/Stables from the pub until 2013.</li> <li>- Old Road has existed since at least the 16<sup>th</sup> Century.</li> <li>- The mapping data used by the applicant should be referenced against Kelly's and Post Office Directories to get a better understanding of the History of Forest Side.</li> <li>- Coach house was not built in 'revivalist' style but has the hallmarks of a traditional, vernacular, Essex Weatherboarded Coach House.</li> <li>- Coach house has never been used independently of the pub.</li> <li>- No evidence provided in applicant's statement of linkages with the cricket pitch, the Old Road or the Long Family.</li> </ul>	
Numbers 1 and 3 Victoria Road should have been included in the Conservation Area, also the Chingford Cricket Club that has an important relationship with the QE Pub.	The proximity of the site to the Cricket club and properties on Victoria Road has been noted. However the extent of the Conservation Area is not a matter that is not under consideration in this decision.
Concerns about representations made by the applicant in relation to the Conservation Area designation	This is a matter that was considered separately to this decision.
Decision should be delayed until the Conservation Area has been designated	The Conservation Area has now been designated.

<b>Issue Raised – Design</b>	<b>Officer response</b>
<ul style="list-style-type: none"> <li>- Proposed development is out of character with the locality.</li> </ul>	This is considered under section B Design and Character (including Heritage)
<ul style="list-style-type: none"> <li>- The area has a rural character connected to its history and characterised by haymaking and cattle and deer grazing and the wider site is at the centre of this. The development fails to take account of these characteristics.</li> </ul>	<p>The character of the area is at the fringe of the Epping Forest but is considered to be suburban rather than rural.</p> <p>The wider issue is considered in section B Design and Character (including Heritage)</p>

- The height of the development, particularly the block of flats, is excessive.	This is considered under section B Design and Character (including Heritage)
- Density of the proposal is unduly urban in a suburban area on the fringe of city and close to the Epping Forest. - Excessive density.	This is considered under section B Design and Character (including Heritage)
- Adjacent approvals for upward extensions along Woodedge Close should not amount to a precedent given that they require the consent of leaseholders to implement.	This is noted. Whilst the grant of prior approval is a material consideration the proposal has been assessed against the flats as they exist at present. However, it is noted that the Council previously found the additional storey to be acceptable in relation to Woodedge Close.
- Materials are out of character with the local area.	This is dealt with in section B entitled Design and Character (including heritage)
- Insufficient information to show the development in context with the Queen Elizabeth Pub.	The submitted information is considered to be sufficient to assess the proposal in this respect.
- Concern about the impact of views from the site from Chingford Cricket Club.	This is considered under section B Design and Character (including Heritage). From this viewpoint the building would read as part of a row of flats including those that already exist on Woodedge Close.
- Insufficient information showing the 4 storey element of the development in relation to the Queen Elizabeth Pub.	This is considered under section B Design and Character (including Heritage)
- Concern about the extent of hardstanding within the development	The level of hardstanding has been reduced in the course of the application. An appropriate balance is considered to have been achieved in relation to the servicing and parking needs of the development and the quality of landscaping and space being provided.

<b>Issue Raised – Amenity of future occupants</b>	<b>Officer response</b>
- Waste storage is too far away from the houses.	The bin stores are located in an appropriate location in relation to the houses.



	This is dealt with in section F: Waste Management.
- Development would be cramped and would not provide sufficient external amenity space.	The amenity space being provided is compliant with policy. The proposal was amended to increase the amount of landscaped space in May 2023. This is considered further section D: Impact on Amenity

<b>Issue Raised – Amenity of existing occupants</b>	<b>Officer response</b>
- Concern about loss of light, arising from construction of 2 houses adjacent to rear gardens.	This is considered in the section D 'Impact on Amenity'.
- Concern that not all properties affected by the proposal, as discussed in the supporting documentation have been notified.	322 notification letters were issued along with site notices and a press notice. The level of consultation exceeds the legal requirements.
- Concern about noise arising from the intensity of development, particularly arising from the height of the proposed development.	This is considered in section D 'Impact on Amenity'.
- Proposal would lead to loss of light, overbearing, overshadowing and loss of privacy in relation to neighbouring property.	This is considered in the entitled: 'Impact on amenity' (Section D)
- Concern about proximity of development to substation at 99 Forest Side.	This is considered in section D: 'impact on amenity'.

<b>Issue Raised – Parking and Highways</b>	<b>Officer response</b>
- Parking provided on site is insufficient for the likely occupation.	This is dealt with in section E: Transport and Highways
- Insufficient visitor parking	There is no specific policy requirement for visitor parking. The maximum parking levels are discussed further in section E: Transport and Highways
- Concern about pedestrian environment, particularly the pedestrian access path from Forest Side to development.	This is discussed further in section E: Transport and Highways
- Concern about access constraints and vehicular safety in the site, including the space left for turning.	This is discussed further in section E: Transport and Highways

- Concern that disabled vehicular parking is inappropriate and insufficient space to enable access.	. This is discussed further in section E: Transport and Highways
- Concern that the proposal would put significant pressure on the 397 bus route	Given that the scheme only comprises 9 units it is considered that it would not put pressure on existing public transport infrastructure, including busses.
- Lack of a CPZ would mean that overspill parking demand cannot be managed effectively, leading to congestion on surrounding roads.	This is discussed further in section E: Transport and Highways
- Concern that the site cannot be serviced due to conflicts with vehicles on the site	This is discussed further in section E: Transport and Highways
- Concern that emergency vehicles cannot access the site	This is discussed further in section E: Transport and Highways.
- Concern about the cumulative impact on traffic from the pub and housing.	This is discussed further in section E: Transport and Highways
- Concerns that the traffic modelling in the Transport Statement is incorrect and understates the likely impact of the proposal on traffic movements	These concerns are noted. However, the Transport statement uses industry standard modelling. Comments are made on the general impact of the proposal in the Transport and Highways section of the report (Section E)
- Proposal will block the bus route	The proposal would not obstruct the bus route
- Emergency vehicles cannot access the site.	The access is of sufficient size for most vehicles to access a scheme of this scale. The matter of emergency access would be considered further at building regulations stage.
- Inappropriate location of disabled bay. More disabled parking necessary for visitors.	The bay is located close to the built development with appropriate access to all the dwellings. The disabled parking is provided to the standards that apply to this type of development.
- Inappropriate access arrangements for disabled visitors to the site.	The shared surface arrangement supports visitors with disabilities.

- Concern that learner drivers obstruct the road.	Such drivers are an expected part of traffic movements and do not unreasonably add to congestion levels.
- Bus stop is a significant distance away from the site.	The site is considered to be in reasonably close proximity to public transport and the density of development is appropriate given these factors.
- Degree of traffic created by the development would obstruct emergency services.	The development is not of a scale such that it would create traffic that would obstruct the emergency services.

<b>Other Issues</b>	<b>Officer response</b>
Concern about lack of renewable energy in the proposal	This is considered in Section H 'sustainable design and energy efficiency'
Suggestion that houses could have a 'green wall' facing neighbouring gardens.	Given the separation distance it is not considered that this is necessary to make the development acceptable in planning terms. The scheme must be assessed on its merits.
Lack of Affordable Housing so the proposal will not benefit the community.	At 9 units, the development is below the threshold where affordable housing is required under National Planning Policy.
Concern that insufficient notifications have taken place.	The notifications that have taken place exceed the statutory minimum. Further publicity took place following the designation of the site in a Conservation Area.
Consultation responses have not been published.	This is for data protection reasons, in line with the Council policies.
Concern about proximity of the relocated substation to No.99 Forest Side.	The substation is in a very similar position to at present. It would be set in a rebuilt cabinet in line with the operational requirements of the utility provider. The separation distance is such that this would not lead to harm to the amenity of the occupant of this neighbouring property. This is

	discussed further in Section D: Impact on Amenity.
Concern about ecology including that the existing building houses bats	This is considered Section G: 'The environmental impact of the development'
Inadequate planting provided.	This is considered Section G: 'The environmental impact of the development' and Section I: 'Trees and Landscaping'.
Concern about impact on the footpath to the Cricket Ground.	The footpath to the cricket pitch would be retained and would not be directly affected by the proposed development.
Insufficient community consultation	The public consultation that was carried out by the applicant was not compulsory but is considered appropriate for a development of this scale. The consultation carried out by the Council exceeded the statutory minimum.
Loss of view to the cricket pitch.	The view to the cricket pitch from Forest Side is already partially obscured by the stable building and trees and vegetation. The view would not be obscured by the development, to a significant degree.
Loss of view from the cricket pitch and disturbance to views from the playing field, particularly the line of bowling and batting. Harm to the ongoing viability of the cricket pitch and club arising from harmful new development in its vicinity, including the risk of damage from cricket balls.	The development is at a maximum of four storeys in height and would blend into a townscape characterised by buildings and trees. The proposal would be broadly consistent with this prevailing landscape. It is inevitable that development will take place in close proximity to such facilities in a suburban area where some compromise is necessary to address housing needs.
Harm to Epping Forest Special Area of Conservation, particularly in relation to cars and footfall.	The proposal is set away from the Epping Forest. The impact on the Special Area of Conservation Area has been assessed in a Habitats Regulation Assessment, and no objections have been raised by

	Natural England, subject to suitable mitigation measures
Loss of Green Spaces	The proposal is private land and is not defined as open or green space in planning policy. A generous amount of replacement landscaping in the proposed scheme.
Loss of venue for sport and recreation	This is considered in section A: 'Principle of Development'.
Suggestion that land should be transferred to the City of London.	Any possible acquisition of the land by the City of London is a matter for the City of London, it should not have any bearing on this decision.
Concern about how previous tenant was evicted from property	This is a private contractual matter that it would be inappropriate for officers to comment on.
Pressure on Infrastructure, including schools, GP practices.	The development is 9 units in size and contributions would be made towards Community Infrastructure Levy.
Development of additional storeys at Woodedge close has not been confirmed and cannot be assumed to be proceeding given conditions and permissions that are not yet in place.	This is considered under section B Design and Character (including Heritage)
Concern about how public opinion was reported in the Statement of Community Involvement.	This is noted. Consultation is not mandatory and the reported findings are broadly reflective of the public opinion that was put forward at the time of the formal application.
Impact on Barn Hoppitt Wood	The separation distance is considered to avoid any harmful impact on Barn Hoppitt Wood. Appropriate Arboricultural precautionary measures would be taken in the construction process and can be secured by condition.
Concern about ability of development to absorb surface water.	A sustainable urban drainage system is proposed to manage water run off.

## 7. Other Consultation

Internal Consultation	Officer response
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<p>Highways (25 September 2023)</p> <p>In summary:</p> <p>No objection to layout plan (as revised September 2023) Detailed comments provided on car park management plan and construction management plan.</p> <p>Recommended conditions</p> <ul style="list-style-type: none"> <li>• Internal Road layout to be installed prior to occupation.</li> <li>• SuDS drainage report</li> <li>• Detailed CLP</li> <li>• Servicing and Delivery Plan</li> <li>• Car Park Management Plan</li> </ul> <p>Recommended Section 106 requirements</p> <ul style="list-style-type: none"> <li>• £500 towards Construction Logistics Plan Monitoring</li> <li>• Condition survey of highway to ensure no damage as part of construction works.</li> <li>• £15,000 towards improving sustainable modes of transport including walking and cycling in the vicinity of the site.</li> </ul>	<p>This is considered in section E: Transport and Highways.</p>
<p><i>Sustainability and Energy.</i></p> <p>No objection to scheme and require standard planning conditions relating to:</p> <ul style="list-style-type: none"> <li>• The development achieves a minimum 35% reduction on CO2 emissions, compared to a Part L 2013 baseline, as per Policy DM10.</li> <li>• Residential developments achieve a water efficiency target of 105l/person/day, as per policy DM34.</li> <li>• Policy 87 in the proposed Local Plan is now a material consideration so also demonstrating 10% Be Lean carbon savings compared to a Part L 2013 baseline, as per Policy DM10 for domestic or 15% for non-domestic should be encouraged where feasible.</li> </ul>	<p>This is considered in Section H: Sustainable Design and Energy Efficiency.</p>
<p><i>Transport Policy</i></p>	<p>The parking is below the maximum parking levels. This is</p>

