

LONDON BOROUGH OF WALTHAM FOREST

Committee / Date:	Planning – 7 th July 2026
Application Reference:	260651
Applicant:	Manak Homes
Location:	817 - 823 Forest Road, Walthamstow, London, E17 0DN
Proposed Development:	Amendment of planning permission reference 232205, dated 19/06/2025, comprising a reduction in the number of homes from 39 to 38 (proposed unit mix includes 11x 1bed, 20x 2bed and 7x3bed) and alterations to the massing, together with changes to the elevations, layout and external spaces.
Wards Affected:	Chapel End

1. RECOMMENDATION

- 1.1. That Planning Permission be **GRANTED** subject to conditions and informatives.
- 1.2. The s106 including the heads of terms under ref 232205 would remain unchanged.

Minor Amendments

- 1.3. That authority to be given to the Assistant Director - Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the S106 Agreement and to agree any minor amendments to the conditions or the legal agreement on the terms set out above.
- 1.4. In the event that the S106 Agreement is not completed within a reasonable timeframe following the date of Planning Committee, the Assistant Director - Development Management and Building Control is hereby authorised to refuse the application in consultation with the Chair of the Planning Committee. In the absence of this S106 Agreement, the proposed development would not be able to deliver the development on the site. The implication of this happening is that the opportunity for securing the provision of affordable housing would be lost. Additionally, other financial and non-financial commitments would be lost, which otherwise would be secured by the S106 Agreement.

2. REASONS REFERRED TO COMMITTEE

- Due to level of Public Interest

3. SITE AND ITS SURROUNDINGS

- 3.1. The application site fronts Forest Road, Clifford Road and St John's Road, the previous use of the site as a petrol station was accessed by pedestrians and vehicles from the corner Clifford Road and St John's Road.
- 3.2. The site prior to implementation was occupied by single storey structures in the form of a covered petrol filling station, a retail kiosk, car wash facilities and car parking. The site has large areas of hard standing and general lack of any form of soft landscaping.



Figure 1: Site Location

- 3.3. The site rises up from north to south, with the northern boundary lower than the southern boundary adjacent to Forest Road. The site itself also sits lower than Forest Road with a step down behind a retaining wall that abuts the pedestrian pavement to Forest Road. There is also directly outside the site, to the south, a single street tree.
- 3.4. To the south of the site across Forest Road sits the new heath centre site that is 4 commercial storeys in height and a modern flat roof brick-built building. This neighbouring building is the equivalent of 5 storeys in height due to the level changes, the existence of services/plant room on the roof and the projecting front element that host the stairs that also give access to the roof for servicing.
- 3.5. Immediately to the north, the site is bounded by traditional two storey residential dwellings that front Clifford Road and St John's Road and their front and rear gardens. Both to the east and west sits residential properties that front the neighbouring streets.
- 3.6. The area is predominately residential to the north of Forest Road however along Forest Road there are a mix of uses in close proximity including civic, education, health, offices and commercial uses. Predominately to the east and west along the

north of Forest Road is two storey buildings that contain a mix of commercial uses at street level and residential accommodation on the upper floors, with mixed architectural design, including traditional Victorian architecture and more recent additions. However, taller buildings are present in the locality, including St David's Court and development at the Patchworks, which is under construction and recently completed Precision House.



Figure 2: Street View

- 3.7. The site is identified within the Forest Road Corridor Framework which sets out strategic aspirations for the sites along Forest Road and is identified as a site suitable for housing. As an identified Strategic Location, the Forest Road Corridor is one of the locations in the Borough where significant growth in housing, employment, and infrastructure provision is expected and desired.
- 3.8. The property is not located within a Conservation Area, is not listed and is not subject to an Article 4 direction.
- 3.9. The site has a PTAL of 3 on a scale of 0 to 6b, where 6b is the highest. This represents a medium public accessibility rating however the site is within reasonable walking distance of a wide range of amenities and services with regular bus services just outside of the site and the Wood Street station is a 10-minute walk or a 3-minute cycle ride away.
- 3.10. The site falls within the zone of influence of the identified Epping Forest Special Area of Conservation (EFSAC), under the EU Habitats Directive (92/43/EEC) and is within the Borough-wide Air Quality Management Area (AQMA).

4. APPLICATION PROPOSAL

- 4.1. The proposal is seeking to include numerous amendments and modifications to the recent consent on site Ref: 232678 via a S73/Variation of Conditions application. The proposal would comprise of the following changes to the original consent:

- Increase in overall height.
 - Floor to floor heights have increased by 300mm on each level from 3075mm to 3375mm.
 - Parapet detail amended to suit green roof buildup and attenuation layers, with heights amended to suit revised floor to floor heights. At the top parapet level this has increased by 1800.
- Internal reconfigurations including substation width increased, Commercial bin store location, alterations to unit mix.
- Street facing roof terrace created on the second floor to both St Johns and Clifford Road frontage.
- Design changes:
 - Metal panel above windows introduced.
 - Removal of glazing on the east elevation with the introduction of brick recess detail and minor changes to elevations across all elevations
 - Metal canopy introduced for the entrance lobby.

