

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 2 nd December 2025
Application reference:	250386
Applicant:	T/A JG Properties
Location:	Garages Adjacent 24-30 Boscombe Avenue, Leyton, London, E10 6HY
Proposed development:	Demolition of Garages adjacent to 24-30 Boscombe Avenue, Leyton, London, E10 and construction of two 2-storey residential units (2x2-bed) (Use Class C3) associated with hard and soft landscaping, boundary treatment, bicycle parking and refuse and recycling storage provision.
Wards affected:	Forest
Appendices:	None.

1 RECOMMENDATION

- 1.1 Recommendation to GRANT planning permission under reference 250386 subject to conditions and the completion of a S106 Legal Agreement with the following Heads of Terms:

A. Highways:

- The applicant is required to enter into a Section 278 agreement of the Highway Act 1980 for highway works. It will be required upon completion of the works relating to the development prior to occupation. An application for Highway Works will be required.
- Car Free Development - the development is to be classified as car-free and new residents will not be eligible for parking permits.
- A S106 request of £2,000 is requested toward improving sustainable modes of transport including walking and cycling in the vicinity of the site which will directly benefit new residents in this development.
- A S106 contribution of £250 is requested for CLP monitoring

B. SAMMS:

- A financial contribution of £1300 towards Strategic Access Management and Monitoring measures (SAMMs).

C. Carbon Emission

- A Carbon Offset payment of £770 is required.

D. Monitoring Fee

- A financial contribution towards the implementation and monitoring of and securing compliance with the S106, equal to 5% of the total of all other financial contributions.
 - Payment of the Council's legal fees for preparation and completion of the Legal Agreement.
- 1.2 That authority to be given to the Assistant Director of Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the S106 agreement and to agree any minor amendments to the conditions or the S106 agreement on the terms set out above.
- 1.3 In the event that the S106 agreement is not completed within 12 weeks following the date of Planning Committee, the Assistant Director of Development Management and Building Control is hereby authorised to refuse the application. In the absence of this S106 agreement, the proposed development would not be able to deliver the residential development on the site.

2 REASONS REFERRED TO COMMITTEE

- 2.1 The application is referred to planning committee due to the number of objections received during the lifetime of this planning application.

3 SITE AND SURROUNDINGS

- 3.1 The application site comprises of a small rectangular piece of land serving 8x single storey commercial garages (B8 storage use) and an electricity substation to the north-west of the site. The application site borders with the rear gardens serving terraced dwellinghouses between No.132 – No.138 Colchester Road (to the north-west) and No. 21 - No.25 Cromer Road (to the north-east) of the site. The site has a frontage and access route leading to Boscombe Avenue and shares a boundary with No. 127 Abbotts Park Road to the west of the site.
- 3.2 The subject site has a Public Transport Access Level (PTAL) of 3 being located 0.4 miles to Leyton Midland Road Station. The site is served by a number of bus routes with a stop located on the main road, an approximate 8-minute walk away.
- 3.3 The surrounding area to the south-east comprises of two storey residential properties along Boscombe Avenue.
- 3.4 The site is not located in a conservation area, it is not listed nor is it subject to any article 4 direction relevant to this application.

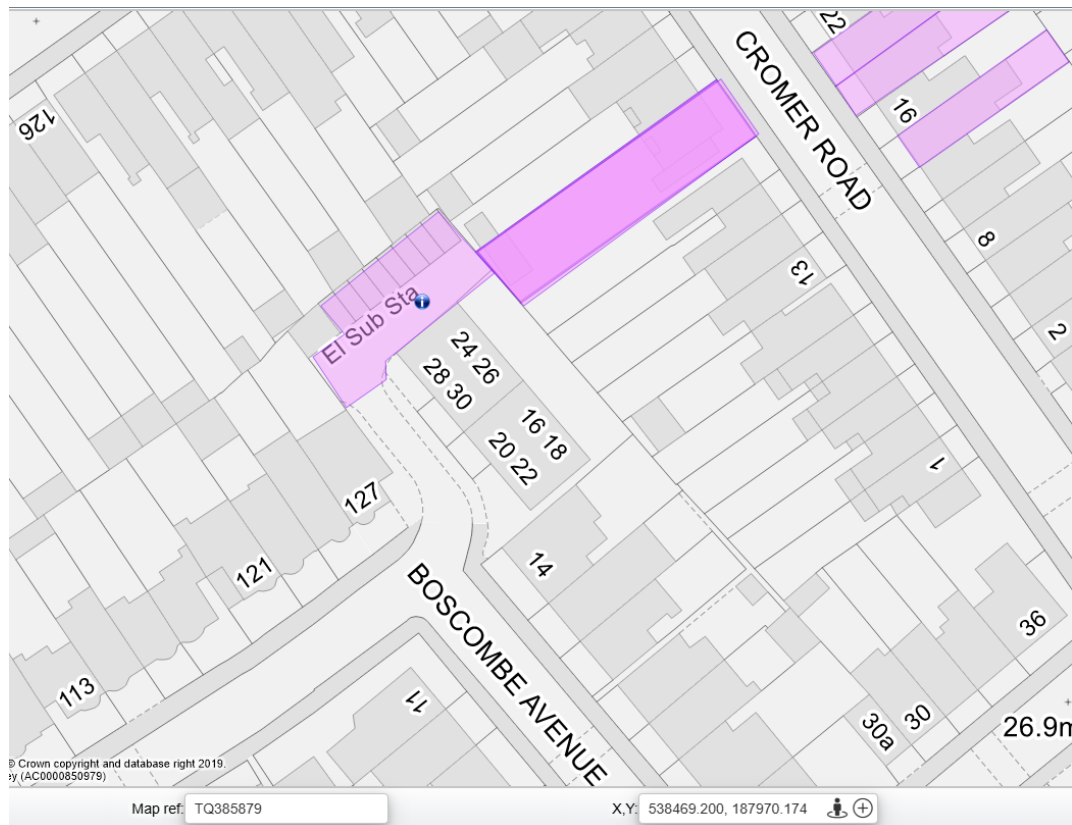


Figure 1: Location Plan

4 APPLICATION PROPOSAL

- 4.1 Planning permission is sought for the demolition of existing garages and construction of 2x two-storey dwellinghouse (2x2-bed) (Use Class C3) with associated hard and soft landscaping, boundary treatment, bicycle parking and refuse and recycling storage provision.
- 4.2 The internal configuration proposed on the ground floor would comprise of an open plan living/dining area, hall, W/C and cloakroom within both dwellinghouses. The first-floor level proposes a double bedroom to the front, with an ensuite and storage with a landing separating the second bedroom which would contain a double bedroom with a closet.
- 4.3 The materials proposed in the construction of the dwelling would be brick and timber with tiled roofs as stated within the design and access statement submitted.
- 4.4 It should be noted, that amendments were sought during the assessment of this application where the loft floor was previously proposed as a habitable space which would have represented a cramped and unsatisfactory standard of living for future occupants. The loft floor is currently proposed as vacant space for storage purposes only. Further amendments were requested to the frontage of the site to remove 2x on site disabled parking spaces, given the nature of the development being a non-major scheme. This provision for a car free development scheme was requested and supported by Council's Highways and Transport Team.

- 4.5 The proposed scheme provides rear gardens with two cycle spaces for each of the new dwellinghouses. Each dwelling would comprise of a small front yard and refuse stores.

5 RELEVANT SITE HISTORY

A. Planning

- 5.1 241802 - Demolition of existing lock-up garages and construction of 2 two-storey residential units with rooms in the loft (2x3-bed) (Use Class C3) together with 1 parking space, hard and soft landscaping, boundary treatment, bicycle parking provision and refuse and recycling storage facilities. - Refused (with Reasons) – Decision Date: 28/02/2025

Refusal Reasons

1. *The application as submitted comprises of inconsistent plans and insufficient detailing, relating to (i) proposed windows to the ground floor side elevations (ii) number and location of proposed rooflights (iii) absence of rear elevation plan.*
2. *The proposed development would result in a cramped and unsatisfactory form of living environment for the future occupiers failing to meet minimum space standard requirements.*
3. *In the absence of the submission of a Tree Survey and Arboricultural Impact Assessment, to identify the impact of the development on trees located within the vicinity of the development, along with the required protection and mitigation measures, a full assessment of the acceptability of the development and assurance of the protection of local biodiversity cannot be carried out.*
4. *The Outline Construction Logistic Plan as submitted, fails to adequately demonstrate how the proposed development could be built or serviced without severely affecting public highway.*
5. *The applicant has failed to enter into a S106 agreement specifically in relation to the following planning obligations requirements:*
 - *Secure car free development*
 - *Financial contribution of £2,000 towards walking and cycling infrastructure.*
 - *Financial contribution of £250 towards CLP monitoring.*
 - *Financial contribution of £1254 towards Epping Forest SAMM & SANGs*

- 5.2 192544 - Demolition of garages and construction of two storey building to provide 2 x 2-bedroom single dwelling semidetached houses with associated car park, cycle storage, and refuse and recycle storage. – Approved subject to S106 (15/03/2021)

- 5.3 170191 - Demolition of existing garage and construction of two storey building; formation of roof terrace at first floor level of front elevation, with associated refuse storage and cycle racks to provide two flats (1 x 3 bedroom and 1 x 2 bedroom). – Granted (22/5/2017).
- 5.4 150539 - Demolition of existing garages and erection of a three-storey building comprising 3 x 2 bed flats. 3 parking bays, bin store and bicycle storage - REFUSED (27/ 3/2015).
- 5.5 1964/0251 - Electricity transformer chamber - APPROVED (18/09/1964)
- 5.6 1963/0219: (Outline) Demolition of existing house and erection of 8 flats and garages and parking space for 8 cars – APPROVED (30/09/1963).