<p>In accordance with London Plan and the emerging LBWF Local Plan the starting point for parking on this scheme should be car-free (allowing for a single blue badge space to be provided). Additional car parking on the site would only be acceptable with robust justification. A single blue badge space should be provided for the accessible unit(s) on the site and to meet the requirements of the London Plan and WF LP which should be appropriately enlarged marked on plans, all other car parking should be designed out of the layout.</p>	<p>considered in Section E: Transport and Highways.</p>
<p>Design and Conservation (Urban Greening) Arboricultural report is fit for purpose in relation to tree classifications, tree protection appears to be in line with good practice.</p> <p>Guidance on the planting of the hedgerow on northern perimeter</p> <p>Concern that service and utility runs do not impact on the RPA of the retained Oak Tree</p> <p>The concept and theme of the landscape strategy, master plan, proposing a woodland entrance, central courtyard, tree palette understory and hedging, grasses, and perennials, along with ecological interventions and lighting strategy on the whole appear well-conceived.</p> <p>Ecological enhancement measures are supported.</p> <p>Mitigation measures for protected species shall be implemented.</p> <p>Biodiversity net gain would be achieved – with an overall increase in Area based Habitat units from 0.3988 to 0.4387, a net gain of 10%.</p> <p>Recommended conditions:</p> <ul style="list-style-type: none"> <li>• Arboricultural method statement to be submitted to and approved in writing by the local planning authority. Details should include protection measures, foundation design, root barriers and any other steps required to ensure the protection of the trees on and adjacent to the site.</li> </ul>	<p>This is considered in section I: 'Trees and Landscaping'.</p>

<ul style="list-style-type: none"> <li>• Soft Landscaping details including species, sizes, densities and positions of the proposed plants and the specifications of any proposed green roofs and living walls.</li> <li>• Condition requiring detailed planting, management and maintenance plans to be submitted to and approved in writing by the local planning authority.</li> <li>• Habitat enhancement details, including the number and type of habitat bricks and boxes proposed for birds, bats and invertebrates and details of the permeability of site boundaries for ground-based wildlife.</li> </ul>	
<p>Design and Conservation (Heritage)</p> <p>Summary of comments:</p> <p>The application site is within the Chingford Station Road Conservation Area, which was designated in April 2023, and the main stable building is identified as a positive building to the conservation area character, and also a non-designated heritage asset. It has some significance as a reminder of Chingford's more rural past, and has some group value with the adjacent public house, a building that dates from broadly the same time period. The rest of the application site, including all the other structures, are identified as being unsympathetic to the character of the conservation area.</p> <p>Similarly, the Queen Elizabeth Public House is also identified as a positive building and a non-designated heritage asset, and consequently consideration must be given to the setting of the public house.</p> <p>In officers' view there would be some low level harm caused to the designated heritage, by removing a building that is identified as making a positive contribution to the conservation area. However its very poor condition somewhat mitigates this impact, as the contribution it currently makes to the character of the conservation area is diminished. The application would also remove a considerable number of other buildings on the site which are unsympathetic to the designated heritage asset, and provide enhancements in the form of</p>	<p>This is considered in Section B: Design and Character (including Heritage).</p>

<p>greening and landscaping improvements which would benefit the wider conservation area, as well as delivering a number of new homes.</p> <p>The balancing exercise set out in paragraph 202 of the National Planning Policy Framework applies, which states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.</p>	
<p>Design and Conservation (Place and Design) Supportive of site layout. Broadly supportive of heights. Concern about the shallow roof pitch of flatted block and central flat roof element. Supportive of quality of accommodation, suggestion that ground floor flats could have a separate entrance. Supportive of quantum of amenity space provided. Suggestion that metal boundary fencing could be replaced with a low wall. Broadly supportive of materials subject to further details of materials and landscaping that can be secured by condition (received 2<sup>nd</sup> June) Would recommend reuse of materials and features from the riding stables in the landscaping.</p>	<p>This is considered in Section B: Design and Character (including Heritage).</p>
<p>Environmental Health (15 June 2023) Suggested conditions relating to ground contamination and asbestos surveys.</p>	<p>This is considered in Section G: The environmental Impact of Development.</p>
<p>Waste and Recycling (15 June 2023) A detailed car park management plan will be required by way of planning condition. Active management of parking area is necessary to ensure that bin lorries can get in and out of the development.</p>	<p>This is considered in section F: Waste Management</p>

### *External Consultation*

<b>Internal Consultation</b>	<b>Officer response</b>
<p>Thames Water</p> <ul style="list-style-type: none"> <li>- Recommended informative regarding Groundwater</li> </ul>	<p>This is reflected in the suggested informatives.</p>

<p><i>City of London Conservators (Epping Forest SAC)</i></p> <ul style="list-style-type: none"> <li>- A site specific Appropriate Assessment is required given proximity to Epping Forest SAC</li> </ul>	Noted – see Section G: The environmental Impact of Development
<p><i>Metropolitan Police Designing out Crime officer</i></p> <ul style="list-style-type: none"> <li>- No official comment</li> <li>- Request that proposal meets the physical security requirements of Secured by Design (Homes 2019, Version 2) by incorporating the use of tested and accredited products in relation to doors, windows, boundary treatments, CCTV, lighting, intruder alarms, and appropriate bin/cycle storage.</li> </ul>	This is reflected in a planning condition.
<p><i>Natural England</i>  Response: June 2023.  No Objection – Subject to appropriate mitigation being secured.  We consider that without appropriate mitigation the application would have an adverse effect on the integrity of Epping Forest Special Area of Conservation  In order to mitigate these adverse effects and make the development acceptable, a per unit contribution to Strategic Access Management and Monitoring (SAMM) and Suitable Alternative Natural Greenspace (SANG) should be secured, as set out in the Waltham Forest Local Plan that was submitted to the inspectorate, and supported by the November 2022 SANG Strategy. Additionally, the mitigation recommended in the Appropriate Assessment should be implemented in full: a CEMP, reduced lighting, and additional information boards highlighting the risks to Epping Forest SAC.</p> <p>Response: December 2022. Habitats Regulation Assessment will be required due to proximity to Epping Forest SAC</p>	This is addressed in Section G: The Environmental Impact of the Development.
<p><i>London Fire Brigade</i></p> <ul style="list-style-type: none"> <li>- Confirms that it has no observations to make (4 July 2023)</li> </ul>	Noted
<i>London Wildlife Trust</i> – No response	Noted
<i>UK Power Networks</i> – No response	Noted



## 8. DEVELOPMENT PLAN

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

### The London Plan (2021) (“London Plan”)

- 8.4 On the 2nd of March 2021, the Mayor of London published the replacement London Plan. From this date, it forms part of the Development Plan for the purpose of determining planning applications. The 2021 London Plan supersedes the 2016 London Plan, which no longer has any effect. The relevant policies within the London Plan 2021 relevant to this application are considered to include but not limited to:
- GG1 – Building Strong and Inclusive Communities
  - GG2 – Making the Best Use of Land
  - GG4 – Delivering the Homes Londoners Need
  - D3 – Optimising Site Capacity Through Design-led Approach
  - D4 – Delivering Good Design
  - D5 – Inclusive Design
  - D6 – Housing Quality and Standards
  - D7 – Accessible Housing
  - D8 – Public Realm
  - D14 – Noise
  - H1 – Increasing Housing Supply
  - H10 – Housing Size and Mix
  - HC1 – Heritage, Conservation, and Growth
  - G5 – Urban Greening
  - G6 – Biodiversity and Access to Nature
  - G7 – Trees and Woodlands
  - SI2 – Minimising Greenhouse Gas Emissions
  - SI13 – Sustainable Drainage
  - T5 – Cycling
  - T6 – Car Parking

- T7 – Deliveries, Servicing, and Construction

Waltham Forest Local Plan Core Strategy (2012) (“Core Strategy”)

8.5 The Core Strategy 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.

8.6 The policies considered relevant to this application are the following:

- CS1: Location and Management of 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.

Waltham Forest Local Plan Development Management Policies (2013) (“DMP”)

8.7 The DMP was adopted on 1st November 2013. The policies considered relevant to this application are the following:

- DM1: Sustainable Development and Mixed-Use Development
- DM2: Meeting Housing Targets
- DM5: Housing Mix
- DM7: External Amenity and Internal Space Standards
- DM10: Resource Efficiency and High Environmental Standards
- DM13: Coordinating Land-use and Transport
- DM14: Sustainable Transport Network
- DM15: Managing Private Motorised Transport
- DM16: Parking
- DM17: Social and Physical Infrastructure
- DM20: Non-Designated Employment Areas
- DM23 Health and Well Being
- DM24: Environmental Protection
- DM28: Heritage Assets
- DM29: Design Principles, Standards and Local Distinctiveness
- DM30: Inclusive Design and the Built Environment
- DM32: Managing Impact of Development on Occupiers and Neighbours
- DM35: Biodiversity and Geodiversity
- Appendix 4 – Parking Standards

**9. MATERIAL PLANNING CONSIDERATIONS**

### National Planning Policy Framework (2023)

- 9.1 The National Planning Policy Framework ("NPPF") sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. It contains a presumption in favour of sustainable development, described as at the heart of the framework.
- 9.2 For decision-taking the NPPF states that the presumption means "approving development proposals that accord with an up-to-date development plan without (Item 4.1) 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". The NPPF gives a centrality to design policies; homes should be locally led, well designed, and of a consistent and high-quality standard.
- 9.3 The specific policy areas of the NPPF considered to be most relevant to the of this application are as follows:
- Delivering a wide choice of high-quality homes;
  - Achieve well-designed places;
  - Conserving the historic environment; and,
  - Conserving and enhancing the natural environment.
- 9.4 Paragraph 202 of the NPPF deals with less than substantial harm to the significance of a designated heritage asset. It states that this harm should be weighed against the public benefits of the proposal. Paragraph 203 of the NPPF deals with the balancing exercise that needs to occur when the effect of an application on the significance of a non-designated heritage asset is under consideration. It states that 'a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

### Planning Practice Guidance

- 9.5 Planning Practice Guidance states that 'an unlisted building that makes a positive contribution to a conservation area is individually of lesser importance than a listed building. If the building is important or integral to the character or appearance of the Conservation Area then its proposed demolition is more likely to amount to substantial harm to the conservation area... Loss of a building within a conservation area may alternatively amount to less than substantial harm under paragraph 196. However, the justification for a building's proposed demolition will still need to be proportionate to its relative significance and its contribution to the significance of the conservation area as a whole. (Paragraph: 019 Reference ID: 18a-019-20190723)

Living with beauty, promoting health, well-being and sustainable Growth, The report of the Building Better, Building Beautiful Commission (Jan 2020)

- 9.6 This report sets out a series of recommendations that seek to “ask for beauty, refuse ugliness and promote stewardship”. It sets out the aspiration that beauty should be an essential condition for the grant of planning permission.

National Design Guide: Planning practice guidance for beautiful, enduring and successful places (Jan 2021)

- 9.7 This sets out the ten characteristics of good design: Context, Identity, Built form, Movement, Nature, Public Spaces, Uses, Homes and Buildings, Resources and Lifespan. It states that, when determining how a site may be developed, it is important to understand the history of how the site has evolved.

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

- 9.8 Waltham Forest Local Plan (LP1) is intended to replace the current Waltham Forest Local Plan Core Strategy and Development Management Policies. It has undergone consultation and was subject to an Examination in Public in March 2022. The Council consulted on a schedule of Main Modifications from 21st July 2023 to 21st September 2023.
- 9.9 In line with the NPPF, Local Planning Authorities may give weight to relevant policies in emerging plans according to: - the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and - the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Urban Design Supplementary Planning Document - 2010

- 9.10 This document has the aim of raising the quality of design within the Borough. The core principles underlying the advice in the SPD are Inclusive Design.

Inclusive Housing Design Supplementary Planning Document - 2011

- 9.11 The core principles underlying the advice in the SPD are Inclusive Design and the social model of disability.

Waltham Forest Planning Obligations Supplementary Planning Document - 2017

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

Housing Supplementary Planning Guidance SPG (2016)

- 9.13 The Housing SPG provides guidance on a range of strategic policies including housing supply, residential density, housing standards, build to rent developments, student accommodation and viability.

Waste & Recycling Guidance for Developers (2019)

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

The Chingford Station Road Conservation Area Appraisal and Management Plan (2023)

9.15 The Chingford Station Road Conservation Area Appraisal and Management Plan provides a detailed analysis of the historic evolution of the Station Road Area of Chingford. It discusses both the Queen Elizabeth Public House and the Stables building.

**Local Finance Considerations**

9.16 Local Finance Considerations can include either a grant that has been or would be given to the Council from central government or money that the council has received or will or could receive in terms of CIL. It is noted that:

- It is not thought that there are any grants which have been or will or could be received from central government in relation to this development.
- The Council expects to receive income from LBWF CIL in relation to this development.
- The Council expects to receive income from Mayoral CIL in relation to this development.