4.2. Amendments were received during the course of the application:

- Introduction of a food waste container to the commercial waste store
- Deck access reverts back to the original consented design
- Minor changes to the core and introduction of an AOV (Automatic Opening Vent) window
- Cycle store updated to meet required cycle parking numbers

5. RELEVANT SITE HISTORY

- 5.1. 260258 - Submission of details pursuant to condition 35 (EV Charging) attached to planning permission reference 232205 dated 19/06/2025 - Approved (15/05/2026).
- 5.2. 260782 - Submission of details pursuant to condition 22 (BREEAM Pre-Assessment) attached to S73 planning permission reference 253036, granted 23-03-2026 – Approved (15/05/2026)
- 5.3. 253036 - Minor Material Amendment to vary condition 22 (BREEAM pre assessment) attached to planning permission reference 232205 granted 19/06/2025 to allow a change to the rating from 'Excellent' to 'Very Good' - Approved Subject to S106 Agreement (23/03/2026).
- 5.4. 252182 - Submission of details pursuant to condition 26 (Tree Protection Plan & Arboricultural Method Statement) attached to planning permission reference 232205, granted 19/06/2025 - Approved (06/03/2026)
- 5.5. 260361 - Submission of details pursuant to condition 7 (Construction Logistics Plan) attached to planning permission reference 232205 dated 19/06/2025 Approved (05/03/2026).
- 5.6. 253027 - Non-Material Amendment to planning permission reference 232205 granted 19/06/2025 to amend the original description of development omitting reference to the number of units within the development - Approved (16/01/2026).

- 5.7. 252630 - Submission of details pursuant to condition 5 (Construction Environmental Management Plan (CEMP)) attached to planning permission reference 232205 dated 19/06/2025 - Approved (28/11/2025).
- 5.8. 252181 - Submission of details pursuant to condition 3 (Contamination) attached to planning permission reference 232205, granted 19/06/2025 - Approved (04/11/2025).
- 5.9. 251766 - Submission of details pursuant to condition 5 (Construction Environmental Management Plan) and condition 7 (Construction Logistics Plan) attached to planning permission reference 232205, granted 19/06/2025 - Refused (10/09/2025).
- 5.10. 251623 - Submission of details pursuant to condition 3 (Ground Investigation & Remediation Strategy) and condition 26 (Tree Protection Plan) attached to planning permission reference 232205, granted 19/06/2025 - Refused (04/09/2025).
- 5.11. 232205 - Demolition of the existing Petrol Station building and structures and construction of new mixed-use building ranging from 3 to 5 storeys to provide commercial floorspace (Use Class E) on the ground floor and 39 units (Use Class C3) including landscaping, refuse/recycling storage facilities, cycle parking, disabled persons' parking, servicing, and other associated works. (Amended plans with additional plant to roof and updated and additional supplementary documents) - Approved Subject to S106 Agreement (19/06/2025).
- 5.12. 203694 - Demolition of car wash and retail kiosk building; construction of new retail kiosk building; removal and installation of new underground fuel storage tanks, forecourt canopy, fuel pumps; and the re-configuration of car park area – Granted (25/1/2022).
- 5.13. 201691 - Demolition of car wash and retail kiosk building; construction on new retail kiosk building; removal and installation of new underground fuel storage tanks, forecourt canopy, fuel pumps; and the re- configuration of car park area – Refused (28/9/2020).

Pre-Application

- 5.14. Prior to the submission of this s73 application, the applicant has been involved in pre-application discussions with officers around the proposed changes.
- 5.15. Prior to the submission of the extant scheme pre application ref PRE_22_0086 was submitted for the Demolition of the existing Petrol station and Co-op shop and redevelopment of the site for residential use. This included engagement through a Planning Performance Agreement (PPA). Council planning officers worked closely with the applicant to achieve a scheme of excellent design quality design and accommodation for future residents.

Planning Enforcement

- 5.16. None.

6. PUBLIC CONSULTATIONS

6.1. Following the initial validation of this application, the Council sent notification letters to neighbouring addresses and consultees on 9th April 2026. Site Notices were displayed on the site, dated 22nd April 2026 and Press Notice dated 16th April 2026.

6.2. The following properties have been consulted:

1 – 25 Clifford Road (All)
 740 Forest Road
 740a Forest Road
 742 Forest Road
 742a Forest Road
 803 – 813 Forest Road (Odd)
 827 – 847 Forest Road (Odd)
 1 – 13 Kingsley Road (Odd)
 56 – 58 Parkstone Road (even)
 1 – 23 St Johns Road (Odd)
 16 – 38 St Johns Road (Even)

6.3. As a result of the of public consultation, 20 objections were received from neighbouring properties. The table below summarises the issues raised in these letters:

Objection Received	Response
<p>Consultation letter is not sufficiently clear or explicit. Misleading description of development.</p> <p>Not minor material amendment.</p>	<p>Section 73 of the Town and Country Planning Act 1990 can be used to make a material amendment by varying or removing conditions associated with a planning permission. There is no statutory limit on the degree of change permissible to conditions under s73, but the change must only relate to conditions and not to the operative part of the permission.</p> <p>The description highlights the changes proposed; a reduction in the number of homes and alterations to the massing, together with minor changes to the elevations, layout and external spaces, which form part of the assessment in this officer's report.</p>
<p>More dominant and top-heavy building form</p>	<p>Officers are of the view that the proposal would still adequately responds to existing context of the site and surrounding properties.</p> <p>The additional height of approximately 1.8m to the top roof level would be considered not to create a dominant roof form. The plant on the</p>