B. Pre-Application

None

C. Adjacent Site

None

6 PUBLIC CONSULTATIONS

- 6.1 The Council circulated 144 consultation letters to local residents on the 14/07/2025, as follows:
- 1 - 29 Cromer Road, Leyton, London, E10 6JA
 - 1 - 11 Boscombe Avenue, Leyton, London, E10 6HY
 - 2 - 30 Boscombe Avenue, Leyton, London, E10 6HY
 - 1 - 23 James Lane, Leyton, London, E10 6HZ
 - 1 - 5, Danvers Terrace James Lane, Leyton, London, E10 6HZ
 - 30 - 36 James Lane, Leyton, London, E10 6HZ
 - 105 - 127 Abbots Park Road, Leyton, London, E10 6HU
 - 102 - 152 Colchester Road, Leyton, London, E10 6HD
 - 51 - 61b Lyndhurst Drive, Leyton, London, E10 6JB
 - 54 - 66 Abbots Park Road, Leyton, London, E10 6HX
- 6.2 The application was advertised via a site notice on the **09/05/2025**.
- 6.3 The Council received a total of 5 objection letters as a result of the public consultation.

Objections Received (Summarised)	Officer Response
Loss of privacy, daylight and overshadowing, sense of enclosure	Officers consider that the proposed development, on balance, due to its positioning and reasonable separation distances, it would retain satisfactory living conditions for all adjoining neighbouring properties, in respect to outlook, sense of enclosure and overshadowing.

	A full assessment in regard to, the impact on neighbouring amenity including loss of privacy is discussed in this main report below.
Concerns for the amenity of future occupiers	A full assessment in regards to standard of accommodation and external amenity provision is discussed in the main report below.
Design: Height in relation to existing dwellings, poor layout and design, quality of accommodation, fenestration results in visual clutter, rooflights to habitable rooms	In terms of architectural design and scale, officers are of the view that the proposal is of an appropriate design and materials which adequately responds to the form of the street scape and context of the immediate area. This is discussed later in the main assessment below.
Highways: Insufficient parking on street and congested roads, inadequate access for construction.	The principle of a car-free form of development is supported by Officers given the location within a Controlled Parking Zone (CPZ). Highways Officers have reviewed the development and recommended a number of ways to mitigate or avoid impacts of development. Outline CLP has been submitted with this application and detailed CLP would be secured via condition.
Value of property and loss of view to existing garages	A decrease in the value of neighbouring properties is not a planning consideration. Officers note that the value of the property and loss of view to the existing garages are not planning considerations and thus not part of the assessment of the proposal.

7 OTHER CONSULTATIONS

7.1 The Council circulated consultation letters to statutory internal and external consultees on the 02/05/2025, as follows:

Consultees	Response
Metropolitan Police Service	No concerns raised, the site has the potential to achieve the physical security requirements of Secured by Design (Homes 2025).
Waste & Recycling	Waste Management Team have not supported the current refuse provision on site due to location and distance from the main road.

	This is discussed later in the main assessment below. Notwithstanding the above, a planning condition would be attached in respect to Waste Management and Details on site should application be approved.
Highways	Legal matters: A S106 request of £2,000 is requested toward improving sustainable modes of transport including walking and cycling in the vicinity of the site which will directly benefit new residents in this development. A S106 contribution of £250 is requested for CLP monitoring. S278 works will be required upon completion of the works relating to the development prior to occupation. An application for Highway Works will be required. The extent of works will include but are not limited to: - Construction of a new footway (with a minimum width of 1.8m) across the frontage of the site linking to the existing footway on Boscombe Avenue. - Renewal of existing double yellow lines and extension up to the existing substation to include a Traffic Management Order. - Renewal of carriageway on the frontage of the site. <u>S38 Works:</u> S38 works will also be required to be secured within a S106 agreement. A S38 agreement is required to allow land to be offered up for adoption to become public maintainable highway. Any S38 areas will need to be shown on a revised plan for clarity and the plan appended to the S106 agreement. This includes: - The construction of the new footway (with a minimum width of 1.8m) along Boscombe Avenue The highways department will need to be contacted for an application form for developer highway works. The application will need to accompany a plan to be submitted for approval and estimate. Works will be carried out by the Council and funded by the developer.

	The residential unit must be classified as car-free with future residents not being entitled to parking permits as it is in a Controlled Parking Zone. Planning conditions: - The developer would be required to carry out a condition survey of the carriageway and footways fronting the site prior to the commencement of any works. The condition survey report would need to be submitted to the Council's Highways team for records including a site location plan highlighting the location of the photographs. Any damage to the highways as a result of the construction works would be reinstated by the Council and funded by the developer. - A boundary treatment plan is required prior to commencement of works including demolition. - A Detailed Construction Logistic Plan is required prior to the commencement of works including demolition work on site. - Drainage (SUDS)
Transport Policy	Policy comments stated the site is a strong candidate for small-scale development due to its location within 800m of the Bakers Arms District Centre and seeks to infill, intensify and remodel an area of existing housing satisfying Policy 19, Part A and C. The inclusion of a disabled parking space is a misinterpretation of the Council's strategy to reduce private car usage, which is clear that most residential development in well-connected areas should not provide parking. The dwelling does not specifically meet the needs of persons with disabilities, therefore car parking on site is not justified. The application meets cycle parking requirements. Amendments plans were sought to remove the car parking arrangements initially submitted. The justification provided for the inclusion of parking provision was not well-founded. Amended plans were submitted and accepted.
London Fire Brigade	No comments were received
Sustainability and Energy	The minimum 35% carbon emission reduction target is exceeded with a 75% reduction. The Be Lean target of 10% is achievable

	A carbon offset payment of £770 is required.
Place & Design	The height, scale and layout would be similar to those of the neighbouring houses and architecture is contemporary and is considered acceptable. Approve subject to conditions. • Materials • Windows • Doors • Rainwater goods • Hard and soft landscaping
UK Power Networks	No Comments
Thames Water	No Comments
Natural England	No Comments
Environmental Health	No Comments
Tree Officer	From aerial views of the site and the officer site photos on file, it is apparent that there are trees and other vegetation in adjacent gardens that may be impacted by the proposed development. The crowns of several trees are shown to over-sail the roofs of the existing garages. These trees, along with other vegetation overgrowing the boundaries of the site, will require protection from demolition and construction activities and may need to be managed thereafter to ensure that they do not conflict with the elevations of the proposed buildings - In order to properly assess the proposal's impact in relation to trees on and adjacent to the site, a tree survey completed in line with British Standard 5837:2012 <i>Trees in Relation to Design, Demolition and Construction</i> is required. - It is recommended that a condition requiring soft landscaping details to be submitted for approval by the Local Planning Authority should be attached to the permission. Such details should include species, sizes and densities of the proposed plants and the specification of any proposed green roofs and living walls. - It is recommended that a condition requiring habitat enhancement details to be submitted for approval by the Local Planning Authority should be attached to the permission. Such details should include 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.
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8 DEVELOPMENT PLAN POLICY

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 must have regard to:

- a) the provisions of the development plan, so far as material to the application.
- b) any local finance considerations, so far as material to the application; and
- c) 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'. The development plan for Waltham Forest comprises the Waltham Forest Local Plan LP1 (2024), and the London Plan. Other planning policies are material considerations.

The London Plan (2021):

8.3 On Tuesday 2nd March 2021 the Mayor of London published the replacement London Plan. from this date it forms part of the development plan for the purpose of determining planning applications.

8.4 The 2021 London Plan supersedes the 2016 London Plan, which no longer has any effect. The relevant policies within the London Plan 2021 are:

- GG2 Making the best use of land
- GG4 Delivering the homes Londoners need
- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through design led approach
- D4 Delivering good design
- D6 Housing Quality and Standards
- H1 Increasing housing supply
- H2 Small Sites
- H10 Housing size mix
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI7 Reducing Waste and supporting the circular economy
- SI13 Sustainable Drainage
- T1 Strategic approach to transport
- T3 Transport Capacity, Connectivity and Safeguarding

- T4 Assessing and mitigating transport
- T5 Cycling
- T6 Car Parking
- T7 Deliveries, Servicing and Construction
- DF1 Delivering of the Plan and Planning Obligations
- SI 1 Improving Air Quality
- SI 2 Minimising Greenhouse Gas Emissions
- SI 12 Flood risk management
- SI 13 Sustainable drainage

Shaping the Borough – Waltham Forest Local Plan LP1 (2024)

8.5 The draft version of the Local Plan underwent Regulation 18 public consultation between July 2019 and September 2019 and consultation on the proposed submission version between 26 October 2020 and 14 December 2020. It underwent examination and consultation on proposed modifications concluded on 21 September 2023. The Waltham Forest Local Plan (LP1) was subsequently adopted 29 February 2024 and therefore now forms a key part of the development plan in determining all planning applications. The previous Core Strategy (2012) and Development Management Policies (2013) are superseded by LP1. The relevant policies are:

- Policy 2: Scale of Growth
- Policy 8: Character-Led Intensification
- Policy 12: Increasing Housing Supply
- Policy 15: Housing Size and Mix
- Policy 16: Accessible and Adaptable Housing
- Policy 19: Small Sites
- Policy 50: Noise, Vibration and Light Pollution
- Policy 53: Delivering High Quality Design
- Policy 56: Residential Space Standards
- Policy 57: Amenity
- Policy 58: Making Places Safer and Designing Out Crime
- Policy 60: Promoting Sustainable Transport
- Policy 61: Active Travel
- Policy 62: Public Transport
- Policy 63: Development and Transport Impacts
- Policy 64: Deliveries, Freight and Servicing
- Policy 65: Construction Logistics Plans (CLPs)
- Policy 66: Managing Vehicle Traffic
- Policy 77: Green Infrastructure and the Natural Environment
- Policy 79: Biodiversity and Geodiversity

- Policy 80: Trees
- Policy 81: The Epping Forest and the Epping Forest Special Area of Conservation
- Policy 85: A Zero Carbon Borough
- Policy 87: Sustainable Design and Construction
- Policy 88: Air Pollution
- Policy 89: Water Quality and Water Resources
- Policy 90: Contaminated Land
- Policy 91: Managing Flood Risk
- Policy 92: Overheating
- Policy 93: Waste Management

9 MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework (2024)

- 9.1 The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It is 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 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination".
- 9.3 The NPPF gives a centrality to design policies; homes should be locally led, well-designed, and of a consistent and high-quality standard. Local planning authorities (LPAs) are to make sure that the quality of approved developments does not materially diminish 'between permission and completion, as a result of changes being made to the permitted schemes'.
- 9.4 The specific policy areas of the NPPF considered to be most relevant to the assessment of this application are as follows:
 - Decision Making
 - Delivering a sufficient supply of homes
 - Promoting sustainable transport
 - Making effective use of land
 - Achieve well-designed places
 - Conserving and enhancing the natural environment

Department for Communities and Local Government Technical Housing Standards – Nationally Described Space Standard (2015)

- 9.5 This standard relates to the internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal Area (GIA) of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home including bedrooms and storage.