**10. ASSESSMENT**

10.1 The main issues which shall be addressed in this report relate to the following:

- A) PRINCIPLE OF DEVELOPMENT
- B) DESIGN AND CHARACTER (INCLUDING HERITAGE)
- C) HOUSING MIX
- D) IMPACT ON AMENITY
- E) TRANSPORT AND HIGHWAYS
- F) WASTE MANAGEMENT
- G) THE ENVIRONMENTAL IMPACT OF THE DEVELOPMENT
- H) SUSTAINABLE DESIGN AND ENERGY EFFICIENCY
- I) TREES AND LANDSCAPING
- J) SAFETY AND SECURITY.
- K) OTHER ISSUES RAISED BY INTERESTED PARTIES
- L) PLANNING BALANCE

**A. PRINCIPLE OF DEVELOPMENT**

10.2 The NPPF sets out the policy foundation for the achievement of 'sustainable development'. This incorporates three interdependent overarching economic, social and economic objectives aimed at the delivery of a strong economy

supporting healthy communities and aiding the enhancement of the natural, built and historic environment. This is reflected in the London Plan Good Growth policy GG2, which seeks to enable the development of brownfield land with the aim of intensifying land use to support higher density development. Policy CS1 of the Core Strategy and Policy DM1 of the DMP has similar objectives. Policies CS8 of the Core Strategy seeks to make efficient use of employment land and DM20 of the Development Management Policies sets out the adopted policy position in relation to development in non-designated employment areas. Policy DM17 of the DMP seeks to resist the loss of social infrastructure, although there is an exception to this where the specific facility is no longer required in its current use.

- 10.3 Section 5 of the NPPF sets out the priority of boosting the supply of new homes. Policy CS2 of the Core Strategy sets out that the Council will facilitate housing growth by maximising the number of quality homes in the Borough by prioritising development on previously developed land, particularly unused or underused land, and making effective and efficient use of land by seeking to optimise housing densities.
- 10.4 As land that is primarily used for the stabling of horses associated with a private commercial riding school, the site is regarded as having a sui-generis use in planning terms. It currently comprises overgrown land, car park associated with the pub, a former stable building and a number of other single storey structures. The buildings are all in very poor condition. The survey report, provided by the applicant, refers to multiple collapsed walls, floors and ceilings. This was consistent with what officers saw on a site inspection carried out whilst the application was under consideration.
- 10.5 The established Riding school operation at the site ceased 10 years ago, in 2013. Since this point the site has been vacant. In terms of equestrian uses, including training, the Lea Valley Riding Centre occupies a considerably larger, purpose built site, which meets contemporary animal welfare and health and safety requirements. It is accessible from Chingford by way of public transport (the overground train and bus routes). It is also relevant that there are also a range of smaller, privately owned specialist stables in the countryside and forest around Chingford (albeit outside the Borough) including in Buckhurst Hill (Nightingale Stables) and Sewardstonebury (Woodlands Stables and Barnfields Riding Stables). As such, officers consider that there is no shortfall of provision of activities of the type that were historically carried out on the site should planning permission be granted for the proposed development.
- 10.6 As non-designated employment land, policy CS8 (E) of the Core Strategy advises that a pragmatic approach should be taken where premises are surplus to requirements and no longer fit for purpose. In cases where there are evident barriers to securing future employment use, as is the case here, policy DM20 of the Development Management Policies seeks sets out a preference for schemes that incorporate social infrastructure. However, in this case the scale of development is limited, and the site is constrained in terms of access, so a

requirement for mixed use would be likely to constrain what is achievable in terms of the overall quality of development.

- 10.7 The site falls within an existing built up, predominantly suburban residential area. It is set around 800 metres from Chingford railway station and the wider town centre of Chingford, and adjacent to the Epping Forest Special Area of Conservation. In this context it is considered unsuitable for trip generating commercial or community uses that would be more appropriately located in, or close to, the town centre. Overall, it is considered that a residential use would complement the prevailing residential character of this area and is the most appropriate form of redevelopment for this site.
- 10.8 To conclude, the proposed development would not lead to any significant conflict with Core Strategy policy CS3 and DMP Policy DM17 which seeks to resist the loss of social infrastructure, nor policies Core Strategy policy CS8 and DMP Policy DM20 which seek to manage the loss of employment land. It complies with CS1 of the Core Strategy which seeks to direct growth to sustainable locations and will bring a vacant site into use towards increasing the housing delivery within the Borough which is predominantly located within residential area. The principle of development therefore complies with the development plan, when it is considered as a whole.

#### **A. DESIGN AND CHARACTER (INCLUDING HERITAGE)**

- 10.9 The NPPF emphasises the importance of achieving well designed places, alongside conserving and enhancing the historic environment. More detailed guidance is provided in the National Design Guide which, amongst other things, emphasises an appreciation of context and identity where proposed development comes forward. At the local level, Policy CS15 seeks to ensure the highest quality of architecture and Urban Design with new development responding positively to local context and character, giving strong recognition to local distinctiveness and spatial context. Policy DM29 of the DMP emphasises the importance of development responding to context in terms of scale, height and massing, with high quality materials that are attractive and durable, and incorporating high-quality landscaping and tree planting where appropriate.
- 10.10 Policy CS12 of the Core Strategy and DM28 of the DMP both seek to protect, conserve and enhance heritage assets. The policy states that, where demolition is justified in accordance with national policy, consent to demolish will be given only when acceptable plans for redevelopment have been agreed. National Planning Policy on development affecting heritage assets, including development in Conservation Areas, is set out in the NPPF, particularly paragraphs 199-208.

##### *(i) Heritage status of site*

- 10.11 The stable building is regarded as a non-designated heritage Asset. In the course of the application the site was also designated as forming part of the Chingford Station Road Conservation Area, with the stable building being

identified as a positive feature in the CAMP. The statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to preserve and enhance the Conservation Area.

10.12 The architectural interest in the stable building is derived from both its internal and external features. Internally there are some surviving features such as a forge, traditional paving, hay lofts and stabling features. Externally its weatherboarded appearance, together with its traditional brick walls and elements of architectural detail particularly at roof level distinguish the building as being noticeably older than the surrounding suburban houses. The historic interest of the building is still visible, despite its derelict appearance, and is reflected in the description of the building as being a positive feature in the CAMP. The stable building also has local significance as a link between the settlement of Chingford and the Epping Forest, and as a place where the local community learned to ride horses, and also in the equestrian community, evident from the consultation responses.



**Image 6: Picture of the building in use in the 1980's (from residents objection letter)**

10.13 However the equestrian use in question has ceased for over a decade. The original stable building itself is of a modest size and the ancillary structures that previously helped to facilitate the equestrian use are heavily dilapidated. Access to trails in the Epping Forest on horseback involve crossing a pub car park and negotiating the public highway, which is undesirable from a public safety point of view. All these factors, in combination with the existence of alternative riding schools in and around the Borough, make it unlikely that the stable building would ever be restored and reused for its historic purpose.





**Image 7. Current appearance of the site, in 2023.**

- 10.14 The current condition of the site, largely a consequence of vacancy for a long period of time prior to the designation of the Conservation Area, detracts from the significance of the building. It is notable that the building has been vacant for a decade, through a period of economic growth when construction and build costs were lower than at present. As noted previously, the dilapidated state of the building predates the designation of the site as falling within a Conservation Area.
- 10.15 A number of respondents have suggested using the stable building as a local museum. However, the level of detail provided on the feasibility and viability of such proposals is very limited. Notwithstanding the fact that the site is in private ownership, the cost of renovation and repurposing the building were it to be acquired for this purpose would be significant. This is reflected in the condition report submitted with the application and this is reinforced by a visual inspection of the site. Furthermore, such uses are typically located in more accessible, town centre, locations with considerably greater footfall for this type of community use. For instance, it is noted that the Chingford Historical Society currently operate from rooms within Chingford Station.
- 10.16 The stable building itself is primarily of local significance associated with the historic equestrian activities that took place within it. It is not statutorily listed and architecturally it has limited significance. Consequently, officers consider that these factors make the prospect of achieving grant funding for an alternative future project involving the acquisition and renovation of the building for the purposes of a museum to be very low. This should not be given significant weight in the decision-making process.
- 10.17 Considering the site more broadly it is considered that, because of its scale, prominence, condition, retained architectural detailing and active ongoing use,

the Queen Elizabeth Pub defines this part of the Conservation Area to a greater degree than the stable building. At present, the dilapidated condition of the stables site detracts from the setting of the pub. The redevelopment of the site therefore provides an opportunity to improve the setting of the pub, and in consequence, this part of the North Chingford Station Road Conservation Area. The development would contribute to having a positive impact on seeking to contribute to enhancing the setting of the site within what is now a Conservation Area and bringing a brownfield site back into positive use.

*(ii) The proposal – Conservation and design issues*

10.18 The proposal would remove the stable building, in addition to the existing hoardings and smaller buildings on the site. The forecourt of the pub would be sub-divided to create a separate access within the parking area for the new residential development.

10.19 To the front, a new area of triangular landscaped space would be created towards the northern front boundary of the site, together with new planting around the two residential elements of the scheme. This would help to provide an improved landscaped setting for the both the site, and the adjacent pub. The introduction of soft landscaping in this area, which can be secured by way of planning condition, helps to address one of the points in the CAMP, that the hardstanding around the pub and stables currently appears visually unsympathetic.



**Image 8: Landscaping proposals around the site**

10.20 To the rear of the site the flats would read as a continuation of the existing row of flatted development to Woodedge Close, where prior approval exists for an additional storey to be added to each block. Even if these developments were not to be built out, the increase in height arising from the four-storey element of the development would not be of such a scale that disrupts the established rhythm of development in this part of Chingford. Gaps between the buildings

would still exist preserving the spacious character of the area, and through which the cricket pitch could be glimpsed. The separation distance is such that, despite its height, the new block of flats would not detract, or compete for visual attention with, the Queen Elizabeth pub.

- 10.21 The flats, together with the houses, would be tile hung from first to third floor level. A flat roofed linked section provides a visual break between the two elements of the blocks of flats. The tile hanging and gabled form of both buildings is considered to successfully reinterpret the architectural form of the existing stable building, creating a development that is reflective of the rural origins of this part of the Conservation Area. The use of grey brick at ground floor level is an interesting contemporary twist that gives the development a distinctive style.



5 - Petersen C36 Tile



6 - Vandersanden Rega Grey Brick

**Image 8: Materials to be used in construction.**

10.22 The semi-detached houses would be set away from the Queen Elizabeth pub, with a greater separation distance than that afforded by the existing stables building. The footpath across the northern boundary of the site also helps to provide a good degree of visual separation to the properties on Victoria Road

and Forest Side. The substation to the front of the site would comprise a small, ancillary flat roofed structure, set well back from the road and following the existing building line. The siting of the buildings across the site would preserve the prevailing spacious character of this area and would complement the setting of the Queen Elizabeth pub. Design and conservation officers are supportive of the design approach taken, subject to the use of quality materials and fenestration treatments, matters which can be dealt with by way of planning condition.

10.23 The reduction in vehicular parking and increase in landscaped space within the development significantly improve the quality and liveability of the development, beyond the plans originally submitted to the Council. Despite the limited site area, defensible landscaped space is provided around both buildings and whilst vehicular access and parking is a feature of the development, it does not dominate it.

10.24 The development would be gated, and it is acknowledged that there is a presumption against this. However, in this case the development would be accessed from a forecourt it shares with a pub. It is necessary to control access in this way to avoid the residential environment being compromised by noise and activity associated with the pub. A secure access would also have benefits in terms of reducing the risk of fly tipping in very close proximity to the Epping Forest Special Area of Conservation. As such, a gated access is justified on this occasion.

#### *Conclusions on Heritage and Design*

10.25 Overall, the design would be of a high standard. The amount of visual space and landscaping around the building gives the development a spacious, verdant and landscaped character which is rare in flatted developments in London. Whilst it is acknowledged that the height of the flatted building is locally contentious, officers consider that it is balanced out by the provision of open space within the development and provides a good example of gentle density that complements the prevailing suburban residential environment. Overall, this is a good quality scheme of a standard which the Council are seeking to encourage where new residential development comes forward. The high standard of design is a consideration that weighs in favour of the proposed development.

10.26 Considering the heritage aspects, it is acknowledged that there would be harm arising from the demolition of a building that has been identified as a non-designated heritage asset and which is identified as a positive feature in the CAMP. However, there would also be an improvement to the localised setting of the Conservation Area, particularly in relation to the setting of the Queen Elizabeth pub through the improved layout of the site and the landscaping, which would compensate for the harm that arises through the loss of the building. It is also possible to use planning conditions to ensure the building and its features are recorded prior to demolition. This question, together with



the consistency of the proposal with National and Local Planning Policy, will be returned to in the conclusion of this report.

## **C. HOUSING MIX**

10.27 Policy DM5 of the Development Management Policies states that the Council will seek all housing developments to provide a range of dwelling sizes and tenures, particularly focussing on the provision of larger sized family homes.

10.28 At 9 Units, this is not major development. Paragraph 64 of the NPPF states that 'affordable housing should not be sought for residential developments for non-major developments'. As such, there is no requirement for affordable housing on this site.

10.29 9 residential units would be provided, comprising the following:

- 5 x 3 bedroom units (2x houses and 3x flats).
- 4 x 2 bedroom units.

5 out of 9 units would be family sized accommodation, including two dwellinghouses. Officers consider that the proposal includes a mix of housing types and unit sizes, whilst also maximising of family sized and consequently complies with the relevant policies on Housing Mix, particularly DM5 of the DMP cited above.