Objection Received	Response
	<p>roof would sit above this but was also part of the extant permission.</p> <p>This is considered in Section 10[B] of this report.</p>
<p>Amenity Impact:</p> <ul style="list-style-type: none"> • Loss of light/Overshadowing • Noise • Overlooking/loss of privacy • Overbearing • Increased sense of enclosure • Visual intrusion. 	<p>Given the development retains a similar layout from the extant permission, in respect to neighbouring properties and stepped height towards Forest Road, it is considered that the proposal would not unreasonably result in loss of light, overbearing impact or overlooking to existing occupiers.</p> <p>Furthermore, the application included an updated Sunlight and Daylight Assessment which assessed and concluded that the impact on neighbouring properties would not amount to an unreasonable harm, particularly for an urban location. Officers concur with the findings. This is further explained in Section 10[D] of this report.</p> <p>With respect to noise and disturbance, the extant permission had conditions requiring noise mitigation measures and control of noise levels are recommended if granted. The same conditions would be in place. Both the construction environmental management plan (CEMP) and Detailed Construction Logistic Plan were approved from the extant permission that would be attached to this decision notice to ensure disruption is minimised to neighbouring residents.</p>
<p>Out of Character</p> <ul style="list-style-type: none"> • Overbearing • Not representative of the area • The height increase is material and the floor level and parapet height increases result in changes to the overall scale and townscape presence • Removal of a setback and extension of roof/colonnade elements changes the perceived 	<p>The additional height is considered a material change and as such is assessed under this application. The additional height would be still reflective of the original architectural intent retaining a high quality design.</p> <p>The Design and Access statement does show an image reflecting a change in materials however this would still be covered by condition as with the extant permission. The condition would require samples and a</p>

Objection Received	Response
<p>bulk and articulation of the building.</p> <ul style="list-style-type: none"> Pale pink brick replaces with dark red brick 	<p>schedule of materials and would assess if appropriate.</p> <p>Please see Section 10[B] in the full assessment below.</p>
Removal of planting on frontage to commercial unit alters the public realm edge	The proposal does remove a small strip of planting to the front of the commercial premise which would rationalise the frontage with other commercial units on the street. Soft landscaping would still be attached as a condition.
Commercial food waste not provided	The proposal has been amended to include a food waste bin within the commercial bin store.
Parking – CPZ time extension	This permission would not alter the parking arrangement from the extant permission. An extension to the time frame of the CPZ is not in the remit of this application.
Fire Evacuation – single stair core	The extant permission included a fire statement, the layout of the proposal under this application is not materially different. The proposal although increases the height of the proposal, this would still fall below the definition of High-risk residential building as such does not require two stair cores.
Reduce natural surveillance and passive overlooking	The redevelopment of the site would be considered to improve overall security for neighbouring sites as it would activate a now vacant site. The changes are not considered to reduce natural surveillance and overlooking.

7. OTHER CONSULTATIONS

Internal and External Representations Received

- 7.1. LBWF Consultation Responses' below lists the responses received from Waltham Forest Council consultees.

Consultees	Response
Transport Policy	No comments received.

Consultees	Response
Design	Officers raised no concerns of the proposed scheme in in respect to height, massing and design. The proposal maintains the overarching architectural language, massing strategy and townscape response established through permission 232205, ensuring the scheme continues to sit comfortably within the Forest Road corridor.
Waste	<p>Commercial bin store having no food waste will become an issue for the occupiers as all commercial premises are required nationally to have separated food waste collections as of April 2026</p> <ul style="list-style-type: none"> • To create more space to allow for case study 3 shown in the Design and Access statement to be more feasible, the residential bin store could have 3x 1280 refuse, 1x 660 refuse, 3x 1280 recycling, 1x 660 recycling, and 1x 240 food waste for the food waste in the commercial bin store to have less of an impact on the residential bin store <p>Clarification on how wheelchair units access the bin store.</p>

8. DEVELOPMENT PLAN

- 8.1. Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority 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.

London Plan (2021)

- 8.3. The London Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital from 2019 to 2041.
- 8.4. The policies relevant to this application are considered to include and not limited to:
- GG1 Building Strong and Inclusive Communities
 - GG2 Making Best Use of Land
 - GG4 Delivering Homes Londoners Need
 - D1 London's form, character and capacity for growth
 - D2 Infrastructure requirement for sustainable densities
 - D3 Optimising site capacity through the design-led approach
 - D4 Delivering good design
 - D5 Inclusive Design
 - D6 Housing quality and standards
 - D7 Accessible Housing
 - D8 Public realm
 - D14 Noise
 - H1 Increasing housing supply
 - H4 Delivering Affordable Housing
 - H10 Housing size mix
 - G1 Green Infrastructure
 - G6 Biodiversity and access to nature
 - G7 Trees and woodlands
 - S11 Improving Air Quality
 - S17 Reducing Waste and supporting the circular economy
 - S113 Sustainable Drainage
 - T5 Cycling
 - T6 Car Parking
 - T7 Deliveries, Servicing and Construction
 - DF1 Delivering of the Plan and Planning Obligations

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 1 Presumption in Favour of Sustainable Development
 - Policy 2 Scale of Growth
 - Policy 3 Infrastructure for Growth

- Policy 4 Location of Growth
- Policy 5 Management of Growth
- Policy 6 Ensuring Good Growth
- Policy 7 Encouraging Mixed Use Development
- Policy 8 Character-Led Intensification
- Policy 10 Central Waltham Forest
- Policy 12 Increasing Housing Supply
- Policy 13 Delivering Genuinely Affordable Housing
- Policy 15 Housing Size and Mix
- Policy 16 Accessible and Adaptable Housing
- Policy 38 New Retail, Office and Leisure Developments
- Policy 45 Shopfronts and Signage
- Policy 48 Promoting Healthy Communities
- Policy 50 Noise, Vibration and Light Pollution
- Policy 53 Delivering High Quality Design
- Policy 55 Building Heights
- 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 Logistic Plans
- Policy 66 Managing Vehicle Traffic
- Policy 67 Electric Vehicles
- Policy 77 Green Infrastructure and the Natural Environment
- Policy 78 Parks, Open Spaces and Recreation
- Policy 79 Biodiversity and Geodiversity
- Policy 80 Trees
- Policy 81 Epping Forest and the Epping Forest Special Area of Conservation
- Policy 85 A Zero Carbon Borough
- Policy 86 Decentralised Energy
- Policy 87 Sustainable Design and Construction
- Policy 88 Air Pollution
- Policy 89 Water Quality and Water Resources
- Policy 90 Contaminated Land
- Policy 93 Waste Management
- Policy 94 Infrastructure and Developer Contributions