London Plan Guidance – Housing Design Standards (June 2023)

- 9.6 This document provides guidance on a range of strategic policies including housing supply, residential density, housing standards, build to rent developments, student accommodation and appraisals.

London Plan Guidance – The Control of Dust and Emissions During Construction and Demolition SPG (July 2014)

- 9.7 This document provides guidance on measures to reduce emissions of dust, PM10 and PM2.5 from construction and demolition activities. It also aims to manage emissions of nitrogen oxides (NOx) from construction and demolition machinery.

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

- 9.8 This sets out the ten characteristics of good design: context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan. The purpose of ensure all forthcoming future developments are of high quality design and standard in its entirety.

Waltham Forest – Waste & Recycling Guidance for Developers (2022)

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

Waltham Forest Supplementary Planning Document - Planning Obligations (2017)

- 9.10 This document seeks to provide transparent, clear and consistent information for the negotiation of planning contributions.

9.11 Local Finance Considerations

- 9.12 Local Finance Considerations are a material consideration in the determination of all planning applications. Local Finance Considerations can include either a grant that has been or would be given to the Council from central government or money that the council has received or will or could receive in terms of Community Infrastructure Levy (CIL).

- i. There are no grants which have been or will or could be received from central government in relation to this development.

- ii. The Council would expect to receive income from LBWF CIL in relation to this development.
- iii. The Council would expect to receive income from Mayoral CIL in relation to this development.

10 ASSESSMENT

10.1 The main issues for consideration, in relation to the proposed development are as follows:

- A.** Principle of Development
- B.** Urban Design
- C.** Living Conditions of neighbouring amenity
- D.** Standard of Accommodation and Housing Mix
- E.** Trees and Local Biodiversity
- F.** Flooding and Drainage
- G.** Highways and Parking
- H.** Waste Management
- I.** Environment and Sustainable Design
- J.** Planning Obligations

A. The Principle of Development

- 10.2 National, London and Local Plan policies all seek to encourage sustainable housing development on appropriate sites in urban areas. In particular, the London Plan (2021) identifies the urgent need to increase housing supply in London to address the substantial population increase in the capital and requires Waltham Forest to deliver 1264 new homes per year. Waltham Forest Local Plan Part 1 (2024) has been recently adopted with a target of 27,000 additional homes to be provided over the plan period (2023-2035).
- 10.3 Policy H1 of the London Plan (2021) states that to ensure housing targets are achieved, boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their planning decisions, especially sites with Public Transport Accessibility Levels (PTAL) of 3-6 and small sites. Policy H2 of the London Plan also states that boroughs should pro-actively support well-designed new homes on small sites (i.e. those below 0.25ha) through planning decisions in order to increase the contribution of small sites to meeting London's housing needs and to provide opportunities for a variety of locations, housing types and developers.
- 10.4 Policy 5 of the Waltham Forest Local Plan (2024) seeks to make an effective use of previously developed land. Policy 8 seeks to ensure that appropriate density and intensification is achieved in a manner that is informed by, and responds to, the character and context of the site under consideration. Policy 19 of the Local Plan supports well-designed homes on small sites.

- 10.5 Policies 12 and 19 of the adopted Waltham Forest Local Plan LP1 (2024) sets out that the development should make effective and efficient use of land by seeking to optimise housing densities, well-designed new homes on small sites will generally be supported.
- 10.6 The current site comprises of 8x garages (Use Class B8) and is an underutilised space at present. The garages are used as storage by local residents but are not in direct association with the neighbouring residential dwellinghouses. The garages are not in use as vehicular parking spaces in the most efficient way, as such its loss and the redevelopment of the site is considered acceptable in this instance. Officers do not object to the loss of garage use, the site is located in a residential area and the existing use is not considered suitable for its surroundings. The proposed redevelopment and introduction of new residential use (Use Class C3) was previously assessed and principally considered acceptable under references 192544 & 241802, noting its recent planning permission was granted for residential dwellinghouses on 15th March 2021. Local and National planning policies and guidance have remain consistent in approach, therefore the principle under this application continues to be acceptable for the development of 2x dwellinghouses.
- 10.7 The application site was previously assessed under application reference 241802. The previous application was refused due to inconsistent plans, and insufficient detailing. The development was also considered to result in a cramped unsatisfactory form of living environment for future occupiers. Further, due to the absence of the submission of a Tree survey and Arboricultural impact assessment and an inadequate outline construction logistics plan, the application was refused.
- 10.8 The current application sought to overcome these grounds and improve upon the previous application. This application removes the use of the 'loft space' proposed as a habitable room. Thereby rendering the loft space to vacant accessible storage space only, to resolve the unsatisfactory living conditions raised within the previous application.
- 10.9 The absence of a tree survey is addressed in this application and any harm identified would be mitigated by way of a planning condition. An assessment of the trees which are at risk, was completed and as they are small and should not be a constraint to the development provided appropriate mitigation methods are employed to protect these during construction. It is suitable to request via condition to ensure the protection of the trees as advised by the Council's Tree Conservation Officer.
- 10.10 The Detailed Construction Logistic Plan is requested by Council's Highways Team which is secured via planning condition.
- 10.11 In light of the above, the principle of development with the loss of the existing garage sites and in its place a redevelopment of the site to provide additional residential units is considered acceptable and in line with Policy 5, 9 and 12 of the Local Plan. Further, the amendments and information submitted as part of this application to overcome the previous refused planning application was considered satisfactory and sufficient to recommend the application for approval.

B. Urban Design

- 10.12 The NPPF (2024) states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policies D4 and D6 of the London Plan (2021) states that development should be of a high quality of design and placemaking. Policy 53 seeks to ensure that development responds appropriately to its context in terms of scale, height and massing, enhancing local character in relation to the architectural integrity of the area.
- 10.13 The proposal involves the creation of 2x double storey dwellinghouses, which would be located centrally within the site and would demolish the existing 8x garages located along the northern boundary line of the application site.
- 10.14 The two storey dwellinghouses designed as a pair of semi-detached dwellinghouses and would be identical in appearance. The dwellings would be constructed of a heritage red blend stock facing brick, with a feature vertical strip of oak charred timber cladding boards with a shadow gap graphite 22mm boarding. The windows on the front elevation would be uPVC casement windows which are top hung. The guttering, hoppers and downpipes materials would be constructed of a cast iron style uPVC which would match the neighbouring properties.
- 10.15 The semi-detached pair of dwellinghouses proposed would appear consistent with the existing dwellinghouses within the street scene. The timber panelling proposed would match the green panelling existing on the two-storey block which contains 8 flats (Flats 16-30 Boscombe Avenue) adjacent to the application site. In addition, the scale and height would appear cohesive with the established pattern within the cul-de-sac the site forms part of.
- 10.16 The previous assessment took into consideration the context of the site, being two storey terrace dwellings around the immediate vicinity of the site.
- 10.17 A condition is recommended for materials to be submitted and approved in writing by the Local Planning Authority to ensure that the proposed materials would be well integrated within the existing street scene.
- 10.18 Overall, the proposed buildings would have a simple design, and it would be of a similar scale to existing development in the street scene. This would promote and reinforce local distinctiveness. As such officers are satisfied that the development is informed by the wider context and has regards not just to the immediate neighbouring buildings but the townscape and landscape of the wider locality and would thereby accord with policies D1 and D4 of the London Plan (2021), policy 53 of the Waltham Forest Local Plan Part 1 (2024).
- 10.19 The surrounding settlement is characterised by two-storey dwellinghouses that benefit from long rectangular-shaped rear gardens and short front garden spaces that are in view from the public realm. The principal elevation would align with terraced properties along Boscombe Avenue and Abbots

Park Road as it would be setback similarly from the front garden and would have hedging enclosing a front garden lawn and low boundary fencing to the front of the application site.

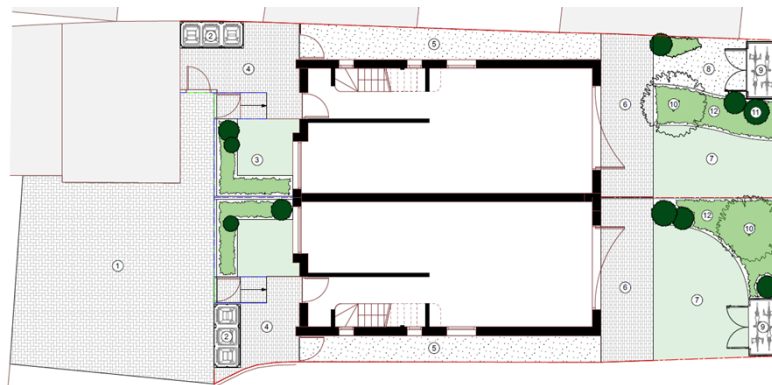
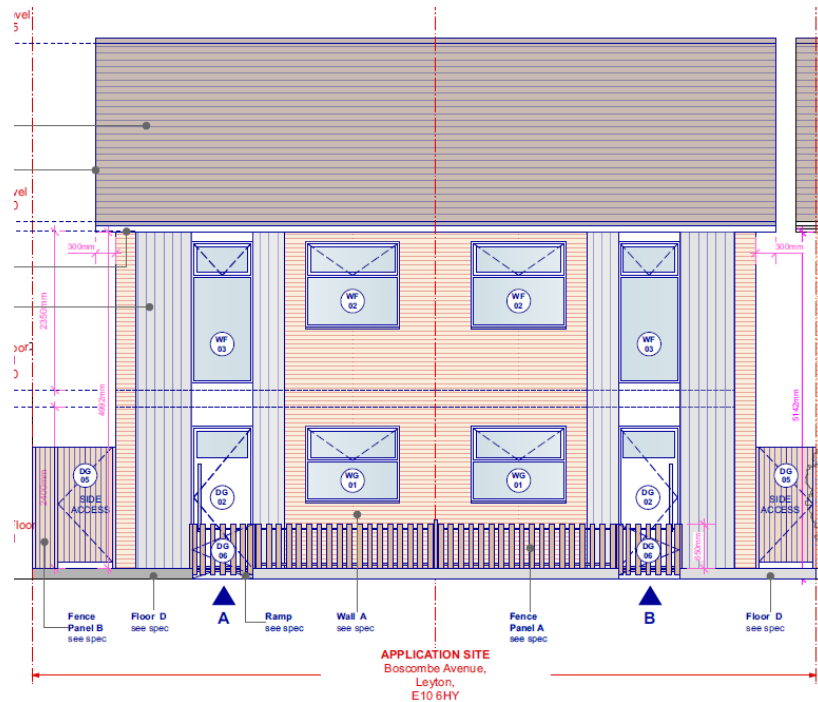


Figure 2: Proposed Front Elevation and Layout/Landscape Plan

- 10.20 Council's Design Officer commented that the proposed scheme is acceptable in terms of design and developed with regard to context, rhythm and scale subject to a condition securing the details of the materials, windows, doors, rainwater goods and hard and soft landscaping proposed.
- 10.21 The architectural approach responds to the rhythm and pattern of the terraced street and incorporates interesting contemporary features and materials.