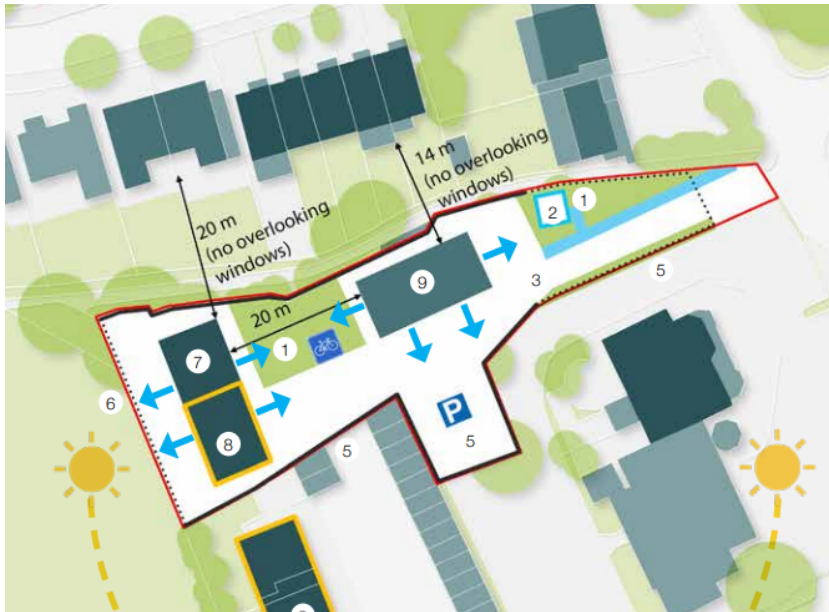
## **D. IMPACT ON AMENITY**

### **Living conditions – existing occupants**

10.30 Policy D6 of the London Plan sets out that development should provide sufficient daylight and sunlight to new and surrounding housing appropriate to context. Whilst there is no policy for how to assess the impact on any loss of daylight and sunlight on neighbouring properties, general guidance is provided within the 'BRE – Site Layout Planning for Daylight and Sunlight'.

10.31 Local Plan policy DM32 of the DMP states that when considering the impact of a new development on neighbouring amenity, the Council should have regards to overshadowing, access to daylight and sunlight, and loss of privacy. Development is only acceptable where it would not cause an unacceptable loss of amenity to adjoining or future occupiers of the development.

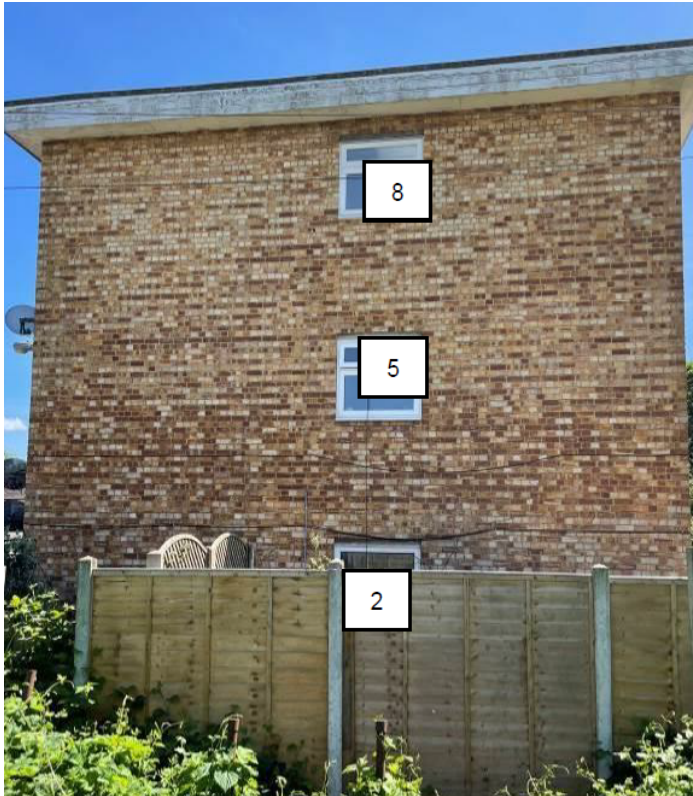
10.32 The proposed development is enclosed to the south and east by Forest Way and the Queen Elizabeth pub, and to the west by the cricket pitch. The closest residential units are 19-24 Woodedge Close, the houses to the north along Victoria Road (1A-E, 2 and 3), and 99 Forest Side, which sits next to the site. The impact of the development on these properties is considered in the submitted daylight and sunlight report, which concludes that the proposed development would have a low impact on the light receivable by neighbouring properties and complies with the BRE guidance in this respect when existing obstructions are taken in to account.



**Image 9 – separation distances to neighbouring residential properties**

*19-24 Woodedge Close*

10.33 The new block of flats would sit parallel to this existing block of flats, beyond a gap of around 8 metres. These blocks of flats have predominantly side facing (east/west) windows, but one window per floor in the north/south elevations. The proposed development would result in a small loss of outlook and light to these windows in the final north facing elevation (identified as between 16.2% and 19.8% in relation to vertical sky component the submitted daylight and sunlight report), but as they are windows on a secondary elevation, and the outlook from the main front and rear elevations of these buildings remains unobstructed; it is considered that any harm would be insignificant. The separation distances are such that there would be no material loss of light or outlook to the external amenity space associated with these properties, a conclusion that is supported by the submitted daylight and sunlight assessment.



**Image 8: Adjacent secondary windows on Woodedge Close.**

10.34 There are no windows within the development that would cause privacy concerns in relation to these properties. It is recommended that privacy screens are installed to the side of the new balconies associated with the flats to avoid any perceived overlooking to the rear amenity space, this can be secured by planning conditions.

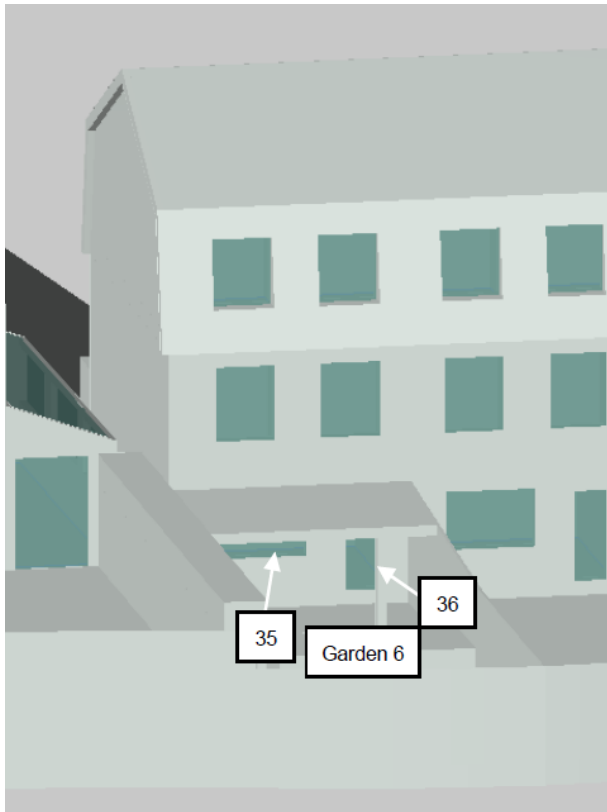
*1A-E, 1-5 Victoria Road*

10.35 The properties on the southern side of this road benefit from well sized rear gardens. The site falls beyond a gap where there is an existing footpath providing visual separation between the development and these existing properties. Furthermore, the block of flats and the new houses would both be set away from the footpath. The separation distance is approximately 14 metres and is sufficient to avoid any overshadowing or loss of outlook to these properties.

10.36 The daylight and sunlight report identifies that one window associated with 1E Victoria Road would fail the Vertical Sky Component Test but suggests that this is likely to be because the window is heavily shaded by an overhanging element that is part of this neighbouring property. Were the overhang in question to be removed, the Daylight and Sunlight report indicates that it would be likely to surpass the BRE criteria.

10.37 Overall, the report indicates that no window would experience a loss of vertical sky component of more than 3.2% in relation to these properties, nor any loss of daylight distribution greater than 4%.





**Image 9 and 10: Applicants modelling of the impact on 1E Victoria Road showing existing overhang to the rear of this property.**

10.38 There are no windows within the development that would cause privacy concerns in relation to these properties. To ensure privacy any forthcoming consent will require privacy screens to be installed to the side of the new

balconies associated with the flats to avoid any perceived overlooking to nearby rear amenity space. This can be secured by way of a planning condition.

### *99 Forest Side*

10.39 The built form associated with the development would be set around 14 metres away from the neighbouring property at 99 Forest Side, with a path in the intervening space. The separation distance is such that the proposal would not lead to any loss of light or outlook. It is noted that this property currently abuts a car park and the proposed landscaped area along the northern boundary of the site would be more complementary and sympathetic to this residential property than the existing situation. The side facing upper floor bathroom window within unit 9 could be made of obscure glass, to avoid any perceived overlooking.

10.40 A substation already exists on the boundary of the site, close to No.99 Forest Side, albeit beyond a footpath that separates the sites. The substation would be relocated upon redevelopment to be brought forward slightly to align with the main bulk of 99 Forest side, but there would still be significant separation distance so as not to raise any material amenity issues. Any noise impact would not be materially different to the existing situation given that a substation already exists in this location. The plans indicate that the substation would be a discreet, flat roofed structure. Its position within the development has been influenced by the desire to minimise its impact on the front amenity space and its location is considered to be appropriate, in this respect. Its detailed design can be agreed in response to a planning condition.

### *Other buildings, and other issues raised.*

10.41 The proposed development is set a sufficient distance away from other residential buildings in the surrounding area to avoid any amenity concerns. The development would complement the pub and would not detract from its amenity.

10.42 The bulk of the development considered to be reflected of the prevailing density of development in the immediate surrounding area. It would not lead to levels of noise that are out of character with the prevailing existing built environment.

### *Conclusions on existing residential amenity impacts*

10.43 In conclusion, it is considered that the proposal would not detract from residential amenity, in any respect. It is acceptable in terms of its impact on neighbouring residential amenity, including in terms of privacy, light, outlook, noise and overshadowing. The proposal therefore complies with the relevant planning policies in relation to this issue, including Policy D6 of the London Plan and DM32 of the Development Management Policies, which seek to avoid harm to the amenity of neighbouring residents when new development is proposed.

### **Living Conditions – Future Occupiers**

## (i) Internal Space

10.44 The London Plan Policies D4 'Delivering Good Design' and D6 'Housing Quality and Standards' (2021) seek to scrutinise the qualitative aspects of a development in terms of spatial quality and standards. Given the high-density of the development, careful consideration should be given to the proposed form, layout, external amenity spaces and accessibility to ensure good standard of residential accommodation.

10.45 Policy CS2 of the Core Strategy states that all new residential units will be required to be of high quality and design. Policy DM7 of the DMP and the Technical Housing Standards – Nationally described space standard (2015) sets out the required minimum internal standards for new residential units. The London Plan policy also requires that a single bedroom has a floor area of at least 7.5m<sup>2</sup> and a double (or twin bedroom) has a floor area of at least 11.5m<sup>2</sup>.

10.46 The detailed schedule below details the provision made in the submitted proposal.

<b>Unit number</b>	<b>London Plan Space Standard (GIA sqm)</b>	<b>Proposed Space Standard (GIA sqm)</b>	<b>Kitchen/Living Room Dining</b>	<b>Amenity Space (Against that required in DM7)</b>
1 (ground floor flat) 3 person 2 bedroom	61	75 – meets	Required: 25 Proposed: 29 Meets	Required: 20 Proposed: 70
2 (Ground floor flat) 5 person, 3 bedroom	86	87.6 – meets	Required: 29 Proposed: 36 meets	Required: 30 Proposed: 147.6 sqm
3 (First floor flat) 4 person, 2 bedroom	70	75 – meets	Required: 27 Proposed 29.9 Meets	Required: 30 Proposed: 11.9*
4 (First floor flat) 5 person, 3 bedroom	86	87.6 – meets	Required: 29 Proposed 36 Meets	Required: 30 Proposed: 10.1*
5 (Second floor flat) 4 person, 2 bedroom	70	75 – meets	Required: 27 Proposed 29.9 Meets	Required: 20 Proposed: 11.9*
6 (Second Floor Flat) 5 person 3 bedroom	86	87.6 – meets	Required: 29 Proposed: 36 Meets	Required: 30 Proposed: 10.1*

7 (Third Floor flat) 4 person 2 bedroom	70	75.2 – meets	Required: 27 Proposed 29 Meets	Required: 20 Proposed: 11.9*
8 (House) 5 person 3 bedroom	93	103 – meets	Required: 29 Proposed: 32 Meets	Required: 60 Proposed: 87.3
9 (House) 5 person 3 bedroom	93	103 – meets	Required: 29 Proposed: 32 Meets	Required: 60 Proposed: 91

*\*Additional useable communal amenity space (230 sqm) is provided within the development that addresses the individual deficit in relation to each flat.*

10.47 All the units meet the minimum London Plan standards in terms of size. There is sufficient living, kitchen and dining areas in each unit to meet the local plan standards. It is also noted that the bedrooms exceed the size requirements of the London Plan and Nationally Described Space Standards. The proposal is compliant with policy in this respect.