9. MATERIAL PLANNING CONSIDERATIONS

Section 73 of the Town and Country Planning Act (1990)

- 9.1. Section 73 of the Town and Country Planning Act (1990) allows applicants to submit schemes which include alterations to the approved plans. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and un-amended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.
- 9.2. Section 73 (2) confirms that on such an application the local planning authority shall only consider the question of the conditions subject to which planning permission should be granted.
- 9.3. Permission granted under section 73 should set out all of the conditions imposed on the new permission, and, for the purpose of clarity restate the conditions imposed on earlier permissions that continue to have effect. The approval of any S73 application would maintain the same time limit as set out within the original consent.
- 9.4. Although often referred to as 'minor material amendments' this is not part of the statutory definition. A s73 can allow changes, provided the resulting permission remains consistent with the original description of development. The Courts have found that a s73 application can vary conditions even if the resulting development is substantially different in appearance or detail but must not conflict with description of the original planning permission.

National Planning Policy Framework (2024)

- 9.5. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. It contains a presumption in favour of sustainable development, described as at the heart of the framework.
- 9.6. 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*".
- 9.7. 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'.
- 9.8. The specific policy areas of the NPPF considered to be most relevant to the assessment of this application are as follows:
 - Delivering a sufficient supply of homes

- Building a strong, competitive economy
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieve well-designed places
- Delivering a wide choice of high quality homes
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment

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

- 9.9. 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 Affordable Housing and Viability SPG (2017)

- 9.10. This supplementary planning guidance (SPG) focuses on affordable housing and viability. It includes four distinct parts: background and approach; the threshold approach to viability assessments and detailed guidance on viability assessments.

Waltham Forest Local Plan Urban Design SPD (2010)

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

Waltham Forest Affordable Housing and Viability SPD (2018)

- 9.12. This supplementary planning document (SPD) has been prepared to provide further detailed guidance on affordable housing and viability. The document provides further guidance on how the Council will take viability into account when considering planning applications and what supporting information applicants will be required to produce. The Council does not intend to apply this guidance retrospectively to any planning applications being processed or determined.

Waltham Forest Planning Obligations SPD (2017)

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

Forest Road Corridor Framework (2021)

- 9.14. This document is intended to identify development proposals as they emerge, co-ordinate and manage growth and ensure that it is supported by necessary infrastructure.

Local Finance Considerations

- 9.15. 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 grants which have been or will or could be received from central government in relation to this development.
 - ii. The Council has not received but does expect to receive income from LBWF CIL in relation to this development.
 - iii. The Council has not received but does expect to receive income from Mayoral CIL in relation to this development.

10. ASSESSMENT

- 10.1. The main issues which will be addressed in this report are:
- A. Principle of Development
 - B. Increase in overall height
 - C. Internal and external alterations

A. 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. In 'planning for growth' Policy 5 of the Waltham Forest Local Plan (2024) it 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 12 sets out the housing supply target setting out this would be delivered by making effective and efficient use of land by seeking to optimise housing densities and ensuring new homes address different housing needs and provide a variety of housing choices.
- 10.4. The Local Plan (2024) sets out the strategic vision for Central Waltham Forest and the Forest Road Corridor Strategic Location which the site falls within in. The Forest

Road Corridor is set out as a strategic location for growth and where Policy 7 notes that mixed use development would be encouraged in identified strategic locations.

- 10.5. The site was also identified in the Forest Road Corridor Framework (2021) with an aspiration to develop for new homes in this location.
- 10.6. The principle of the development on site was established via planning permission Ref: 232205 for a mixed use development.
- 10.7. Under the 1990 Act only the conditions subject to the application can be considered, in this instance the application is amending drawings listed in condition 2 to make the following changes:
 - Increase in overall height
 - Floor to floor heights have increased by 300mm on each level from 3075mm to 3375mm.
 - Parapet detail amended to suit green roof buildup and attenuation layers, with heights amended to suit revised floor to floor heights. At the top parapet level this has increased by 1800.
 - Internal reconfigurations including substation width increased, Commercial bin store location, alterations to unit mix.
 - Street facing roof terrace created on the second floor to both St John's and Clifford Road frontage.
 - Design changes:
 - Metal panel above windows introduced
 - Removal of glazing on the east elevation with the introduction of brick recess detail and minor changes to elevations across all elevations
 - Metal canopy introduced for the entrance lobby.

B. INCREASE IN OVERALL HEIGHT

(i) Heritage

- 10.8. The site is in close proximity to a Grade II Listed Building, Thorpe Coombe Hospital (Original House Only) which is set back in the street scene of Forest Road.
- 10.9. The proposal would be set across from the newer development at the Thorpe Coombe site that sits next to the Listed building. Given the position of the proposal, it is not considered the additional height of the proposal would affect the setting of the Listed building greater than that of the original permission.

(ii) Design

- 10.10. 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.