- 10.22 In summary the proposed development, given the design, layout, height, scale and materials would be acceptable within the existing urban form in the vicinity and the wider locality in accordance with Policy 53 of the Local Plan.

Security

- 10.23 The Metropolitan Police Service were consulted and stated the development would not result in adverse impact for existing or proposed occupants with regards to security, with the potential to achieve the physical security requirements of Secured by Design (Homes 2025). Therefore, the proposal is considered to adhere to the requirements of Policy 58 of the adopted Waltham Forest Local Plan LP1 (2024).

C. Living Condition of neighbouring Amenity

- 10.24 Policy 57 seeks to maintain the amenity of existing occupiers in terms of overlooking, noise, enclosure, outlook and privacy. The SPD Residential Extensions and Alterations and the SPD Urban Design provide specific design guidelines to facilitate high quality development and reduce impacts to neighbouring occupiers.

i) Outlook and Loss of Privacy

- 10.25 The nearest residential properties are No.16 - No.30 Boscombe Avenue to the south-east of the development site. The neighbouring flank side wall facing the application site contains two windows (one at ground floor and one at first floor level). The windows are obscure glazed and serve uninhabitable rooms. Officers note the proposed building would have 1x side window (facing this neighbouring building) on the upper floor side window. This serves a landing area. By way of planning condition, it would be imposed that this side window would be obscured therefore it would not impact upon the privacy of the neighbouring occupants to the south east. It is also noted the relationship between this block of flats and proposed flank windows on the south-eastern boundary of the site was previously assessed and considered acceptable under application reference: 192544.
- 10.26 The depth of the proposed dwellinghouses and its layout would not extend beyond the built lines of the existing neighbouring properties located to the south-east of the site. Therefore, the development would have no unreasonable detrimental impact to this neighbouring site in terms of poor outlook or increased sense of enclosure to these neighbouring occupier's amenity.
- 10.27 The positioning of the proposed dwellinghouses would be sited along the rear boundary of the site adjacent to No.134 – No.138 Colchester Road (to the north-west). It is acknowledged these dwellinghouses benefit from single storey outbuildings along the rear garden boundaries on multiple of these neighbouring residential sites. The built development provides greater separation and screening between the application site and these neighbouring properties. The properties rear building lines would be situated a minimum of 20m away from the side elevation of the proposed buildings. This would accord with the Waltham Forest Urban Design Guidance which

advises that to protect residential dwellings from excessive loss of daylight and sunlight the Council normally expect a minimum of clearance of 20m for a two-storey building between a habitable room window and the habitable room window of an opposing two storey building. The proposed development would contain 1x upper floor window. By way of planning condition, it would be imposed that this side window would be obscured therefore it would not impact upon the privacy of the neighbouring occupants to the north-west and their garden amenity.

- 10.28 The rear elevation of the proposed buildings would face No. 21 – No. 25 Cromer Road to the north-east which benefit from single storey outbuildings located along their garden rear boundaries. The proposed development would be situated approximately 33m from the rear elevations of these neighbouring dwellings. As assessed within the previous application under 241802, this would exceed the requirement set within the Waltham Forest Urban Design Guidance. In addition, the residential development proposed would be set back 6m from the common boundary. Although this does not comply with the guidance which sets out development which should be located 10m from the common boundary to maintain privacy to the existing garden space. In this instance, it is considered acceptable given the urban environment and the context of the existing site which still maintained reasonable separation distance. The guidance is not a blanket approach across all potential development site and in this case, it would not have an unreasonable harm to neighbouring occupants to the north-west.
- 10.29 The proposed dwellinghouses would sit opposite the side boundary of the neighbouring property at No. 127 Abbotts Park Road. The front building line would follow the same building line as its neighbouring properties at Nos 16 – 30 Boscombe Avenue. It would maintain the same and continue a reasonable separation distance of approximately 9.5m to mitigate the impact on the neighbouring amenity and would not create detrimental harm to these neighbouring occupiers to the south-west in respect to poor outlook, increase sense of enclosure and privacy.

ii) Noise and Disturbances

- 10.30 The proposed development would increase the level of occupation of the site with up to eight new residents. However, the application site is situated within an urban location. As such, the proposal for further residential development of an acceptable density is not considered in this instance to cause any unreasonable noise and disturbance issues in addition to those already experienced with living on a residential road.
- 10.31 In light of the above, it is considered that the proposed development would not significantly or unreasonably harm the amenity of neighbouring occupiers in respect to poor outlook, increase sense of enclosure, overshadowing, privacy and noise nuisance. As such the proposal would comply with policies D14 of the London Plan and Policy 57 of the Local Plan (2024).

D. Standards of Accommodation and Housing Mix

i) Internal Space Standards

- 10.32 The Technical Housing Standards – nationally described space standard’ (2015) stipulate the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected for the proposed units. The policy seeks for high quality internal and external design, which should consider the sense of ‘arrival’ at the building and the ‘home as a place of retreat’, with acceptable size of rooms and functional room layouts, that meet the minimum spatial requirements.
- 10.33 Policy D6 of the London Plan (2021) sets out the housing quality and standard design specifications for new developments. Including internal rooms sizes, dual aspect, built in storage. Policy 56 of the Waltham Forest Local Plan LP1 (2024) requires all new residential development to meet minimum internal and external amenity spaces. Policy 56 also seeks for all housing designs to maximise the provision of dual aspect dwellings and avoid the provision of single aspect dwellings wherever possible.
- 10.34 Minimum internal space standards for new dwellings on the London Plan (2021):

Table 1: House A

Dwelling Type	London Plan required space standards GIA (sq.m)	Proposed Space Standards GIA (sq.m)
2-Bedroom (4 person), 2-storey dwellinghouse x2	79sqm including 2 sqm storage	83.53sqm + including vacant loft storage Complies
Bedroom	Single Bedroom: 7.5m ² Double Bedroom: 11.5m ²	Bedroom 1 – 12.09m ² – double room Bedroom 2 – 12.60m ² – double room
Private Amenity Open Space	50 sqm	32.51 m ²

Table 2: House B

Dwelling Type	London Plan required space standards GIA (sq.m)	Proposed Space Standards GIA (sq.m)
2-Bedroom (4 person), 2-storey dwellinghouse x2	79sqm including 2 sqm storage	84.49sqm + including vacant loft storage Complies
Bedroom	Single Bedroom: 7.5m ² Double Bedroom: 11.5m ²	Bedroom 1 - 12m ² Bedroom 2 – 12.60m ² Complies
Private Amenity Open Space	50 sq.m	34.17 m ²

- 10.35 The above table demonstrates that both units would comfortably exceed the minimum overall space requirements as detailed within the London Plan. The London Plan policy also requires that a double (or twin bedroom) has a floor area of at least 11.5m²; the development is able to meet and exceed these bedroom space requirements.
- 10.36 In terms of internal head height, the nationally described space standard sets a minimum ceiling height of 2.3 metres for at least 75% of the gross internal area of the dwelling. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. Section drawing shows the internal height of 2.42m at ground floor level and a height of 2.35m at first floor level, which exceeds the London plan criterion.
- 10.37 In light of this, the application proposal would meet the minimum internal space standards in accordance with Policy D6 of the London Plan (2021), Policy 56 of the Waltham Forest Local Plan (LP1) and the Technical Housing Standards – nationally described space standard' (2015).

ii) External Space Standards

- 10.38 The proposal would fall short with respect to private external amenity space for each dwelling house. Taking into consideration the existing context of the buildings which provide some reasonable amount of private amenity space, and it is identified that there are nearby open spaces to the application site (the closest being Abbots Park at a 5 minute walk and Leyton Flats nearby). It is considered the short fall (15sqm) of private amenity space delivered on this scheme against the internal space standard which exceeds the minimum requirement and its sustainable location to other local parks and access to local amenity can be weighed up in planning balance which the delivery of two

additional housing is considered a benefit. As such, officers are of the view that proposed scheme delivers an overall good quality of living environment for future occupants.

iii) Layout, Outlook, Daylight and Privacy

- 10.39 The dwellinghouses would have open-plan living areas with integrated kitchen and dining areas with the units being dual aspect providing good outlook and access to natural light/sunlight for each habitable room. The habitable rooms within both units would also meet the minimum spatial requirements in that double bedroom and single bedroom would meet and exceed 11.50 sqm and 7.5sqm. The previous refusal reasons noted the lack of consistent plans. The details submitted under this scheme show the proposed floor to ceiling height of each unit would meet 2.30 metres in height with built in storage that would meet the minimum standards of 2 square metres per unit, as required by policy D6 of the London Plan (2021), 56 of the Waltham Forest Local Plan (LP1) and the Technical Housing Standards – nationally described space standard' (2015).
- 10.40 The proposal would be conditioned to include greater level of detail with respect to the proposed boundary treatment to maintain the privacy of future occupiers and ensure the successful integration of new development with its surroundings.
- 10.41 In light of the above, the proposed development would be acceptable in terms of policy D6 of the London Plan (2021), 57 of the Waltham Forest Local Plan (LP1) and the Technical Housing Standards – nationally described space standard' (2015).

iv) Housing Mix

- 10.42 The London Plan (2021) Policy H10 requires schemes to generally consist of a range of unit sizes, having regard to robust local evidence of need and the nature and location of the site. Policy 15 of the Waltham Forest Local Plan Part 1 (2024) sets out that there is a need for a range of dwelling sizes and tenures to meet the housing needs of its diverse population.
- 10.43 The proposal would introduce two new dwellinghouses, which would comprise of 2x 2-bedroom 4-person properties. Given the size and scale of the scheme, as well as the context of the existing buildings within the street scene, the uplift of two smaller units in this case would be considered acceptable and introduce some low-level mix to the building overall. As such the proposal with respect to housing mix would therefore be consistent with the objectives of London Plan Policy H10 (2021), and Policy 15 of the Waltham Forest Local Plan LP1 (2024).