10.48 In terms of layout (including outlook, daylight and sunlight), all the units are double aspect and all the rooms have a clear outlook. The main living areas in each case open out on to private amenity space. All habitable rooms would have a good standard of natural light. The bedrooms associated with the ground floor flats look out to the communal garden, but the landscaping plans show an area of defensible, private space in front of them, with an intention to grow hedging that would act as a privacy screen. Whilst this could be regarded as a slightly compromised arrangement, the flats in question benefit from other internal living areas that open out on to a well sized area of deep private garden, which would be a more desirable arrangement and a rare feature in new build flatted development. When considered as a whole, the layout of the proposed development is acceptable, including in terms of outlook, daylight and sunlight.

#### *(ii) External Space*

10.49 London Plan Policy D6 Housing quality and standards requires a minimum of 5 sqm of private outdoor space to be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant unless there are higher local standards. Furthermore, the minimum depth and width for all balconies and other private external spaces should be 1.5m in order to be considered usable.

10.50 Policy DM7 of the DMP sets out further local standards, that for houses, 50 sqm of space should be provided for 2-bedroom units, with an additional 10sqm per bedroom. For flats, there should be 10 sqm should provide per bedroom.

10.51 Both houses have large useable areas of garden to their sides. The ground floor flats have large gardens to the rear, and the balconies on the upper 5 flats

are all deep spaces, being in excess of 10 sqm in area, providing useable and functional amenity space with an attractive outlook over the cricket ground.

10.52 There are two large areas of communal external amenity space in the development, to the front of the block of flats and to the front of the development facing Forest Side. The area to the front of the block of flats in particular is very high quality, useable space of a regular shape, in excess of 100 sqm in size that helps to provide a coherent identity for the development. In addition to this, there around 130 sqm of communal gardens to the front of the development. The proposal is therefore considered to comply with the requirements of Policy DM7 of the DMP, together with Policy D6 of the London Plan, in this respect.

*Conclusions on standard of accommodation.*

10.53 The proposed development is considered to provide a high standard of accommodation, in compliance with the aims of National and local planning policy, and the London Plan, including policy CS2 of the Core Strategy and DM7 of the DMP as cited above.

## **E. TRANSPORT AND HIGHWAYS**

10.54 The National Planning Policy Framework (2023) at para 104 sets out that transport issues should be considered at the earliest stages of development proposals in order to ensure that the impact of development on the transport networks can be assessed and that opportunities to promote the use of active travel and public transport are prioritised. This is carried forward in paras 110 - 113 which amplify these priorities in a placemaking context, harnessed to need to ensure safe and suitable access to the site for all users.

10.55 London Plan (2021) Policies T1 and T5 set out proposals should support the delivery of the Mayor's Healthy Streets transport strategy which aims to ensure that by 2041 80% of all trips in London are to be made by walking cycling or public transport. Policy T6 sets out the thresholds for car parking in new development which should be restricted in line with levels of existing and future public transport in the area. It states that developments should provide the minimum necessary parking, and that an absence of local on-street parking controls should not be a barrier to development.

10.56 Policy CS7 of the Waltham Forest Local Plan Core Strategy (2012) sets out that the Council will promote sustainable travel by guiding development to accessible locations, to reduce the need to travel by car and to encourage walking, cycling and the use of public transport.

10.57 Policy DM13 of the Waltham Forest Local Plan Development Management Policies (2013) states that the Council will ensure that development is properly integrated with the transport network and is supported by appropriate walking, cycling and public transport links.

10.58 Policy DM14 of the Waltham Forest Local Plan Development Management Policies (2013) encourages sustainable travel.

10.59 Policy DM16 of the Waltham Forest Local Plan Development Management Policies (2013) seeks to effectively manage parking and to ensure the provision of safe and attractive parking facilities by encouraging car-free and car-capped development in locations that are highly accessible by public transport and require proposals to provide for well-designed, high-quality facilities in accordance with the Council's maximum car parking standards and minimum cycle parking standards.

10.60 Waltham Forest Local Plan LP1 at examination (2020) Policy 68 - Managing Vehicle Traffic sets out that proposals which (A) provide parking in less well-connected areas (eg the application site) must be accompanied by a robust Transport Assessment; and that (B) parking must not exceed maximum London Plan standards and those at Appendix 1 of LP1 and finally (C) that all development should provide Disability Discrimination Act (DDA) compliant spaces in accordance with best practice set in the London Plan and LP1.

*(i) Car Parking*

10.61. The London Plan (policy T6) sets out maximum car parking standards in outer London (PTAL 2 to 3) at up to 0.75 per 1- and 2-bedroom units, and up to 1 per unit for 3+ bedroom units. The Council's own standards, in Appendix 4 of the DMP are at up to 1 per unit, with accessible parking in accordance with the number of accessible units. The proposal originally provided 9 parking spaces, but this was reduced to 7, in order to provide more landscaped space to the front of the block of flats.

10.62 One parking space is for a DDA compliant unit, which correlates with the single accessible unit in the proposed development. A swept path diagram, set out in the transport statement, demonstrates that this can be safely accessed. This space is in close proximity to the housing and flats to be functional for its intended purpose, taking account of the needs of prospective future users of the development and in compliance with the requirement in local planning policy for one space to provided for this purpose.

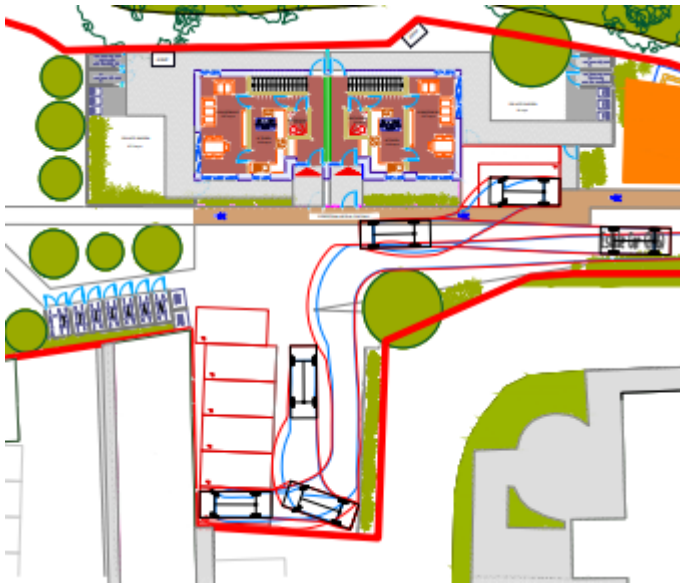
10.63 The parking provision does not exceed the maximum set out within the provisions of The London Plan (8 spaces) and Local Plan policy (9 spaces). A number of objections raise concerns that the actual parking demand will exceed the parking capacity of the development, leading to overspill parking on the surrounding road network. However, in this case the surrounding area is characterised by mid-20<sup>th</sup> Century suburban housing which largely has private off-street parking, which reduces the level of demand for on-street parking. Furthermore, the riding school operation would have generated its own demand for overspill on-street parking, which would permanently cease as a consequence of the proposed development. As such, it is considered that any overspill parking, including any visitor parking, could be absorbed without detriment to highway safety or the free flow of traffic.

10.64 Overall the proposal is considered to strike an appropriate balance between the need to comply with maximum parking standards and to avoid any significant impact on the surrounding road network. Provision can be made in the legal agreement to restrict future residents from applying for parking permits should a CPZ be introduced in the future. Overall, the proposal is compliant with policy on car parking for development of this scale in this location.

*(ii) Cycle Parking Standards*

10.65 London Plan standards at Policy T5 Table 10.2 for residential development requires 1.5 cycle parking spaces per 1 bed units, and 2 spaces for all other residential units. Appendix 4 of the Local Plan (2013) sets out the Council's cycle parking standards, which is 2 spaces per two+ bedroom units and one additional visitor space per 40 units.

10.66 A total of 21 cycle spaces are proposed, with 15 spaces in secure units to the front of the block of flats, and 3 secure spaces within the curtilage of each dwelling. The detailed design of the storage units is a matter that can be dealt with in response to a planning condition. The proposal therefore complies with the relevant cycle parking standards discussed above.



**Image 10: Car and Cycle parking**

*(iii) Electric Vehicle charging*

10.67 London Plan Policy T6.1C requires that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces. This is a matter that can be dealt with by way of planning condition.

*(iv) Servicing*

10.68 Servicing and deliveries would take place within the gated forecourt associated with the development and this is reflected in the submitted servicing and delivery plan. The submitted plans demonstrate that there is appropriate turning space for vehicles to enter and exit in forward gear. As the entrance to the development is set away from the road, there is space for vehicles to park away from the highway whilst the gate is opening. Detailed considerations relating to servicing and management can be considered as part of a servicing management plan, which would be a requirement of a planning condition.

*(v) Traffic*

10.69 The Transport statement predicts that the proposed development would generate 3 vehicle movements in the morning peak hour and 3 vehicle movements in the evening peak hour. Whilst objectors raise concerns about the methodology used and argue that the actual total may be higher, the overall scale of the development is small. Given that the proposal comprises 9 units and replaces existing generating commercial development officers consider that the impact of the proposal, even considered in combination with the residual demand from the adjacent pub, would be negligible and there would be no material impact on traffic levels in the area surrounding the site.

*(v) Highway Safety and Site Layout*

10.70 The stable building was previously accessed from Forest Side by crossing the car park associated with Queen Elizabeth pub. The type of vehicles involved would have been those associated with horse transport, and also people riding on horses. At present the access from Forest side is restricted in width by the parking bays which protrude into the bell-mouth, restricting the amount of room that vehicles must pass each other, and leading to a risk of conflict with reversing vehicles. No bespoke pedestrian route exists from the road to the stables.

10.71 The existing situation is considered to be substandard in safety terms. It leads to a risk of collision between vehicles using the pub and those accessing the stables which is exacerbated by visibility issues associated with the junction with Forest Side, arising as a consequence of the existing parking layout associated with the pub.

10.72 The proposed development involves the subdivision of the pub car park to create a separate access to the residential development, set back from the junction with Forest View. The existing car parking spaces around the bell mouth would be extinguished, thus improving visibility at the access and the amount of room through which vehicles have to pass each other.

10.73 Internally the development has a shared surface arrangement, which accords with Manual for Streets. The pedestrian footpath would be a different colour to the road. Swept path diagrams show that cars can safely access the allotted spaces and can pass each other within the development. A bin lorry can also access the site. Any encroachment by refuse vehicles on to the pedestrian



designated area would be very occasional in nature and is anticipated by the shared surface design concept. The proposal, including the shared surface arrangement is considered to provide an acceptable walking environment for all users.

10.74 The overall volume of traffic associated with the site would be low. Following revisions to the layout of the internal parking area, highways do not object to the proposal. Overall, officers consider that the cessation of the existing use and associated access arrangements and replacement with the proposed development would represent a betterment to highway safety and this is a material planning consideration that weighs in favour of granting planning permission.

10.75 A legal agreement would require works towards Construction Logistics Monitoring, including a condition survey to ensure that any damage arising from construction works is rectified. In line with policies that seek to reduce car use and to reduce the impact of the proposed development on the highway network a financial contribution of £15,000 is sought towards improving sustainable modes of transport including walking and cycling facilities around the site.

#### *Overall Conclusion – Transport and Highways*

10.76 The proposal is considered to be acceptable in terms of transportation and highways. Furthermore, there would be a betterment to highway safety over the existing position, which is a consideration that weighs in favour of the proposed development. The proposal complies with the relevant planning policies including T1, T5 and T6 of the London Plan and DM 13 of the DMP.

## **F. WASTE MANAGEMENT**

10.77 Policy CS6 of the Core Strategy promotes the prevention and reduction of waste and requires new developments to provide adequate and well-designed internal and external storage facilities for residual waste and recycling. Policy DM32 of the DMP states that new developments should make provision for adequate facilities for the storage, collection, and disposal of refuse.

10.78 The plans show the creation of a communal waste store to the front of the amenity space associated with the flats. The houses have private waste storage designated within their private curtilage. The bins for the flats comprise a 1100L unit for waste and 1100L unit for recycling, together with provision for 240L unit for food waste.

10.79 The communal bin store is within close walking distance of the main entrance of the flats. The location strikes an appropriate balance between the needs of residents and the operational requirements of the waste collection services, given the size of the waste storage units proposed. In this case the drag distance is 3.5 metres, which accords with the Council's desired requirements. The Waste and Recycling team have confirmed that the proposal is acceptable and do not object to it. As such the proposal makes acceptable provision for

Waste Management. There is no conflict with Policy CS6 of the Core Strategy and DM32 of the DMP.