- 10.11. Policies D4 and D6 of the London Plan (2021) states that development should be of a high quality of design and placemaking. Policy D8 states that development encourage and explore opportunities to create new public real and maximise the contribution that the public realm makes to encourage active travel.
- 10.12. The Waltham Forest Local Plan LP1 Policy 53, states that development proposals should reinforce or enhance local character, taking in account existing patterns of development, townscape, skyline, urban forms, building typologies, architecture, materials, and other features of local and historical significance. It adds that developments should respond appropriately to their context in terms of scale, height and massing.
- 10.13. The proposal would retain a stepped transition from 3 storey to 5 storeys with the lower elements located towards St John's and Clifford Road (the northern part of the application site).
- 10.14. The proposed height has not increased by additional storeys however has been increased to facilitate a higher internal height across the scheme which is required to provide level access thresholds to the roof terraces and achieve adequate roof thermal performance in accordance with the energy strategy. This would result an increase between 1.43m to 1.8m to top parapet level compared to the extant permission. The tallest element would still sit below the tallest element of the heath centre opposite.
- 10.15. The proposal would maintain the overarching architectural language of extant scheme.

(iii) Amenity impact

- 10.16. The London Plan (2021) Policy D6 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context.
- 10.17. Waltham Forest Local Plan LP1 (2024) Policy 57 states that new development should respect the amenity of existing and future occupiers, neighbours and the surrounding area by avoiding harmful impacts from overlooking, enclosure and/or the loss of privacy, outlook and daylight/sunlight to adjacent residential properties.

(i) Daylight, sunlight, and overshadowing

- 10.18. Paragraph 135 of the NPPF requires that development creates places with a high standard of amenity for existing users which is also reflected in Policy 57 of the Adopted Local Plan. Policy D6 of the London Plan states that the design of development proposals should respect daylight and sunlight to surrounding residential dwellings with an appropriate approach to the context of the site, while minimising overshadowing and maximising the usability of outside amenity space. Detailed guidance on Daylight and Sunlight is provided by the Building Research Establishment, most recently updated in 2022, which has been established as an important material planning consideration in planning decisions.

- 10.19. The applicant has carried out a Daylight and Sunlight analysis and considers the additional height being proposed. This assesses the impact of the proposal on surrounding residential uses, including through the following tests in accordance with BRE guidelines:
- Vertical Sky Component (VSC): This is the proportion of the sky dome that can be seen from a point in the centre of a window. Daylighting may be regarded as adversely affected if a main window retains less than 27% VSC or less than 0.80 times the VSC over the existing conditions.
 - No Sky Line ('NSL') – This is the area of the working plane in a room that can receive direct skylight. The BRE guide suggests that daylighting may be adversely affected if a habitable room retains less than 0.80 times the NSL in the existing conditions.
 - Annual Probable Sunlight Hours ('APSH') – the total number of hours in the year that the sun is expected to shine on a window, allowing for average levels of cloudiness.
- 10.20. The existing site was previously occupied by a petrol filling station, including a kiosk and associated structures, resulting in unusually open conditions and higher levels of daylight to neighbouring properties than would typically be expected within an urban context. The site sits in the Forest Road corridor which as a strategic location sets out an expectation of growth within these areas. A reduction in daylight levels would be anticipated as part of the site's redevelopment and optimisation.
- 10.21. The submitted report notes that results of the technical assessments indicate that the majority of all the windows (76% for VSC; 80% for Annual APSH and rooms (90% for NSL) tested within the neighbouring buildings will satisfy the initial BRE criteria for daylight and sunlight. This is only a slight reduction from the original consented scheme (for windows 81% for VSC; 83% for Annual APSH and rooms 96% for NSL) and would still provide a high level of compliance.
- 10.22. Therefore, the proposed development is still considered to perform well overall compared against the default values in the BRE Guidelines. Many of the windows and rooms that fall below the default BRE values either represent minor deviations, relate to less sensitive bedroom use; and/or arise due to the inherent design constraints of the neighbouring buildings.
- 10.23. The technical analysis confirms that the following neighbouring properties will fully satisfy the BRE criteria for daylight:
- 11 St John's Road;
 - 16 St John's Road;
 - 18 St John's Road;
 - 20 St John's Road;
 - 2 Clifford Road
 - 4 Clifford Road;
 - 6 Clifford Road;
 - 9 Clifford Road

- 11 Clifford Road
- 740 Forest Road; and
- 742 Forest Road

10.24. The sunlight impacts on the following 17 neighbouring properties would be fully inside the BRE guidelines (annual and winter sunlight):

- 813 Forest Road
- 1a St John's Road
- 11 St John's Road
- 16 St John's Road
- 18 St John's Road
- 4 Clifford Road
- 6 Clifford Road
- 11 Clifford Road
- 9 Clifford Road
- 7 Clifford Road
- 5 Clifford Road
- 3 Clifford Road
- 1 Clifford Road
- 827 Forest Road
- 837 Forest Road
- 742 Forest Road
- 740 Forest Road

10.25. Those neighbouring buildings not fully adhering to initial BRE criteria for daylight and sunlight are highlighted below:

10.26. 813 Forest Road

- One first floor kitchen window would fall beyond the BRE's default criteria. The proposal would have a retained VSC of 23.2% compared to 26.06% on the extant scheme. The proposed retained VSC value would still remain at a level that is considered to provide a reasonable degree of daylight to the affected window. Furthermore, the affected room is a kitchen, which is not classified as a primary habitable room. The room also meets the BRE guideline targets for No Sky Line (NSL), indicating that an adequate distribution of daylight would be maintained across the space. Taking these factors into account, including the retained level of daylight and the satisfactory NSL performance, the impact on this window is considered to be acceptable and would not result in a material or unacceptable loss of daylight to the occupiers.
- As with the extant scheme, for sunlight it is not necessary to test this property because the key windows facing the site are not within 90° of due south in line with BRE recommendations.