E. Trees and Local Biodiversity

i) Trees

- 10.44 The London Plan (2021) Policy H10 requires schemes to generally consist of a range of unit sizes, having regard to robust local evidence of need and the nature and location of the site. Policy 15 of the Waltham Forest Local Plan

Part 1 (2024) sets out that there is a need for a range of dwelling sizes and tenures to meet the housing needs of its diverse population.

- 10.45 Policy 80 of the Local Plan LP1 states that development proposals will only be supported where they take particular account of existing trees on the site and on adjoining land and demonstrate that retained trees can be satisfactorily protected from construction impacts and site works.
- 10.46 The site is bound by trees and other vegetation in adjacent gardens which have the potential to be impacted by the construction of the proposed development. A tree survey was requested within the previous application under reference: 241802. However, this was not submitted. An assessment of the trees and vegetation on site was completed which revealed the trees nearby are small and therefore unlikely to have large roots which would be disturbed by the construction phase. Council's Tree Conservation Officer supports the proposed development, subject to appropriate mitigation methods undertaken. Therefore, an adequate Tree survey and Arboricultural impact assessment would be secured via condition.

ii) Landscaping and Biodiversity Net Gain

- 10.47 Policy GG1, G1 and G5 of the London Plan (2021) require new development to incorporate urban greening features such as street trees, green roofs, green walls, raingardens and nature-based sustainable drainage. Policy 79 of Waltham Forest Local Plan LP1 (2024) sets out that schemes should demonstrate a minimum 10% biodiversity net gain using the Defra Biodiversity Metric 2.0 (or subsequent version), even where development proposals do not result in biodiversity loss. Biodiversity net gain is now also a statutory requirement under the 1990 Town & Country Planning Act for most new developments.
- 10.48 In this instance, the application is exempt from the statutory requirement as the site is devoid of vegetation and therefore the development has de-minimus impact. This has been agreed by the Council's Tree Officer. To secure these enhancements in line with the principals of biodiversity net gain, particularly within the new front and rear garden areas with new soft landscaping and planting, a suitably worded condition will be attached to ensure details of the soft landscaping.
- 10.49 As such, it is considered that the proposals accord with Policies 79 of Waltham Forest Local Plan LP1 (2024) and GG1, G1 and G5 of the London Plan (2021) and is therefore considered acceptable.

iii) Epping Forest Special Area of Conservation – Appropriate Assessment

- 10.50 Waltham Forest shares a boundary with the Epping Forest Special Area of Conservation and following research in the form of a visitor survey by Footprint Ecology, has been found to fall within a wider ZOI based on the distance most visitors will travel to visit Epping Forest SAC. This report identified that 75% of visitors travelled up to 6.2Km to the SAC and as result

of the whole of the London Borough of Waltham Forest falls within this ZOI for recreational pressure. It is anticipated that new residential development within this ZOI constitutes an LSE (Likely Significant Effect) on the sensitive interest features of the SAC through increased recreational pressure, either when considered 'alone' or 'in combination'. The Council as Local Planning Authority is obliged to ensure that any grant of planning permission would have sufficient mitigation measures in place to ensure that there would be no harmful impact on the Epping Forest SAC arising from LSE. The Local Planning Authority is a "competent authority" under the Habitat Regulations and is legally obliged to take Natural England's advice into account in decision making and attach great weight to it.

- 10.51 The Council and Natural England have agreed an approach to address the impact of residential development on the SAC, including seeking contributions towards the Strategic Access Management Measures (SAMMS) and a Suitable Alternative Natural Greenspace (SANGS) strategy, which has been published as part of the Local Plan process. A Habitat Regulations Assessment Screening which confirms that SAMMS contributions are appropriate for the impact of the development on the integrity of any European designated sites, such as the Epping Forest SAC and SSSI either considered alone or in combination with other plans or projects
- 10.52 A contribution of £650 per unit (£1,300 in total) towards SAMMS is sought and secured through the Section 106 agreement. Financial contributions towards the SANGS would be secured via the Community Infrastructure Levy (CIL) and would be allocated to projects within the relevant catchment area as identified in the strategy.
- 10.53 As such, the proposed development would accord with Policy 81 of the Waltham Forest Local Plan LP1 (2024), and London Plan Policies G1 and G6.

F. Flooding and Drainage

- 10.54 London Plan (2021) Policies SI 12 and SI 13 outlines that development proposals should minimise and mitigate flood risk and incorporate appropriate provisions for drainage, following the London Plan drainage hierarchy and other priorities. Policy 91 of the Waltham Forest Local Plan LP1 (2024) sets out various requirements for developments to manage flood risk, including aiming to achieve greenfield run-off rates via the maximisation of Sustainable Urban Drainage Systems (SuDS).
- 10.55 The site is located within Flood Zone 1, which is of low probability of surface water flooding. The application has been supported by an Outline Drainage Strategy.
- 10.56 The Outline Drainage Strategy was reviewed by Council's Highway Team and considered acceptable. It was advised that a detailed drainage and maintenance schedule for all SuDS features proposed on site would be secured via a planning condition to ensure compliance with the requirements of the London Plan and the GLA Supplementary Planning Guidance "Sustainable Design & Construction".

G. Highways and Parking

- 10.57 The NPPF (2024) states that development should take opportunities to promote walking, cycling and public transport use. Policy T1 of the London Plan (2021) states that proposals should support the delivery of the Mayor's strategic target of 80% of all trips in London to be made by foot, cycle or public transport by 2041 and requires developments to make the most effective use of land, reflecting its connectivity and accessibility by existing and future transport, walking and cycling routes and ensure that any impacts on London's transport networks and supporting infrastructure is mitigated.
- 10.58 Policy T5 of the London Plan (2021) seeks proposals to help remove barriers to cycling and create a healthy environment in which people choose to cycle by securing the provision of appropriate levels of cycle parking, which should be fit for purpose, secure and well located. Policy T6 of the London Plan (2021) states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity and requires appropriate disabled persons parking for Blue Badge holders to be provided as set out in Policy T6.1 of the London Plan (2021).
- 10.59 Policy 60 of the Waltham Forest Local Plan LP1 (2024) sets out that the Council will promote sustainable with new developments expected to contribute to more attractive, accessible, healthy and safe streets, places and neighbourhoods
- 10.60 Local Plan policy 66 states that the Council would seek to effectively manage parking by encouraging car-free and car capped development in locations that have high levels of parking stress. Adding that in car-free and car-capped developments, the Council would be limiting on-site car parking for these developments to spaces designed for disabled people and operational and service needs; and introducing controlled parking zones in the vicinity of the development.
- i) Car Parking
- 10.61 The site falls within an existing Controlled Parking Zone (CPZ) and has a PTAL rating of 3 which is considered to represent an average level of public transport accessibility.
- 10.62 The proposed scheme was amended to remove the on-site parking previously shown on the block plans submitted. The proposal therefore would not propose on-site car parking and would remove the existing garages which historically would have been in use as car parking. Therefore, the proposal would remove the potential for car parking onsite to occur indefinitely.
- 10.63 To ensure the proposal remains car-free, permission would be subject to a legal agreement ensuring future occupiers are not provided residents car permits for the area.
- 10.64 In summary, Officers are satisfied that the proposed conditions and Section 106 Agreement would provide sufficient mitigation against any potential car parking pressure generated by the proposal. This conclusion is supported by Highways Officers and would ensure compliance with the objectives of Policy 66.

ii) *Cycle Parking*

- 10.65 Local Plan Policy 61 and Appendix 1 sets the minimum requirements for cycle parking for new developments at 1.5 cycle-space/one-bedroom or dwellings and two cycle-racks/two-bedrooms above. Accordingly, the proposal would be required to provide a minimum of 2 cycle space for future residents of each 2-bedroom house, therefore requiring 4 in total.
- 10.66 Cycle store enclosure is shown on the proposed drawings at the rear of the site providing two space per dwelling. This would be sufficient to meet the requirements of the Local Plan, however, further detail would be required in terms of the appearance and security of this enclosure. If approval were to be forthcoming, it is considered that the capacity as well as detailed design would be clarified at conditions stage and therefore the use of condition would ensure that the development complies with the objectives of adopted Local Plan policy 61.

iii) *Highways Infrastructure & Construction*

- 10.67 Concern has been expressed from objectors about the impact on the surrounding occupiers by reason of noise and disturbance during the construction phase. This concern is unwarranted in this case; it would be mitigated by adding a suitable condition with regards to the construction phase of proposed development.
- 10.68 The application is accompanied by a Construction Logistics Plan (CLP) and Construction Management Plan. The Council's Highways Development team requested several changes and clarifications to the submitted Outline CLP prior to the determination of the application. However, considering that the application will be conditioned to include a Detailed CLP and that financial contributions will be secured to ensure the development adheres to the final CLP, officers are satisfied that the application can progress despite the outstanding CLP revisions.
- 10.69 The application has provided some details requested within the Highways officers' comments; however, it is considered these details can be incorporated into the Detailed CLP as there is no in principle objection on highways safety grounds.
- 10.70 As such a forthcoming planning consent, an appropriately worded pre-commencement condition will be attached requiring the submission of a detailed CLP which is to ensure considerate construction is taken place and to protect the amenities of the nearby residents to ensure that noise and disruption is kept to a minimum and does not affect highway traffic flows in accordance with Policy 65 of the adopted Waltham Forest Local Plan LP1 (2024).
- 10.71 Council's Highway Team confirmed S106 request for the following:
- A S106 contribution of £2,000 towards improving sustainable modes of transport including walking and cycling in the vicinity of the site which will directly benefit new residents in this development.
 - A S106 contribution of £250 is requested for CLP monitoring.