## **G. THE ENVIRONMENTAL IMPACT OF THE DEVELOPMENT**

10.80 Policy CS13 of the Core Strategy aims at the improvement of the health of the borough's residents and Policy DM24 of the Development Management Policies seeks to control and mitigate pollution in all its forms including noise (and vibration), light, smell as well as land, water and air based.

### *(i) Contamination*

10.81 A site investigation report was commissioned by the applicant which concludes that the risk of contamination is low to moderate. It sets out recommendations for the developer to conduct further investigative work. This is reflected in a planning condition, which also requires that any necessary decontamination and remedial works are completed during construction works. A condition has also been added, at the request of the Environmental Health Officer to ensure that asbestos surveys are completed.

### *(i) Noise*

10.82 The proposed development would be located in an existing predominantly residential area and there are no sources of intrusive background noise. As a residential development the proposal is consistent with the prevailing surroundings. A noise assessment was submitted with the planning application which confirms that noise generating plant is proposed in the form of an air source heat pump associated with the block of flats. Whilst this is not envisaged to have any significant impact on the surrounding environment the detailed specifications of this plant are not known so a condition will be imposed requiring a supplementary noise report to be submitted to and approved in writing by the Council prior to the installation of this plant, in addition to a restriction on other noisy plant being added to the block of flats without information about the noise being generated by it being submitted to and approved in writing by the local planning authority.

### *(ii) Epping Forest SAC*

10.83 Policy DM12 of the DMP states that development proposals affecting the Epping Forest should not contribute to adverse impacts on ecological integrity.

10.84 The proposal falls within the Zone of Influence of the Epping Forest Special Area of Conservation ("SAC"). The applicant has submitted a Habitats Regulation Assessment (HRA) and, as competent authority, the Council have carried out an Appropriate Assessment of the proposed development in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, and Article 6 (3) of the Habitats Directive.

10.85 The HRA identifies (in summary) that the qualifying features of the Epping Forest SAC from which its special interest is derived are Atlantic acidophilous beech forests; European dry heaths and Northern Atlantic wet heaths; and the qualifying species are the stag beetle. The Conservation objectives are to

ensure the integrity of the site is maintained or restored.

10.86 Potential likely significant effects are identified as arising from additional recreational pressure (additional population accessing the SAC for recreational purposes), and urbanising effects, specifically cat predation, fires and fly tipping. Other ways in which the development would have a likely significant effect on the SAC is through construction dust, and visual impact, specifically due to artificial light.

10.87 However, these likely significant effects can be mitigated in accordance with measures set out in the table below. These mitigation measures can, in each case, be secured through planning condition and a Section 106 agreement, and the necessary Community Infrastructure Levy payments.

<b>Likely significant effect</b>	<b>Mitigation</b>	<b>Secured by</b>
Construction dust	Dust mitigation measures in Construction Environmental Management Plan	Condition
Visual impact through artificial light	Low key artificial lighting design (in DAS and Landscaping report)	Condition
Recreational Pressure / urbanising effects (ALONE AND IN COMBINATION)	Standard SAMMS payment and CIL payment for SANGS.  SAMMS+ measures (bespoke to site) – signage boards in development referring to the dangers of pet predation, and a limitation on domestic fires enforced through sales agreements.	S106

10.88 Consequently, as a result of the avoidance and mitigation measures set out above, the proposed development would not result in any adverse impact on the integrity of the Epping Forest Special Area of Conservation. This position has been agreed with Natural England and this is reflected in their consultation response.

10.89 In all other respects it is considered that a relatively low intensity residential use on the site would complement the Epping Forest. As such, the proposal is acceptable in terms of its effects on the Epping Forest Special Area of Conservation. The proposal complies with all relevant planning policies in this respect, including DM12 of the DMP.

## **H. SUSTAINABLE DESIGN AND ENERGY EFFICIENCY**

10.90 The NPPF encourages proposals, which support renewable and low carbon energy and associated infrastructure and encourages LPAs to adopt proactive

strategies to mitigate and adapt to climate change. Policy SI2 of the London Plan sets out a carbon dioxide reduction target for regulated emissions only 35% against Building Regulations. Policy CS4 of the Core Strategy requires new developments to minimise carbon emissions in accordance with the London Plan energy hierarchy. Policy DM34 of the DMP states that residential development proposals should implement water efficiency measures to achieve usage of less than or equal to 105 litres per person per day.

*(i) Carbon Reduction*

10.91 An energy statement was provided with the planning application. This sets out passive design and energy efficiency measures to be incorporated in to the build. It also indicates that photovoltaic panels will be installed along with air source heat pumps to take advantage of renewable and low carbon energy. The statement confirms that, passive design and energy efficiency measures will achieve a 10% reduction in emissions at the “Be Lean” stage when compared to a Part L 2013 baseline as per Local Plan Policy DM10; the project will achieve a minimum 35% reduction on CO2 emissions compared to a Part L 2013 baseline; and design measures will limit predicted water consumption to 105 litres per day.

10.92 A planning condition can require that the proposed development achieves the desired levels in relation to carbon reduction and, if this is not achieved, a financial contribution would be made towards a carbon levy.

*(ii) Flood Risk and Drainage.*

10.93 The site is not in any area of designated flood risk. In relation to surface water management, a sustainable drainage system is proposed. This incorporates a number of SuDS features:

- Ground level surfaces will be constructed of permeable paving.
- Runoff from parking spaces will be filtered through the granular sub-base of permeable paving to attenuation tanks directly below.
- Where practicable runoff from roofs will be directed to rain gardens.
- Non-residential structures will be constructed with green roofs.

10.94 The proposed sustainable drainage system will manage rainwater with a controlled discharge to the surface water sewer, if following testing infiltration is not determined to be possible at the site. This is considered to be a positive feature of the development.

*(iii) Water Efficiency*

10.95 Policy SI5 of the London Plan (2021) require new developments to demonstrate how it will achieve a water consumption of less than 105l/person/day. Policy DM34(c) of the DMP states that development proposals should: Implement water efficiency measures to achieve usage of less than or

equal to 105 litres/person/day for residential developments. Compliance with this can be secured by way of a planning condition.

### *Conclusion on Energy and Sustainability*

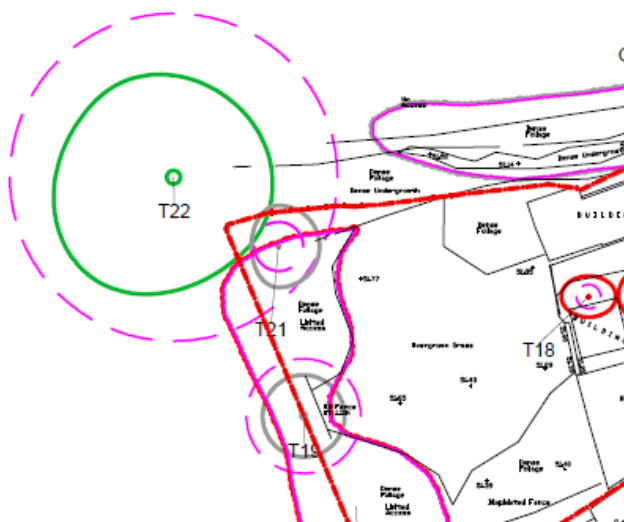
10.96 Subject to relevant conditions and requirements in the legal agreement, the proposal is considered to meet policy expectations relating to energy and sustainability as set out in the local plan and the London Plan. It is considered to be acceptable in terms of Energy and sustainability, in compliance with relevant planning policies including the NPPF, SI12 of the London Plan, CS4 of the Core Strategy and DM34 of the DMP.

## **I. TREES, LANDSCAPING, ECOLOGY AND BIODIVERSITY**

10.97 Paragraph 174 of the NPPF states that development should minimise impacts on and provide net gains for biodiversity. Policy CS5 of the Core Strategy seeks to protect existing healthy trees and encouraging the planting of new trees as well as protecting and enhancing biodiversity; and where this cannot be achieved mitigation and compensation measures should be outlined and implemented.

### *(i) Trees*

10.98 The site falls within close proximity to an Oak Tree, to the north west of the site. The proposed block of flats are sited a sufficient distance away from this tree to avoid conflict with its root protection area or its canopy. The tree would be unlikely to obscure light or outlook from the development such that there would be likely to be future pressure for its removal.



**Image 11 – location of existing Oak tree in relation to the site.**

10.99 The proposal involves the removal of 9 category C trees and 11 Category U trees, which appear to have largely emerged through the naturalisation of the site following its falling in to disuse ten years ago. This includes some perimeter hedging and trees around the cricket pitch which may be to be older and have some environmental value. However, the trees in question are not of any significant value and their removal is considered acceptable subject to replacement planting being secured.

*(ii) New Landscaping (including replacement planting)*

10.100 The Landscaping plan indicates an intention to plant around 35 new trees and similar landscaping features on the site, to the front and rear and around the pub car park, alongside a large range of hedging. The exact levels of planting will be agreed in response to a planning condition, in consultation with the Council's urban greening officer. Upon maturity the planting will help provide a green screen between the development and the surrounding housing and will also provide a verdant backdrop to the Queen Elizabeth pub, enhancing its setting.

10.101 When viewed from Forest Side, the planting to the front of the site will represent an improvement over the current ornamental plating around the pub car park. It is considered that this will provide a significant benefit in terms of urban greening, in accordance with the Council's objectives of improving the environmental quality of the Borough. The proposed landscaping arrangements have been developed in consultation with the Council's Urban Greening Officer, who is supportive of the proposed development subject to details being agreed in response to planning conditions.

10.102 The landscaping plan otherwise seeks to minimise the use of hardstanding to that necessitated by the needs of parking and servicing associated with the development. Two large areas of green space are included within the development in addition to extensive perimeter landscaped strips. The hardstanding that is provided within the proposed layout is permeable, allowing for the drainage of surface water.

*Ecology and Biodiversity*

10.103 A baseline survey of the site was carried out in the form of a Preliminary Ecological Assessment. This identified a potential for bats to be present in the site, which was subsequently confirmed in emergence surveys, undertaken in both 2022 and 2023. The works will therefore involve the removal of a bat roost. This is allowed where planning permission has been granted and, in this case, it is considered that the need to bring this previously developed site in to productive use for housing, in accordance with the requirements of National, Regional and Local Planning Policy, comprises a justification to do so. Any works would be subject to mitigation measures agreed with Natural England under a European Protected Species License and would be carried out under ecological supervision.

10.104 Upon completion of the development the developer would also provide bat boxes around the site thus making the site attractive to bats, along with other measures to encourage biodiversity. Going forward, the landscaping plan adopts a lighting plan which is in line with guidance from the Institution of Lighting Professionals to be sensitive to the interests of bats. The landscaping plan also indicates an intention to install three bat and bird boxes across the development, together with log piles (serving as 'eco stacks', insect boxes and flowering plants to attract pollinating insects).



**Image 12 – ecological enhancement measures across the site**

10.105 The supporting information identifies that, as a consequence of the measures summarised above, the development would have a biodiversity net gain of 10%.

#### *Conclusions on Trees, Landscaping, Ecology and Biodiversity*

10.106 The proposed development is based on extensive ecological survey data. The landscaping proposed would represent a benefit in terms of urban greening, and the various biodiversity enhancement measures would represent an improvement to ecology and biodiversity which is a consideration that weighs in favour of the proposed development. The proposal therefore complies with all relevant planning policies in relation to Trees, Landscaping, Ecology and Biodiversity; including the NPPF and policies CS5 of the Core Strategy and DM35 of the DMP.

## **J. SAFETY AND SECURITY**

### *Secure by Design*

10.107 Policy D11 of the London Plan sets out policy requirements that ensure all new forms of development to incorporate acceptable levels of safety and security measures and ensure that buildings remain resilient to emergencies and policy CS16 of the Core Strategy seeks to create safe, secure and

appropriately accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion.

10.108 The response from the Metropolitan Police indicates that it is likely that the proposal can achieve secure by design compliance and this can be reflected in a planning condition. As such there is no conflict with policies CS16 of the Core Strategy or D11 of the London Plan which seek to make new development resilient to the threat of crime.

### *Fire Safety*

10.109 The proposed development is not major development and is, at the maximum, 4 storeys in height. Whilst limited information has been provided regarding fire safety the proposal would need to comply with building regulations which set out measures that address issues such as access requirements in the event of fire.

## **11. PLANNING CONTRIBUTIONS**

11.1 Section 106 Legal Agreements are a material consideration in the determination of a planning application. The purpose of such an agreement is to make otherwise unacceptable development acceptable and they should only be sought where they meet all the following tests:

- i. Necessary to make the development acceptable in planning terms,
- ii. Directly related to the development; and
- iii. Fairly and reasonably related in scale and kind to the development.

11.2 In terms of the S106 Agreement, the required Heads of Terms as outlined in Section 1 of this report 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), are considered to meet the relevant statutory tests.