10.27. 1a St John's Road

- Eight of the ten windows assessed would meet the BRE target criteria for Vertical Sky Component (VSC), and five of the six rooms assessed would meet the BRE guidance for No Sky Line (NSL).
- In terms of VSC, one window serving a ground floor kitchen would have a retained VSC of 20.6% for the proposal compared to 22.09% on the extant scheme. A further window serving a first-floor bedroom would experience a reduction from 18.25% on the extant scheme to 17.2% on the proposal. Both on the extant scheme and the proposal, the reductions would be noticeable. However, for both windows the retained VSC values are not unreasonably low, and the rooms served continue to meet the BRE targets for NSL, indicating that adequate levels and distribution of daylight would remain within the affected spaces.
- With regard to NSL, one ground floor room, of unknown use, would experience a reduction to 75% compared to 87.63% on the extant scheme. The overall reduction in the proposal would marginally exceeds the BRE guideline, as such the room would retain good levels of sky visibility across the majority of its area. Furthermore, the window serving this room would meet the BRE VSC target. As such, the impact on daylight distribution would not be considered materially harmful.
- The overall impact on this property is therefore considered to be acceptable and would not result in material harm to neighbouring amenity.

10.28. 1 St John's Road

- Three windows serving a ground floor living room/dining room would have retained VSC values between 17.0% and 22.4% compared to 19.78 to 25.07% on the extant scheme. Although these reductions are noticeable, the retained values remain above the mid-teen range as with the extant scheme, which is commonly accepted within urban environments. The associated room would also retain good levels of daylight distribution, with the No Sky Line (NSL) assessment indicating a reduction of 28% (from 99% to 71%), such that the majority of the room would continue to receive skylight. In addition, three windows serving a first-floor bedroom would experience retained values between 19.9% and 23.7%. Notwithstanding these reductions, the retained levels of daylight are considered reasonable, and the bedroom would continue to meet BRE guidance for NSL. It is also noted that the BRE guidance recognises that daylight to bedrooms is generally of less significance than to main living spaces.
- The ground floor living / dining room will experience a high reduction in annual sunlight, decreasing from 38% to 19%. However, the retained annual value is considered reasonable in the context of the surrounding environment. The ground floor living / dining room will also experience a low reduction in winter sunlight, decreasing from 4% to 3%. This change is considered minor, and the room will continue to receive a reasonable level of winter sunlight.

10.29. 3 St John's Road

- In relation to VSC, two windows serving a ground floor room and three windows serving a first-floor room would experience low to medium magnitude reductions. On the ground floor would have retained VSC values of 17% and 23.6% compared to 19% and 25.88% from the extant scheme. On the first floor the retained VSC values would be 20.2% to 26.9% and would affect two windows that were not impacted previously within the extant scheme. However, the retained values under proposed scheme would only be marginally short of the BNG guidelines. All these windows would exceed the 'mid-teen' threshold generally considered acceptable in urban contexts. Furthermore, both rooms would meet the BRE targets for No Sky Line (NSL), indicating that adequate internal daylight distribution would be maintained. On this basis, the impacts on these windows are considered acceptable and would not result in material harm to neighbouring amenity.
- One ground floor room will experience a high reduction in annual sunlight, decreasing from 37% to 21%. However, the retained annual value is considered reasonable in the context of the surrounding environment. This ground floor room and first floor room will also experience a medium/high reduction in winter sunlight, however this would only just below the BRE target of 5% and therefore is considered to be a reasonable value. The first floor room would also meet the BRE target for annual sunlight and therefore the overall sunlight amenity of this room is not considered to be adversely affected.

10.30. 5 St John's Road

- In relation to VSC, two windows serving a ground floor room and one window serving a first-floor room would experience low magnitude reductions. These windows would retain VSC values ranging from 20.1% to 26.8%, which are above the 'mid-teen' levels typically regarded as acceptable in urban contexts. The extant scheme had retained VSC values of 22.08% to 28.44% for the same windows, whilst one window saw a reduction from 28.44% to 26.8% this only marginally fails the BRE criteria. In addition, both rooms the windows serve would meet the BRE targets for No Sky Line (NSL), indicating that satisfactory daylight distribution would be maintained. On this basis, the impacts are considered acceptable and would not result in material harm to neighbouring residential amenity.
- One ground floor room would experience a reduction in winter sunlight from 7% to 4%. Whilst the retained level is marginally below the BRE guideline target of 5%, it is considered reasonable in this context. The room would also meet the Annual Probable Sunlight Hours (APSH) target, indicating that overall sunlight amenity would not be materially adversely affected.

10.31. 7 St John's Road

- In relation to VSC, one window serving a ground floor living room and one window serving a first-floor bedroom would each experience low magnitude reductions. These windows would with the extant scheme retain VSC values of 22.15% to 25.60% compared to the retain VSC values of 19.3% and 22.2% for the proposal, which are lower than the extant scheme however would

comfortably be above the 'mid-teen' levels typically regarded as acceptable in urban contexts. Both rooms would also meet the BRE targets for No Sky Line (NSL), confirming that satisfactory internal daylight distribution would be maintained. On this basis, the impacts are considered acceptable and would not result in material harm to neighbouring residential amenity.

- One ground floor living room and one first-floor bedroom would each experience reductions in winter sunlight from 7% to 4%. Whilst these values fall marginally below the BRE guideline target of 5%, they are considered reasonable in this context. Both rooms would also meet the Annual Probable Sunlight Hours (APSH) target, indicating that overall sunlight amenity would not be materially adversely affected.