- S278 works will be required upon completion of the works relating to the development prior to occupation. An application for Highway Works will be required. The extent of works will include but are not limited to:
 - Construction of a new footway (with a minimum width of 1.8m) across the frontage of the site linking to the existing footway on Boscombe Avenue as indicated in blue on the image below
 - Renewal of existing double yellow lines and extension up to the existing substation to include a Traffic Management Order.
 - Renewal of carriageway on the frontage of the site
- S38 Works: S38 works will also be required to be secured within a S106 agreement. A S38 agreement is required to allow land to be offered up for adoption to become public maintainable highway. Any S38 areas will need to be shown on a revised plan for clarity and the plan appended to the S106 agreement. This includes:
 - The construction of the new footway (with a minimum width of 1.8m) along Boscombe Avenue
- The residential unit must be classified as car-free with future residents not being entitled to parking permits as it is in a Controlled Parking Zone.
- The developer would be required to carry out a highway condition survey of the carriageway and footways fronting the site prior to the commencement of any works.

Planning conditions:

- Surface Urban Drainage Systems (SUDS)
- Detailed Construction Logistics Plan (CLP)
- Boundary Treatment Plan

10.72 These measures would all be subject to further discussions with the applicant and Highways.

10.73 The details of requested works would need to be submitted for consideration and approval prior to the commencement of any site preparation including demolition. It needs to ensure that disruption will be kept to a minimum within the area.

10.74 In summary, Officers are overall satisfied that the proposed conditions and that the required legal agreement would provide sufficient mitigation against any potential car parking pressure generated by the proposal and any disruption the local highway network. This conclusion is supported by Highways Officers and would ensure compliance with the objectives of Policy 60, 61, 65 and 66 and the Local Plan (2024).

H. Waste Management

10.75 Policy SI7 of the London Plan (2021) seeks to reduce waste and support the circular economy. Policy 57 and 93 of the Local Plan LP1 (2024) states that new developments should ensure that the provision of adequate facilities for the storage, collection and disposal of refuse is well secured. New

development should ensure that waste is managed in the most environmentally friendly way in order to protect human health and the environment from pests and other environmentally damaging effects.

- 10.76 For households, the Council operates a three colour, two-wheeled bin systems with a weekly collection. Black 140 litre wheeled bin for refuse, green 140/240 litre wheeled bin for recycling and a brown 140/240 litre wheeled bin for organic waste.
- 10.77 The proposal provides an area for refuse and recycling to the front of the site in a designated area for both properties individually.
- 10.78 The comments received by the Council's Waste Management stated the collection crew currently stop on the corner of Abbots Park Road and Boscombe Avenue as the waste collection vehicle is unable to turn into the slip road where the application site is located. 3x 240L wheelie bins are proposed for each site which if presented on the public highway would result in an exceedance of drag distance of approximately 5m from the maximum distance stipulated of 25m. Currently, waste collectors drag the wheelie bins from properties fronting Boscombe Avenue. However, the location of bin storage and waste collection was considered acceptable and approved under application 192544 & 170191. Local and National planning policies have not changed significantly from present day. Therefore, it is not considered justifiable to warrant as a refusal reason in this instance. Further, a refused planning application determined in early 2025 under reference 241802, a similar waste provisions proposed for two residential properties on site was also not raised with any concerns by Council's Waste Team. Similarly, the national and local planning policies have not undergone any changes to present day since the determination of this previous refused application. As such it is not considered reasonable to warrant as a refusal reason for this reason. Elsewhere an Inspector commented that residents could present the bins on the highway within the 25m distance themselves.
- 10.79 Notwithstanding the above, given the historic context and previous applications determined which supported residential units on site principally. It has been considered by Planning Officers that an appropriate worded condition in respect to an adequate Waste Management Plan and Strategy (including full design details) which can be secured by a way of a planning condition to ensure that the development complies with the objectives of adopted Local Plan policy 57 and 93.

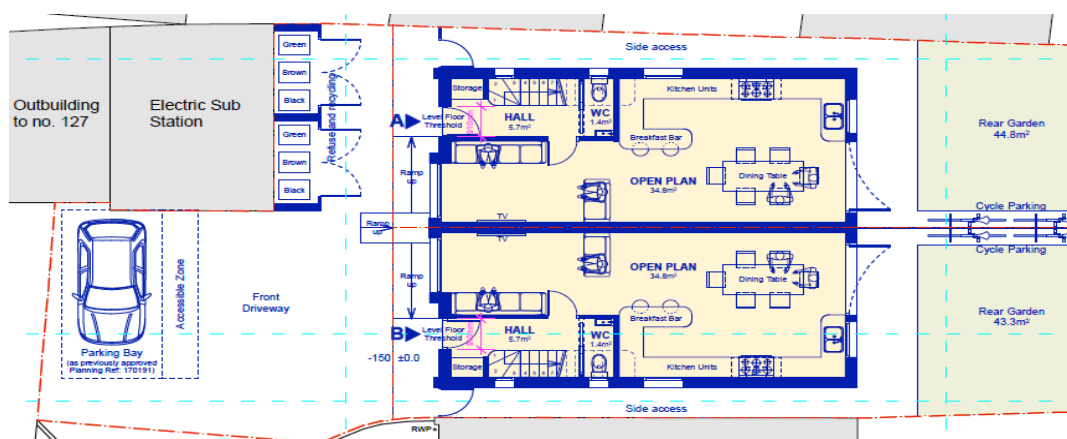


Figure 3: Layout approved under application reference: 192544

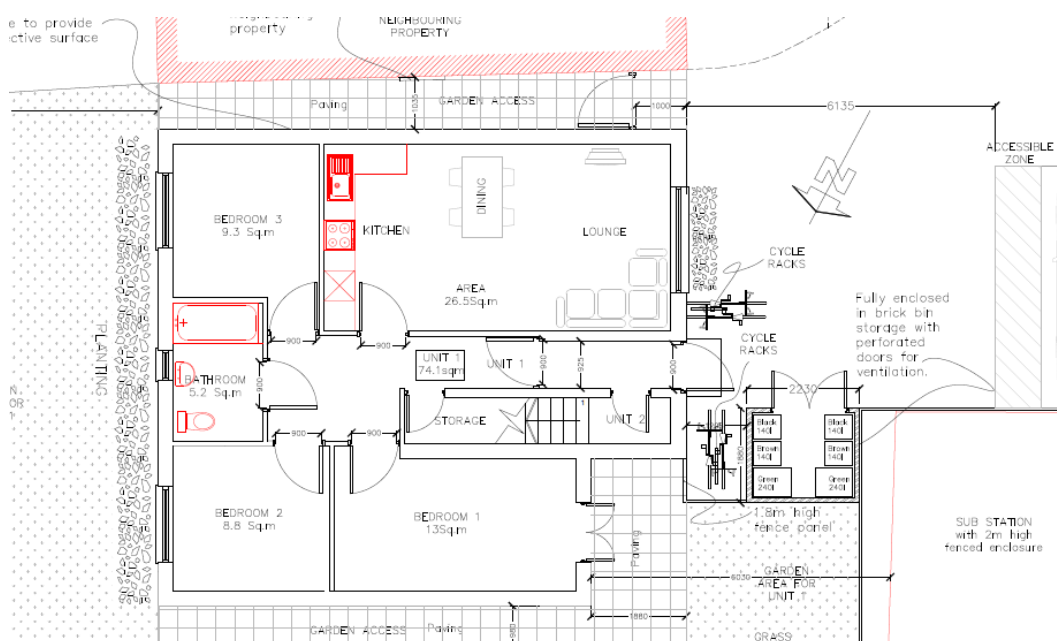


Figure 4: Layout approved under application reference: 170191

10.80 Refuse storage is shown on the plans at the front of the property. However, further detail regarding the design of the proposed bin storage enclosure will be required; these aspects of the development would be secured by a way of a planning condition along with a Waste Management Plan and Strategy to ensure that the development complies with the objectives of adopted Local Plan Policy 93.

I. Environment Health and Sustainable Design

i) Contaminated Land

- 10.81 Policy DM24 refers to when application is being considered on development sites which are potentially contaminated. The Council will need to be satisfied that the development can safely be demolished given the dilapidated garage sites and appropriately constructed with new residential homes with no harm to existing and future occupants.
- 10.82 The site is covered with made ground and there is an electricity sub-station on site. There is potential that there would be contaminants within the site. Therefore, should a scheme be supported, a necessary pre-commencement land contamination condition will be included in order to identify any potential contaminants and any required remediation works prior to any works starting on site to ensure the health and safety of occupiers, in order to comply with Policy 90 of the Waltham Forest Local Plan LP1.

ii) Construction and Air Quality

- 10.83 SI1 of the London Plan (2021), together with Policy 88 of the Waltham Forest Local Plan LP1 (2024), states that development should be at least air quality neutral. The whole of Waltham Forest is an Air Quality Management Area (AQMA).
- 10.84 To minimize impacts on local air quality in accordance with policy requirements, officers recommend compliance with the Non-Road Mobile Machinery (NRMM) Low Emission Zone as a planning condition. Air quality impacts during the built and construction phases will be managed through separate sets of design, construction, and sustainability conditions (Construction Management Plan inc, Air Quality & Dust Management). As such subject to compliance with these conditions, the development would be consistent with Policy SI1 of the London Plan (2021), together with Policy 88 of the Waltham Forest Local Plan LP1 (2024).

iii) Energy Efficiency

- 10.85 Policies 85 and 87 of the Waltham Forest Local Plan LP1 (2024) require developments to ensure high environmental standards of development and sustainable resource management and efficiency to support the long-term sustainability of our environment and respond to climate change in a practical and effective way. The proposed development would be required to incorporate measures to limit carbon dioxide emissions and provide resilience to climate change, going beyond the minimum Building Regulation requirements.
- 10.86 The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. The Waltham Forest Local Plan 85 is in line with this. This requirement applies to all new developments over a threshold of one residential unit in order to fully comply with The London Plan and Local Plan Policies 85 and 87.
- 10.87 A pre-occupation condition will be included requiring the development to submit details of the measures adopted to achieve at least a 35% reduction in carbon emissions over the 2013 Building Regulations together with an additional report post-construction. To comply with Policy 87, a S106 for financial contribution and a condition will be added requiring the development

to follow the measures in the Energy Report. Once fulfilled, the scheme will be considered policy compliant.

iv) Water Efficiency

- 10.88 Policy SI 5 (Water infrastructure) of the London Plan (2021) and Policy 89 of the Waltham Forest Local Plan LP1 (2024) require that a residential development must not exceed a maximum water use of 105 litres per head per day (excluding the allowance of up to 5 litres for external water consumption)
- 10.89 No information has been provided; however, it is considered acceptable to condition any permission to demonstrate how this target would be achieved, thereby according to policy.