## **12. ADDITIONAL CONSIDERATIONS**

### **(i) Public Sector Equality Duty**

12.1. In making the decision the Council 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.

- 12.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 is only one factor that needs to be considered and may be balance against other relevant factors. –
- 12.3 It is considered that the recommendation to grant permission in this case would not have a disproportionately adverse impact on a protected characteristic.

(ii) Human Rights

- 12.4. In making the decision, the Council 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.
- 12.5. In particular, Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property) are relevant in this case. 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.

### **13. CONCLUSION (including Planning Balance)**

#### *Planning Balance*

- 13.1 As noted previously in the report, the demolition of the stables building would represent the loss of a building identified as a non-designated heritage asset. Paragraph 203 of the NPPF states that, in weighing applications that directly or indirectly affect such assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Whilst the proposal would result in the total loss of the building, the stable building has been long disused and has limited architectural interest, which give it limited significance.
- 13.2 The proposal would also lead to the loss of a building identified as a positive feature in the North Chingford Station Road Conservation Area. However, for the reasons discussed in the report, the stables building is not considered to be important or integral to the character or appearance of the Conservation Area, so the degree of harm would be 'less than substantial'. Whilst any harm to a

designated heritage asset should be given considerable importance and weight, paragraph 202 of the NPPF states that, where such harm will occur this should be weighed against the public benefits of the proposal.

13.3 In this case the following public benefits are relevant.

- Through the landscaping, urban greening and sensitive design of the proposed development, the demolition of the existing buildings (many of which are negative features in the Conservation Area) and construction of the new development will improve the setting of the Queen Elizabeth Pub, which is considered to be a building in active use, being of greater architectural merit and historic importance than the stables. Consequently, the proposed development will improve the appearance of this part of the Conservation Area. This is regarded as a heritage benefit, that helps to compensate for the harm arising from the loss of the existing building.
- The development will provide 9 high quality residential units, which are fully compliant with planning policies relating to the quality of new residential accommodation. Of particular importance is the fact that 5 units are family sized, helping to fulfil a strong demand for such accommodation in the Borough.
- The development would achieve a high standard of design with a particularly good standard of communal external amenity space, providing a high quality, liveable environment for future residents.
- The proposal will achieve a high standard of landscaping which will represent a significant enhancement and net gain to biodiversity.
- The cessation of the existing use and reconfiguration of the entrance to the site from Forest Side will represent a betterment to highway safety, when considered against the existing position.

13.4 Overall it is considered that the public benefits of the proposal are such that they outweigh the harm that arises through the loss of a non-designated heritage asset, and the less than substantial harm to the North Chingford Station Road Conservation Area as a result of the loss of the existing building. The proposal therefore accords with the NPPF and the relevant local planning policies, particularly Policy DM28 of the Development Management Policies which supports development in Conservation Areas which preserves or enhances the character or appearance of the area. It is therefore recommended on balance that planning permission is granted for the proposed development.

### *Conclusion*

13.5 Whilst it is acknowledged that the proposed development will lead to heritage related harm through the loss of the existing building, overall it is considered that this is outweighed by public benefits. Having regard to local and national

planning policy, the proposal is considered to comply with the development plan, when it is considered as a whole.

#### **14. Recommendation**

- 14.1. 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 Legal Agreement and to agree any minor amendments to the conditions or the Legal Agreement on the terms set out above.
- 14.2. In the event that the Section 106 legal agreement is not completed within a reasonable timeframe following the date of Planning Committee, the Assistant Director of Development Management and Building Control is hereby authorised to refuse the application in consultation with the Chair. In the absence of this Legal Agreement, the proposed development would not be able to deliver the residential development on the site..Financial and non-financial contributions would be lost, which otherwise would be secured by s.106 legal agreement.

#### **CONDITIONS**

##### **Time Limit**

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

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

##### **Approved Plans**

2. The development hereby permitted shall be carried out in accordance with the following approved plans and supporting documents and thereafter maintained as such for the lifetime of the development: Drawing Reference(s):
  - 2126- P001 - S2 - P0 - Site Location Plan
  - 2126- P100 - S1 - P0 - Existing Ground Floor
  - 2126- P106 - S2 - P10 - Proposed Full site
  - 2126- P101 - S2 - P8 - Proposed Ground Floor Plan
  - 2126- P102 - S2 - P2 - Proposed First Floor
  - 2126- P103 - S2 - P2 - Proposed Second Floor
  - 2126- P104 - S2 - P2 - Proposed Third Floor
  - 2126- P105 - S2 - P2 - Proposed Roof Plan
  - 2126- P200 - S2 - P3 - Proposed East Elevation
  - 2126- P201 - S2 - P3 - Proposed West Elevation
  - 2126- P202 - S2 - P2 - Proposed South Elevation
  - 2126- P203 - S2 - P2 - Proposed North Elevation
  - 2126- P204 - S2 - P3 - Proposed South Elevation
  - 2126- P205 - S2 - P3 - Proposed East Elevation

- 2126- P206 - S2 - P3 - Proposed North Elevation
- 2126- P207 - S2 - P3 - Proposed West Elevation
- 2126- P208 - S2 - P4 - Proposed South Elevation Cranked
- 2126- P209 - S2 - P4 - Proposed North Elevation Cranked
- 2126- P210 - S1 - P0 - Proposed Sections and Levels
- 2126- P100 - S1 - P0 - Existing Ground Floor Plan
- Landscape design JKD017P01 rev 06
- Landscape design report by Jim Kelly Design JKD017R02
- Planning Statement by MJP Planning.
- Design and Access Statement by Stephen Davy Peter Smith Architects (April 2023)
- Arboricultural Report by Tim Moya Associates, March 2023 reference 220551-PD-11B.
- Biodiversity Net Gain calculations.
- Contaminated Land - Phase 1 Desk Study by Ensafé dated August 2022, reference G60810/Final
- Daylight and Sunlight Report - Neighbouring Properties by Right of Light Consulting (April 2023)
- Transport Statement by YES Engineering Ltd (May 2023)
- Outline Construction Logistics Plan by Yes Engineering (May 2023)
- Energy and Sustainability Statement by EB7
- Foul Sewage and Utilities Assessment by Pitman Associates
- Habitats Regulation Assessment by Arbtech (Issue 5, 20/05/2023)
- Heritage Statement by Iceni projects, dated November 2022.
- Heritage Addendum statement by Iceni projects, dated May 2023.
- Noise Impact Assessment by ALN Acoustic Design.
- Preliminary Ecological Assessment by Green Shoots Ecology (July 2022)
- Surface Water Drainage Strategy by Pitman Associates Consulting Engineer (February 2023)
- Survey Report by Avalon Surveyors

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

### **Heritage**

3. Prior to the commencement of development on site, notwithstanding site investigation work, no other work including any demolition of the 'stables building' (identified as building A on the existing ground floor plan, number 2126-P100-S1-P0), shall take place until a phasing programme setting out the envisaged progress of development to a) slab level and b) completion of the development, including supporting evidence of any associated construction contract, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details approved under the terms of this condition.

Reason: To avoid premature demolition of a positive building within the Conservation Area, in order to preserve and enhance the character and appearance of the Conservation 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 development on site, notwithstanding site investigation work, no other work including any demolition of the ‘stables building’ (identified as building A on the existing ground floor plan, number 2126-P100-S1-P0), shall take place until an appropriate programme of historic building recording and analysis has been secured and implemented, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The historic building recording should be carried out with reference to Historic England’s [‘Understanding Historic Buildings – A Guide to Good Recording Practice’](#) note, and done so to a recording level 2 in the aforementioned document.

Reason: In the interests of making a record of the existing building on the site which is a non-designated heritage asset which falls within a Conservation Area, in order to help compensate and mitigate against the impact of its loss. This is in accordance with policies CS12 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policy DM28 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

5. Prior to the commencement of development on site, notwithstanding site investigation work, no other work including demolition shall take place until a scheme for the preservation of building materials to salvaged from the existing Stables building and their reuse within the proposed landscaping arrangements have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved plans.

Reason: To help compensate and mitigate against the impact of the loss of this non-designated heritage asset which falls within a Conservation Area. This is in accordance with policies CS12 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policy DM28 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

6. Prior to the first occupation of the development hereby approved, details of a blue plaque or other similar feature such as an interpretation board commemorating the historic uses of the site, including its location within the site in a publically visible area, shall be submitted to and approved in writing by the local planning authority, and the works shall be carried out in accordance with the approved details. The details approved under the terms of this condition shall be retained in situ for the lifetime of the development.

Reason: To help compensate and mitigate against the impact of the loss of this non-designated heritage asset which falls within a Conservation Area. This is in accordance with policies CS12 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policy DM28 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

## Contamination

7. Prior to the commencement of development, notwithstanding site clearance and investigation works, the developer must carry out a pre-demolition and refurbishment asbestos survey and submit to the Local Planning Authority to be approved in writing. This shall be carried out in accordance with HSG264. The submitted details shall include a mitigation scheme to eliminate risks to future occupiers and the surrounding local environment from asbestos contamination. The details shall be prepared by a suitable qualified person and the development shall be carried out in accordance with the details approved under the terms of this condition. In the event that Asbestos is found in the surveys carried out as part of this condition, no part of the development hereby approved shall be occupied until a verification report has been submitted to and approved in writing by the local planning authority demonstrating that sources of asbestos contamination have been eliminated.

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

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

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

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

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

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

Any investigation and risk assessment must be undertaken in accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR11). In the event that additional significant

contamination is found at any time when carry out the approved development it must be reported immediately to the LPA.

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

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

## **Construction**

9. Prior to the commencement of any part of the development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The method statement shall include details of the following:

- Works of demolition and construction shall be carried out during normal working hours, i.e. 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
- Construction Vehicle Access Strategy to demonstrate that appropriate measures are taken to avoid disruption to the Epping Forest Special Area of Conservation
- Likely noise levels to be generated from plant
- Details of any noise screening measures
- Proposals for monitoring noise and procedures to be put in place where agreed noise levels are exceeded Page 92
- Where works are likely to lead to vibration impacts on surrounding residential properties, proposals for monitoring vibration and procedures to be put in place if agreed vibration levels are exceeded. Note: it is expected that vibration over 1mm/s measured as a peak particle velocity would constitute unreasonable vibration.
- The method statement shall make reference to and comply with The Mayor of London's supplementary planning guidance (SPG) 'The control of dust and emissions from construction and demolition' <https://www.london.gov.uk/what-we-do/whatwedo/planning/implementing-london-plan/supplementaryplanningguidance/control-dust-and-emissions-from-construction-and-demolition>

In particular the applicant shall:

- Submit for approval an Air Quality (dust) risk assessment
- Submit for approval an Air Quality & Dust management Plan

- Equipment and plant used on site shall comply with the requirements for 'Non-Road Mobile Machinery' (NRMM)
- Submit a for approval Dust monitoring programme
- All the above submissions shall have regard to the Mayor's SPG

Reference shall be made to:

- BRE four part Pollution Control Guides 'Controlling particles and noise pollution from construction sites'. BS 5228: Noise and vibration on construction and open sites Unexploded Ordnance Desktop Survey

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 CS5, CS13 of the adopted Waltham Forest Core Strategy (2012) and Policies DM12, DM14, DM15, DM24 DM32 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013) ) and comply with the Policy SI1 of the London Plan and the GLA NRMM LEZ.

10. No Non-Road Mobile Machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).

REASON: To ensure that air quality is not adversely affected by the development in line with the Mayor's SPG: The Control of Dust and Emissions during Construction and Demolition, to comply with Policy SI1 of the London Plan (2021).

11. Prior to the commencement of the development, a detailed Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction and Logistics Plan and Delivery and Servicing Plan must be submitted using the TfL template and guidance found here: [www.constructionlogistics.org.uk](http://www.constructionlogistics.org.uk). The logistics plan shall include details of site access, journey planning, access routes, hours of deliveries, temporary traffic arrangements or restrictions, site operation times, loading and unloading locations and material storage. All works shall be carried out in accordance with the approved details and the Construction and Logistics Plan should be implemented 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 WFLP Core Strategy (2012) and Policies DM14, DM15, DM24 and DM32 of the adopted Waltham Forest Local Plan– Development Management Policies (2013) and Policy T7 of the London Plan (2021) Highways Condition Survey

## **Architecture and Design**

12. Prior to the commencement of development, notwithstanding site clearance and investigation works, demolition and construction to slab level, samples and



a schedule of materials to be used on the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained as such for the lifetime of the development.

Reason: To ensure a satisfactory appearance in accordance with Policies CS12 and CS15 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM28 of the Waltham Forest Local Plan – Development Management Policies (2013)

13. Prior to the commencement of development, notwithstanding site clearance and investigation works, demolition and construction to slab level, details of the external appearance of the replacement substation, including materials used in its construction and any associated enclosure, shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained as such for the lifetime of the development.

Reason: To ensure a satisfactory appearance in accordance with Policies CS12 and CS15 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM28 of the Waltham Forest Local Plan – Development Management Policies (2013)

14. Prior to the commencement of development, notwithstanding site clearance and investigation works, demolition and construction to slab level, details of drawings showing the junctures between the brick and hung tiles, and the junctures where the hung tiles change angle, together with drawings showing the depth of the window reveals shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained as such for the lifetime of the development.