10.32. 9 St John's Road

- Seven of the eight windows assessed would meet the BRE targets for VSC, and both rooms assessed would meet the BRE criteria for No Sky Line (NSL). One window serving a ground floor room would experience a high relative reduction in VSC; however, the absolute change would be limited (approximately 0.3%) as its situated in a recessed entrance and would be unlikely to be perceptible to occupants. The room benefits from three additional windows, all of which would meet BRE VSC targets, and would also remain compliant with NSL guidance. Taking these factors into account, the overall impact on daylight to this property is considered acceptable and would not result in material harm to neighbouring residential amenity.
- One ground floor room would experience a reduction in winter sunlight from 8% to 4%. Whilst the retained level is marginally below the BRE guideline target of 5%, it is considered reasonable in this context. The room would also meet the Annual Probable Sunlight Hours (APSH) target, indicating that overall sunlight amenity would not be materially adversely affected.

10.33. 20 St John's Road

- The ground floor kitchen/dining room would meet the Annual Probable Sunlight Hours (APSH) target. However, it would experience a reduction in winter sunlight from 9% to 3%. Notwithstanding this, given compliance with the annual APSH criteria, the overall sunlight amenity of the room is not considered to be materially adversely affected.

10.34. 1 Clifford Road

- In relation to VSC, two windows serving a ground floor room and three windows serving a first-floor room would experience low to medium magnitude reductions. The affected windows would retain VSC values in the range of 18.1% to 26.8%, exceeding the 'mid-teen' levels typically regarded as acceptable in urban contexts, with the first-floor windows only marginally below the BRE target of 27%. On this basis, the VSC impacts are considered acceptable. With regard to NSL, the ground floor room would experience a reduction of 21%, which is marginally above the BRE guideline; however, the

room would retain good levels of daylight distribution, with sky visibility to 79% of its area. The first-floor room would meet BRE NSL targets.

- It should also be noted that all rooms assessed for sunlight within this property meet the BRE target criteria for APSH.

10.35. 2 Clifford Road

- One ground floor room would experience a medium reduction in annual sunlight, decreasing from 34% to 23%. Whilst this falls slightly below the BRE guideline target of 25%, the retained level is considered reasonable. The room would also experience a high relative reduction in winter sunlight, reducing from 2% to 1%; however, this represents only a 1% absolute change. A further ground floor room would experience a reduction in winter sunlight from 6% to 1%. Notwithstanding this, the room would meet the Annual Probable Sunlight Hours (APSH) target.

10.36. 3 Clifford Road

- Two windows serving a ground floor room would experience reductions in VSC ranging from low to high magnitude, retaining values of 24.1% and 12.5% respectively. Whilst one value falls below typical guideline levels, the other remains above the 'mid-teen' range commonly regarded as acceptable in urban contexts. This would also be similar to the extant permission of 24.89% and 12.81%. The room would also meet the BRE target for No Sky Line (NSL), indicating that adequate daylight distribution would be maintained.
- It should also be noted that all rooms assessed for sunlight within this property (100%) meet the BRE target criteria for APSH.

10.37. 5 Clifford Road

- Six of the seven windows assessed would meet the BRE targets for VSC, and all three rooms assessed would satisfy the BRE criteria for No Sky Line (NSL). In terms of VSC, one window serving a ground floor room would experience a low magnitude reduction, retaining a VSC value of 17.9% compared to 18.96% in the extent scheme, which would still exceed the 'mid-teen' levels typically regarded as acceptable in urban contexts. The room is also served by two additional windows, both of which would meet BRE VSC targets, and would remain compliant with NSL guidance.
- It should also be noted that all rooms assessed for sunlight within this property meet the BRE target criteria for APSH.

10.38. 7 Clifford Road

- In relation to VSC, one window serving a ground floor room would experience a low magnitude reduction, retaining a VSC value of 14.9%, which is marginally below the 'mid-teen' level typically regarded as acceptable in urban contexts. This is also comparable to the extant scheme with the same window having a retained VSC value of 15.4. However, the room is served by two additional windows, both of which would meet BRE VSC targets, and would also remain compliant with the BRE criteria for No Sky Line (NSL).

- It should also be noted that all rooms assessed for sunlight within this property meet the BRE target criteria for APSH.

10.39. 827 Forest Road

- In relation to VSC, nine windows would experience reductions ranging from low to high magnitude. Notwithstanding this, the affected windows would retain VSC values between 15.6% and 26.8%, which are above the 'mid-teen' levels typically regarded as acceptable in urban contexts. On this basis, the VSC impacts are considered acceptable. With regard to NSL, one ground floor room would experience a medium reduction but would retain sky visibility to 61% of its area, whilst a first-floor room would experience a low reduction and retain 73% sky visibility. These levels indicate that good daylight distribution would be maintained. Currently there are uncharacteristically low levels of existing obstruction from the site.
- It should also be noted that all rooms assessed for sunlight within this property (100%) meet the BRE target criteria for APSH.

10.40. 837 Forest Road

- The three site facing windows within this property are already heavily constrained by the proximity of the neighbouring property at 827 Forest Road. The three windows will not meet the BRE target for VSC or the BRE target for NSL. In terms of VSC, the magnitude of impact is assessed as low-to-medium retaining VSC values ranging from 11.9% to 17.8%. For the NSL, the magnitude of impact is medium for all three rooms, which will retain sky visibility over 54% to 65% of their respective areas.
- It should also be noted that all rooms assessed for sunlight within this property (100%) meet the BRE target criteria for APSH.