J. Planning Obligation

- 10.90 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 of the following tests: i) Necessary to make the development acceptable in planning terms, ii) Directly related to the development and iii) Fairly and reasonably related in scale and kind to the development.
- 10.91 In terms of the s106 Agreement, the required Heads of Terms, having regard to planning policy, the Waltham Forest Supplementary Planning Document "Obligations" (2017):

A. Highways:

- S278 works will be required upon completion of the works relating to the development prior to occupation. An application for Highway Works will be required. The extent of works will include but are not limited to:
 - Construction of a new footway (with a minimum width of 1.8m) across the frontage of the site linking to the existing footway on Boscombe Avenue
 - Renewal of existing double yellow lines and extension up to the existing substation to include a Traffic Management Order.
 - Renewal of carriageway on the frontage of the site
- S38 Works: S38 works will also be required to be secured within a S106 agreement. A S38 agreement is required to allow land to be offered up for adoption to become public maintainable highway. Any S38 areas will need to be shown on a revised plan for clarity and the plan appended to the S106 agreement. This includes:
 - The construction of the new footway (with a minimum width of 1.8m) along Boscombe Avenue
- The residential unit must be classified as car-free with future residents not being entitled to parking permits as it is in a Controlled Parking Zone.

- A condition survey will be required of the adjoining carriageway and footway on Boscombe Avenue. The condition survey should cover:
 - The length of Boscombe Avenue
 - Including the junction with Abbots Park Road
 - The condition survey must include a site plan showing the location of where the photographs were taken on the public highway. This will be required, to ensure, if the public highway is damaged as a result of the construction works this would be reinstated by the Council and funded by the developer
- A S106 request of £2,000 is requested toward improving sustainable modes of transport including walking and cycling in the vicinity of the site which will directly benefit new residents in this development.
- A S106 contribution of £250 is requested for CLP monitoring.

B. Epping Forest Special Area of Character

- SAMMS: A financial contribution of £1300 towards Strategic Access Management and Monitoring measures (SAMMs).

C. Carbon Emissions

- A Carbon Offset payment of £770 is required.

D. Legal Fees:

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

11 CONCLUSION

- 11.1 The principle of the development is considered acceptable and consistent with local and regional policies. The proposed development would result in making better use of land and achieve optimisation of an existing garage site.
- 11.2 The proposed pair of semi-detached dwellinghouses are considered to be of good quality design that responds appropriately to the local context in terms of scale, height, and massing, with a form that complements surrounding residential character. Conditions will be required to secure full details of external materials to ensure durability and visual quality, in line with design policy objectives.
- 11.3 The proposed development is considered to respect the amenity of neighbouring occupiers, with its modest above-ground height, separation distances, boundary treatments, outlook/privacy and daylight/sunlight impacts

all deemed acceptable. Conditions will be required to secure boundary screening, obscured glazing where appropriate, and a Construction Management Plan to safeguard residential amenity during and after construction

- 11.4 The proposed homes meet and exceed internal space standards, provide acceptable outlook and privacy, and offer reasonable external amenity space given the site's proximity to Abbots Park. A pre-commencement condition is required to secure compliance with M4(2) accessibility standards, ensuring the dwellings are adaptable and inclusive for future occupiers
- 11.5 The development is considered acceptable in terms of its ecological and environmental impact, with tree protection, landscaping, and biodiversity enhancements appropriately addressed. Conditions will be required to secure tree protection measures, detailed landscaping and habitat provisions, and compliance with ecological mitigation strategies to ensure alignment with London Plan and Waltham Forest Local Plan policies
- 11.6 The development is considered acceptable in terms of environmental and sustainability, subject to conditions securing contaminated land assessment, air quality compliance, SuDS drainage strategy, energy efficiency and water efficiency standards. These measures are necessary to mitigate environmental risks and ensure alignment with London Plan and Waltham Forest Local Plan policies on contamination, flood resilience, carbon reduction, and resource efficiency.
- 11.7 The development is acceptable in terms of transport requirements and subject to planning conditions and legal agreements that secure car-free status, highway improvements, and cycle storage, the development will align with relevant policies in the London Plan and Waltham Forest Local Plan
- 11.8 The waste management plan would be secured via condition to ensure adequate storage and a suitable drag distance.
- 11.9 The report provides the officer's comprehensive consideration of the planning application and its supporting documentation, including the additional information submitted and any representations received. The conditions set out in the agreed S106 Heads of Terms would ensure that any adverse impact of the scheme is mitigated against and the positive aspects of the proposal advanced by the applicant are carried out through the implementation. The report has considered the proposals in light of the Local Plan LP1 (2024) policies and other material considerations or representations relevant to the environmental effects of the proposal.
- 11.10 The Planning Committee is recommended to grant planning permission subject to the conditions and informative below and the completion of a S106 agreement with the agreed Heads of Terms, as set in the committee report.
- 11.11 The conditions set out in the S106 Heads of Terms agreed would ensure that any adverse impact of the scheme is mitigated against and the positive aspects of the proposal advanced by the applicant are carried out through the implementation.

12 ADDITIONAL CONSIDERATIONS

Public Sector Equality Duty

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

Human Rights

- 12.4 In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as the London Borough of Waltham Forest to act in a manner that is incompatible with the European Convention on Human Rights.
- 12.5 You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to refuse 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 refuse permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

13 RECOMMENDATION

13.1 The Planning Committee is requested to resolve that planning permission be granted subject to the following S106 agreement, conditions and informative:

13.2 Section 106 Head of Terms:

CATEGORY	TERMS
Highways - S278 works	S278 works funded by the developer will be required upon completion of the works relating to the development prior to occupation. An application for Highway Works will be required. The extent of works will include but are not limited to • Construction of a new footway (with a minimum width of 1.8m) across the frontage of the site linking to the existing footway on Boscombe Avenue • Renewal of existing double yellow lines and extension up to the existing substation to include a Traffic Management Order • Renewal of carriageway on the frontage of the site.
Highways – S38 works	S38 works will also be required to be secured within a S106 agreement. A S38 agreement is required to allow land to be offered up for adoption to become public maintainable highway. Any S38 areas will need to be shown on a revised plan for clarity and the plan appended to the S106 agreement. This includes: • The construction of the new footway (with a minimum width of 1.8m) along Boscombe Avenue.
Highways - Car Free	This site must be classified as car free with future residents not being eligible to obtain residents parking permits for the surrounding CPZs.
Highways	The developer would be required to carry out a condition survey of the carriageway and footways fronting the site prior to the commencement of any works. The condition survey report would need to be submitted to the Council's Highways team for records including a site location plan highlighting the location of the photographs. Any damage to the highways as a result of the construction works would be reinstated by the Council and funded by the developer.

Legal Fees	Payment of the Council's legal fees for the preparation and completion of the Legal Agreement. • A S106 contribution of £2,000 towards walking and cycling • A S106 contribution of £250 towards CLP monitoring • A carbon offset payment of £770 is required • A financial contribution of £1300 towards Strategic Access Management and Monitoring measures (SAMMs). • Legal and Monitoring fees

- 13.3 That authority to be given to the Assistant Director of Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the s106 Agreement and to agree any minor amendments to the conditions or the s106 Agreement on the terms set out above.
- 13.4 In the event that the S106 agreement is not completed within 12 weeks following committee, the Assistant Director of Development Management and Building Control is hereby authorised to refuse the application.

CONDITIONS AND REASONS:

Time Limit

1. The development hereby permitted shall begin no later than the expiration of three years from the date of this permission.

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

Approved Plans and Document

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

Drawings:

- Site Location Plan – Date: 17/02/2025
- Site Location Plan (Drawing Number: 001, 01) Date: 10/07/2024
- Existing Site Plan (Drawing Number: 100, 03) Date: 10/07/2024
- Existing Ground Floor Plan (Drawing Number: 101, 04) Date: 10/07/2024

- Existing Roof Plan (Drawing Number: 102, 05) Date: 10/07/2024
- Existing Front Elevation AA (Drawing Number: 110, 06) Date: 10/07/2024
- Existing Rear Elevation BB (Drawing Number: 111, 07) Date: 10/07/2024
- Existing Side Elevation CC (Drawing Number: 112, 08) Date: 10/07/2024
- Existing Section DD (Drawing Number: 120, 09) Date: 10/07/2024
- Block Plan (Drawing Number: 002, 02) Date: 15/07/2024
- Proposed Site Plan (Drawing Number: TSC_200) Date: 05/02/2025
- Proposed Ground Floor Plan (Number: TSC_204) Rev C Date: 19/11/2025
- Proposed Ground Floor Plan (Number: 201, 12) Date: 10/07/2024
- Proposed First Floor Plan (Number: TSC_201) Rev B Date: 30/06/2025
- Proposed Loft Floor Plan (Number TCS_202) Rev E Date 19/11/2025
- Proposed Roof Plan (Number: TSC_203) Rev B Date: 30/06/2025
- Proposed Front Elevation AA (Number: 210 15) Date: 10/07/2024
- Proposed Rear Elevation (Number: TSC_211) Rev A Date: 30/06/2025
- Proposed Side Elevation DD (Number: TSC_212) Rev B Date: 30/06/2025
- Proposed Side Elevation CC (Number: TSC_213) Rev B Date: 30/06/2025
- Proposed Section EE (Number: TSC_220) Rev D Date: 30/06/2025
- Landscape Plan – Number 2.01 (date 25/04/2024)
- Bike & Bin Store Details - Number: 20.2 (date: 24/04/2024)

Documents:

- Energy Strategy Report (Ref: 24/13119) Date: June 2024
- Outline Drainage Strategy - Date: July 2024
- Water Efficiency Report (Ref: 24-13119) Date: May 2024
- Material Specification
- Design & Access Statement
- Air Quality & Dust Management Plan Date: September 2024
- Sustainability Statement for Planning – Date: 12/09/2024
- Fire Engineering (Reference: FE20225_24-30 Boscombe Avenue_RES_01) Date: 30/08/2024
- Habitat Regulations Assessment (Stage 1: Screening) – Date: 02/09/2024
- Crime Prevention/Safer Places Statement
- Outline Construction Logistics Plan – Date: 18/03/2025

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

Materials & Design

3. Prior to the commencement of development on site, notwithstanding site investigation, clearance works, demolition and construction to slab level, samples and/or a schedule of materials and its

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

Reason: To safeguard and enhance the visual amenities of the locality, in accordance with Policies 53 and 72 of the adopted Waltham Forest Local Plan LP1 (2024).