Reason: To ensure a satisfactory appearance in accordance with Policies CS12 and CS15 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM28 of the Waltham Forest Local Plan – Development Management Policies (2013)

15. Prior to the first occupation of the development hereby approved, the side facing first floor windows at first floor level in the two houses within the development shall be made from obscure glass. They shall also be fixed shut to a height of 1.7 metres above finished floor level. The agreed works shall be carried out as approved and implemented prior to the first occupation of the development and shall thereafter be retained for the lifetime of the development.

Reason: To avoid interlooking within the development and to avoid the overlooking of neighbouring properties so as to preserve the amenity of existing and future residents, to comply with Policy CS13 and CS15 of the Waltham

Forest Local Plan Core Strategy (2012) and Policies DM29 and DM32 of the Waltham Forest Local Plan Development Management Policies (2013)

16. Prior to the first occupation of the development hereby approved, details of side facing privacy screens constructed of obscure glass, to be affixed to the balconies of the approved block of flats to avoid overlooking to the neighbouring residential properties to the north and south and south of the site, shall be submitted to and approved in writing by the Local Planning Authority. The agreed works shall be carried out as approved and implemented prior to the first occupation of the development and shall thereafter be retained for the lifetime of the development.

Reason To avoid avoid the overlooking of neighbouring properties so as to preserve the amenity of existing and future residents, to comply with Policy CS13 and CS15 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM29 and DM32 of the Waltham Forest Local Plan Development Management Policies (2013)

17. Prior to the commencement of development on site, notwithstanding site investigation work, clearance and demolition, full details of measures to be incorporated into the development, demonstrating how site security would be achieved and include details of CCTV, lighting and entry control systems on site, along with how the development can achieve the principles of Secure by Design Certification and this shall be submitted to, and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out of Crime Officers. The development shall be carried out in accordance with the agreed details prior to the first occupation of the development and shall thereafter be retained for the lifetime of the development.

Reason: In the interest of security and to protect the living conditions of existing and future residents in the locality in accordance with Policy D11 of the London Plan (2021) Policy CS16 Of the adopted Waltham Forest Local Plan Core Strategy (2012) and Policy DM33 of the of the Waltham Forest Local Plan Development Management Policies (2013)

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and/or re-enacting that Order with or without modification, no development under Schedule 2 Part 1 Classes A, B, C or D shall be carried out unless approved by way of a planning permission granted.

Reason: The removal of permitted developments is in the case exceptionally justified to protect the setting of the adjacent Queen Elizabeth Public House and the Chingford Station Road Conservation Area more broadly, which the site falls within which could be compromised by inappropriate extensions and alterations. It is also necessary to preserve the appearance and architectural coherence of the development and to avoid the loss of landscaped space within it, which is key to achieving a high quality development. This is in accordance with policies CS12, CS13 and CS15 of the adopted Waltham Forest Local Plan

– Core Strategy (2012) and Policy DM28, DM29 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

## Highways

19. Prior to first occupation of the residential development hereby approved, the internal road layout as shown on Drawing Ref. 2126 - DS - 01 - GF -DR- A - P106 rev P10 shall be implemented in full., along with the specified road markings as shown on this plan which shall be retained in a visible form for the lifetime of the development.

Reason: To ensure that the development provides safe vehicular access and does not have a harmful impact on the walking and cycling environment, in accordance with policies DM14 and DM15 of the Development Management Policies and CS7 of the Core Strategy.

20. Prior to first occupation of the development A Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority. The DSP shall make reference to safety measures that will be in place to reduce conflicts between service vehicles manoeuvring in the private car park and other users (cycle stores, disabled parking and any other pedestrians) and shall also include details on how delivery vehicles are restricted during peak periods. The development shall be managed thereafter in accordance with the details approved under the terms of this condition.

Reason: In the interests of pedestrian and highway safety, in compliance with Policies CS6, CS15 and CS16 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM13, DM14, DM23 of the Waltham Forest Local Plan Development Management Policies (2013) and Policy T5 of the London Plan (2021).

## Sustainable Design and Energy Efficiency

21. The development hereby approved shall be carried out in accordance with the approved Surface Water Drainage Strategy provided by Pitman Associates (Project number 0606, rev B) and shall not be occupied until an engineers report demonstrating the drainage system has been completed in accordance with the approved plans has been submitted to and approved in writing by the Local Planning Authority.

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 Waltham Forest Local Plan - WFLP Core Strategy (2012) and Policy DM34 of the Waltham Forest Local Plan – Development Management Policies (2013).

22. Prior to the first occupation of development hereby permitted, a report demonstrating how the scheme reduces the carbon dioxide emissions of the development by at least 35% compared to the 2021 Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority. The

report shall reference the measures set out in the Energy Statement accompanying the planning application, but shall explain what measures have been implemented in the construction of the development. The development and energy efficiency measures shall thereafter be retained. Any shortfall shall be compensated for in line with the Section 106 legal agreement associated with this site.

Reason: In the interests of the sustainability and energy efficiency of the development and to meet the requirements of policy SI2 of the London Plan and Waltham Forest Policy DM10 and Policy CS4 of the Waltham Forest Local Plan Core Strategy.

23. Prior to the commencement of development on site, notwithstanding site investigation and clearance works, demolition and constructions to slab level, 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.

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

## **Landscape and Biodiversity**

24. Prior to the first occupation of the development hereby approved, details of all external lighting strategy within the development, as set out in section 13 of the approved landscape design strategy shall be submitted to and approved in writing by the local planning authority, and carried out in accordance with the approved details and shall thereafter be maintained for the lifetime of the development. The details submitted shall be in strict accordance with relevant guidance from the Bat Conservation Trust and Institute of Lighting Professionals advice on artificial lighting and bats.

Reason: To ensure a satisfactory appearance in accordance with Policies CS12 and CS15 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM28 of the Waltham Forest Local Plan – Development Management Policies (2013), and to protect the special environmental Interest of the adjacent Epping Forest Special Area of Conservation.

25. Prior to the commencement of the development on site, notwithstanding site investigation and clearance works, demolition and construction to slab level details relating to the siting, design and height and finish of all new walls, gates, fencing, railings and other means of enclosures including the gated front entrance with entry control system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out solely in accordance with the approved details, prior to the first occupation of the use hereby approved and thereafter shall be fully retained and maintained accordingly for the lifetime of the development.

Reason: To ensure a satisfactory appearance in accordance with Policies CS12 and CS15 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM28 of the Waltham Forest Local Plan – Development Management Policies (2013)

26. Prior to the commencement of the development, a detailed tree protection plan making provision for the trees identified as being retained has been submitted to and approved in writing by the Local Planning Authority. This document shall identify if any construction works, including service runs, are proposed within the Root Protection Area of any trees identified as being retained and make provision for any remedial works necessary to protect the trees in question. The development shall be carried out in accordance with the approved plans.

Reason: To make provision for the protection of trees in accordance policies DM29 and DM35 of the Development Management Plan and CS5 of the Core Strategy.

27. Prior to the commencement of development hereby approved, excluding ground works and development to full site clearance and investigation, a detailed hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be based on the primarily approved landscaping plan and include details of the retained and proposed planting around the site, along with the requirement to demonstrate hardstanding areas as permeable. It shall specifically make provision for a Hawthorn hedge on the boundary with the Cricket club and demonstrate how this will be achieved. The development shall be carried out solely in accordance with the approved details and all approved planting shall be carried out in the first planting season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedges, shrubs, and greenspaces forming part of the approved scheme which within a period of five years, dies, is removed, or becomes seriously damaged or diseased shall be replaced with others of similar size and species.

Reason: To ensure a satisfactory appearance and in the interest of local amenity and 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).

28. Prior to the commencement of development on site, notwithstanding site investigation work, clearance and demolition, a full detailed programme of biodiversity and ecological enhancement measures (including bat and bird boxes) and associated location plan to identify areas of enhancement on site shall be submitted to and approved in writing by the local planning authority. The measures shall be installed prior to the first occupation of the development hereby approved and shall thereafter be maintained in accordance with the approved details in perpetuity.

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

## **WASTE MANAGEMENT**

29. Prior to the commencement of development on site, notwithstanding site investigation work, clearance and demolition, detailed drawings of the waste storage, including enclosures, must be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the development and the areas identified for waste and recycle storage shall be retained as such for the lifetime of the development.

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

## **PARKING MANAGEMENT**

30. Prior to first occupation of the residential development hereby approved a Car Parking Management Plan for that component shall be submitted to and approved in writing by the Local Planning Authority. The Car Parking Management Plan for each component shall include but not be limited to the following:

- Outline the process for allocating bays to blue badge holders (including passive bays should they be required);
- Details on how enforcement will manage the authorised bays;
- Details on how enforcement will manage unauthorised parking and loading;
- Details on how loading will be managed, including what happens if any parked vehicles become blocked in; and
- Details on how residents will be charged for the use of the electric vehicle charge points, which should be an individual charge for each use of the charge point, in line with other public network charges.

The blue badge car parking spaces shall be laid out and allocated in accordance with the approved Management Plan(s) and shall be made available for the purposes of parking vehicles in association with the development and for no other purpose. The development shall be implemented in accordance with the approved details prior to the first occupation and retained as such for the lifetime of the development.

Reason: In the interests of highway and pedestrian safety in accordance with Policies CS7 and CS15 of the Waltham Forest Local Plan Core Strategy (2012) and Policies T6, T6.1, T6.2, T6.3 and T6.5 of the London Plan (2021)

31. Prior to the commencement of development on site, notwithstanding site investigation work, clearance and demolition, 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. This should comprise 20 per cent of spaces within the development with active charging facilities, with passive provision for the remaining spaces. The development shall be implemented in accordance with the approved details prior to the first occupation of the development 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), and Policy T6.1 c of the London Plan.

32. Prior to the commencement of development on site, notwithstanding site investigation work, clearance and demolition, detailed drawings of the cycle storage, including enclosures, must be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the development and the areas identified cycle storage shall be retained as such for the lifetime of the development.

Reason: To comply with London Cycle Design Standards, Policy CS7 of the Waltham Forest Local Plan – WFLP Core Strategy (2012), Policy DM14, DM15 and DM32 of the Waltham Forest Local Plan Development Management Policies (2013), and Policy T5 of the London Plan (2021).

## Noise

33. No part of the residential development hereby approved shall be bought in to use until an updated Noise Impact Assessment has been submitted to and approved in writing by the Local Planning Authority. This noise report must reflect the detailed specification of the air source heat pumps proposed to be installed within the residential apartments and must demonstrate, to the satisfaction of the Local Planning Authority, that there would be no unacceptable noise impact arising from the proposed plant on neighbouring residential properties. The development must be carried out in accordance with the details approved prior to the first occupation of the development under the terms of this condition.

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).

34. No noise generating plant, other than that shown on the approved plans or approved in response to planning conditions associated with this planning permission, shall be installed on the residential development hereby approved without the grant of planning permission by the local planning authority.

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).

## **Residential Standards**

35. All residential units shall be built 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.

Reason: To ensure inclusive development in accordance with Policy CS15 of the Waltham Forest Local Plan Core Strategy (2012), DM Policies DM7 and DM9 of the Development Management Plan (2013 and Policy D7 of the London Plan (2021).

## **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.
2. The development is subject to a Section 106 legal agreement which sets out further compliance requirements.
3. The application is subject to both the Mayoral and the Waltham Forest Council Community Infrastructure Levy. 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](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via <https://protect-eu.mimecast.com/s/NnT8CPjLVhNRRj4IzKCJR>. Please refer to the Wholesale; Business customers; Groundwater discharges section.
4. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. 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://protect-eu.mimecast.com/s/ZsCDCQkM8tlpp26uP\\_b\\_6](https://protect-eu.mimecast.com/s/ZsCDCQkM8tlpp26uP_b_6)

5. "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 <https://protect-eu.mimecast.com/s/eirRCRINVI011MrhPGyAh>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto: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.
6. The following comments are made in relation to the details to be submitted under conditions 6 and 7. The substation should be built in brick to match the materials used in the remainder of the development.
7. You are reminded of the need to apply for a license for the removal of bats from Natural England which must be secured prior to any works taking place to the existing structure on the site.
8. It is the developer's responsibility to ensure all signage associated with the proposed development i.e. street nameplates, building names and door numbers are erected prior to occupation, as agreed with the Councils Street Naming/Numbering Officer.
9. The details to be submitted under condition 9 should include the approved dust mitigation measures set out in section 5.2 of the approved Outline Construction Logistics Plan by YES Engineering Group Limited, May 2023. These are part of the agreed mitigation measures in relation to the Epping Forest Special Area of Conservation.
10. **IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences.**
  - You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
  - Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
  - Beginning development in breach of a planning condition will invalidate your planning permission.
  - If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a Certificate of Lawfulness.