4. The flank wall side windows at first-floor level shall be fitted with obscure glazing and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The window(s) shall be permanently retained as such for the lifetime of the development.

Reason: To safeguard the amenities of neighbouring occupiers in accordance with Policy 57 of the adopted Waltham Forest Local Plan LP1 (2024).

5. 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, material and finish of all new walls, gates, fencing, railings and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out solely in accordance with the approved details, prior to the first occupation of the use hereby approved and thereafter shall be fully retained and maintained accordingly for the lifetime of the development.

Reason: In the interest of general visual amenity, and amenity of neighbouring occupants, in accordance with Policies 53 and 57 of the adopted Waltham Forest Local Plan LP1 (2024).

6. Prior to the commencement of development, excluding site investigation and clearance works, demolition and construction to slab level and construction of foundations, full details of all forms of external lighting to be provided on site shall be submitted to the Local Planning Authority. The development shall be fully completed in accordance with the agreed details prior to the initial occupation of the site.

Reason: Insufficient details have been provided as part of the planning application and in the interest of security and sustainable development in accordance with Policy 58 of the adopted Waltham Forest Local Plan Part 1 (2024).

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

Reason: In the interest of visual amenity in accordance with Policy 53 of the adopted Waltham Forest Local Plan Part 1 (2024).

Cycle Parking

8. Prior to the occupation of the development hereby permitted full details relating to the design of secure and lockable cycle stores on site re submitted and approved by the Council. The development shall be carried out fully in accordance with the approved details prior to first occupation of the development and shall be thereafter maintained as such for the lifetime of the development.

Reason: To comply with London Cycle Design Standards, Policy 53, 60 and 61 of the adopted Waltham Forest Local Plan LP1 (2024).

Highways

9. Prior to the commencement of the development a detailed Construction Logistics Plan shall be submitted to and approved by the Local Planning Authority. The logistics plan shall include details of site access, journey planning, access routes, hours of delivery, temporary traffic arrangements or restrictions, site operation times, loading and unloading locations and material storage. All works shall be carried out in accordance with the approved details throughout all demolition and construction works.

Reason: To ensure considerate construction and to protect the amenities of the nearby residents to ensure that disruption is kept to a minimum and does not affect highway traffic flows to comply with Policies 50, 57, 63, 65, 87 and 89 of the adopted Waltham Forest Local Plan LP1 (2024).

Construction Management and Land Contaminants

10. Prior to the commencement of any part of the development, including demolition and site clearance, a 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

- 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
- 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/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/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 (AQDMP)
- 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 D6 and S11 of London Plan (2021), Policies 57, 63, 64, 87 and 88 of the adopted Waltham Forest Local Plan LP1 (2024).

11. 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. 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.
- C) 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).
- D) In the event that additional significant contamination is found at any time when carryout the approved development it must be reported immediately to the LPA.

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 Policies 48, 89 and 90 adopted Waltham Forest Local Plan LP1 (2024).

12. Asbestos

A) No development shall take place whatsoever, until an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers have been submitted to and approved in writing by the local planning authority. The scheme must be written by a suitably qualified person and submitted to the Local Planning Authority (LPA) for approval, before commencement. The scheme as submitted shall demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed use.

B) The scheme of mitigation shall be independently verified to the satisfaction of the LPA prior to occupation.

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 90 of the Waltham Forest Local Plan Part 1 (2024).

SUDS (Sustainable Urban Drainage System)

13. Prior to the commencement of development on site, notwithstanding site investigation work, clearance and demolition, a SUDS (Sustainable Urban Drainage System) to deal with all surface water drainage from the site, including details of proposed rainwater harvesting systems, green roofs and proposed soakaway designs together with infiltration test results and recommended soakage rates, shall be submitted to and approved by the Local Planning Authority. The approved SUDS shall be fully implemented prior to first occupation of any building and thereafter maintained in accordance with the agreed details for the lifetime of the development.

Reason: To Prevent the increased risk of flooding, both on and off-site to ensure that adequate drainage facilities are provided in accordance with Policies 89 and 91 of the adopted Waltham Forest Local Plan LP1 (2024).

Sustainable Design and Energy Efficiency

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

Reason: To ensure the development is sustainable and to comply with Policies 85 and 87 of the adopted Waltham Forest Local Plan Part 1 (2024).

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

Reason: To minimise the water use of the development, in accordance with the requirements of Policy 59 of the adopted Waltham Forest Local Plan LP1 (2024)

Trees Protection, Landscaping and Habitats

16. No development whatsoever shall take place in relation to the development hereby approved including site clearance and investigations as well as preparatory work, until a scheme for the protection of the retained trees (Tree Protection Plan) and the appropriate working methods (Arboricultural Method Statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been agreed in writing by the local planning authority. The approved measures shall be implemented prior to the commencement of site clearance, preparatory work and development and shall be retained for the entirety of the construction period.

Reason: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies 77, 79 and 80 of the adopted Waltham Forest Local Plan Part 1 (2024).

17. Prior to the commencement of development on site, details of the hard and soft landscaping to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of the retained and proposed planting around the site, along with the requirement to demonstrate that all hardstanding areas are permeable. 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, sustainable drainage and biodiversity in accordance with Policies G1, G5, G6, SI12 and SI13 of London Plan (2021), Policies 53, 77, 79, 80 and 91 of the adopted Waltham Forest Local Plan LP1 (2024).

18. Prior to the commencement of development, excluding site investigation and clearance works, demolition and construction to slab level, details of ecological enhancement measures (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 and sensitive lighting) and associated pre-works precautionary method statement and 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.

Noise

19. No noise generating plant, equipment or ventilation/heating systems, shall be installed on the residential development hereby approved without the grant of planning permission by the local planning authority.

Reason: In the interests of the amenities of the adjoining property, in compliance with Policy 57 of the adopted Waltham Forest Local Plan LP1 (2024).

20. Within the residential unit(s) hereby approved the following internal noise levels shall be achieved and not exceeded with the windows closed: 35dB(A) Leq 16 hours 07:00hrs – 23:00hrs in living rooms, while 30dB(A) Leq 8 hours in bedrooms and no individual noise event to exceed 45dB(A) max (measured with F time weighting) 23:00hrs – 07:00hrs. External noise affecting gardens, balconies or amenity spaces shall not exceed 55dBLAeqt.

Reason: To protect the amenity of residential properties and the surrounding area in accordance with Policy 85 and 87 of the adopted Waltham Forest Local Plan Part 1 (2024).

Waste Management

21. Notwithstanding the approved plans, prior to the commencement of development on site, full details and a management plan for the storage and disposal arrangements for refuse, waste and recycling including drag distances for bins, 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 the management plan shall be subsequently implemented in full and thereafter maintained and available for use for the lifetime of the development.

Reason: To ensure that adequate arrangements are made for the storage and collection of refuse and recycling and that waste is managed in the most environmentally friendly way possible, in accordance with Policy 93 of the adopted Waltham Forest Local Plan LP1 (2024).

Permitted Development Rights

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification), no development shall be carried out within Schedule 2, Part 1, Classes A, AA and B of that Order unless planning permission has been granted on an application relating thereto.

Reason: In the opinion of the Local Planning Authority, the nature and density of the site layout requires strict control over the form of any additional development that may be proposed in the interests of both visual and residential amenity, in accordance with Policies 53 and 57 of the adopted Waltham Forest Local Plan LP1 (2024).

Accessible Homes:

23. The residential units shown on plan hereby permitted shall be built in accordance 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 16 (Accessible and Adaptable Housing) of the adopted Waltham Forest Local Plan Part 1 (2024) and Policy D7 of the London Plan (2021).

NRMM:

24. No NRMM shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register). For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit <http://nrmm.london/>.

Reason: To ensure that air quality is not adversely affected by the development in line with London Plan policy SI 1 and the Mayor's SPG: The Control of Dust and Emissions During Construction and Demolition Supplementary Planning Guidance, Mayor of London, 2014

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 have been followed in this instance, and offers a pre-planning application advice service.

2. This determination does not constitute permission to build under the Building Regulations 2010. Works should not commence until any appropriate building regulation applications have been submitted and where necessary approved.
3. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and eaves overhang, will encroach on, under or over adjoining land. The applicant is advised that this decision does not override the legal ownership rights of any neighbours, nor does it convey any permission that may be required under the Party Wall Act 1996.
4. Construction and demolition works audible beyond the boundary of the site should only be carried out between the hours of 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturdays and not at all on Sundays or on Public/Bank Holidays
5. Please note that, once a Highway Works Application is received, the process of validation, technical review, design development and drafting of legal agreements is approximately 12 months. This process must be completed prior to commencement of the highway works, with occupation only permitted once the highway works are complete
6. Unless otherwise agreed, hardstanding levels within the red line boundary and threshold levels shall be designed to tie into existing public highway back of path levels. Discharge of surface water onto public highway is not permitted
7. Construction activities must not affect traffic flows on the highway. No materials can be stored on the highway and no construction related activities can take place on the highway. It is an offence to place scaffolding, skip or hoarding on the highway without permission. Early contact with the Council's Network Operations is advisable, as it may affect the construction programme.
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, will be erected prior to occupation as agreed with the Council's Street naming/numbering officer
9. A legal agreement has been entered into with the London Borough of Waltham Forest in conjunction with this grant of planning permission to ensure future occupiers will not be eligible for parking permits and highway works.