10.41. The submitted report also assesses the impact in terms of external overshadowing whereby out of the nine amenity spaces assessed, seven would satisfy the BRE guidelines for sun-hours-on ground (50% of amenity space receiving at least two hours of sunlight on 21st March).

10.42. From the previous approval No. 2 Clifford Road external amenity would be more affected from the extent permission which recorded 60.69% compared to the proposal of 23% of the garden receiving at least two hours of sunlight on 21 March. This is a similar reduction accepted under the extant permission for No. 16. A further supplementary SHOG assessment undertaken for 21 April indicates that it would go up to approximately 79% of the amenity area would receive at least two hours of sunlight.

10.43. One amenity area to No. 16 St John's Road would not meet the guidance, recording a reduction from 73% to 2% in terms of 2hrs of sun received on 21 March. The extant scheme recorded a reduction to 25%, whilst a further reduction to 2% would be high however on further assessment covering the from date of 21 April, show that the

direct sunlight levels received a month later would increase to 70% of the amenity area would receive at least two hours of sunlight.

- 10.44. The results for both No. 16 St Johns and No. 2 Clifford show that the direct sunlight levels received a month later rapidly increases into the summer months where there is a higher expectation for sunlight and outside spaces are most likely to be fully utilised.
- 10.45. The report identified that the baseline conditions are high and therefore given the pre-existing levels of sunlight and daylight of neighbouring properties, it is inevitable that any building with an increased massing will influence the daylight received to neighbouring properties. The impacts of the proposal must be considered in the context of the overall retained levels of amenity. From the extent permission, the Proposed Development is not considered to give rise to a materially worse overall impact to the properties. Officers consider levels provided for neighbouring properties to be appropriate within the context and whilst there are shortages these would not be considered to warrant refusal in these cases and generally the scheme achieves an acceptable impact to neighbouring properties.
- 10.46. On balance, the development would be broadly in line with BRE guidance and would not have a significant harm on daylight and sunlight of neighbouring residents. Whilst the position of the development is such that any reduction to neighbouring properties would be inevitable, it is important to consider that urban areas would struggle to achieve complete BRE compliance on constrained sites. Given that BRE guidance advocates for a flexible and contextualised approach in line with the Mayor's Housing SPG (2016), the proposed development would be in accordance with the requirements of London Plan Policy D6 of the London Plan (2021) and Policy 57 of the Waltham Forest Local Plan LP1 (2021).

C. INTERNAL AND EXTERNAL ALTERATIONS

(i) Design changes

- 10.47. There are small design changes across the elevations, including metal panels above windows, alterations to fenestration including the removal of glazing on the east elevation with the introduction of brick recess detail and metal canopy introduced for the entrance lobby. The commercial unit would also include a change with a door relocated from the corner to the main frontage and an area of soft landscaping removed.
- 10.48. Design officers noted that the proposal would retain the approved design intent including the overarching architectural language, massing strategy and townscape response established through permission 232205, ensuring the scheme continues to sit comfortably within the Forest Road corridor.

(ii) Street facing roof terrace

- 10.49. The proposal includes on the 2nd floor a new private amenity space for units 23 and 29 that would face Clifford Road and St Johns Road. The amenity space would face the street with similar presence to the balconies in the original submission.
- 10.50. In terms of amenity impact, these would have the same impact to lower balconies and would retain the same set back across the street.

(iii) Unit Mix

- 10.51. The NPPF (2024) recognises that in order to create sustainable, inclusive and diverse communities, a mix of housing types, which is based on demographic trends, market trends and the needs of different groups, should be provided.
- 10.52. It should be noted that the Secretary of State in his letter to the Mayor (dated 13th March 2020) directed an amendment to the wording of the London Plan (2021) Policy H10 (A9) to state: *“The need for additional family housing and the role of one and two bed units in freeing up existing family housing.”*
- 10.53. 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.
- 10.54. 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.

	1 bed	2 bed	3 bed plus
Preferred dwelling mix – Market	20%	50%	30%

- 10.55. The proposal for 38 residential units a decrease of 1 unit from approved scheme and would provide the following combined housing mix:

Original approved scheme	Proposed
<ul style="list-style-type: none"> • 15 one-bedroom units (38%); • 17 two-bedroom units (44%); and • 7 three-bedroom units (18%). 	<ul style="list-style-type: none"> • 11 one-bedroom (29%) • 20 two-bedroom (53%); and • 7 three-bedroom (18%)
Total 39 units	Total 38 units

- 10.56. The number of 3 bed family homes would remain the same, and there would be an increase in the number of 2 bed flats provided, at the expense of 1 bed flats. This change from 1 beds to 2 beds is supported by LBWF Policy 15, as the change from 44% to 53% provision would meet the 50% sought for market 2 bed home.

- 10.57. Although the percentage of family units is not consistent with the requirements set out by policy 15 of the WFLP LP1 (2024), by reason of an uplift of one-bed units, policy H10 of the London Plan (2021) accept a level of flexibility in terms of housing mix on higher density developments within accessible locations by supporting a higher proportion of one and two bed units which are close to a town centres or public transport. Policy 15 also allows for a variation in mix if justified by location, area characteristics, design constraints and viability of schemes.
- 10.58. The provision of an increased number of smaller units is therefore accepted and considered consistent with the requirements of policy H10, by virtue of the site's position close to Wood Street Station and an acceptable access to transport links. The site is located fronting a busy street and is constrained in the size of the plot as such smaller units would be acceptable in line with Local Policy 15.
- 10.59. The variation of units to be delivered would help create a mixed and balanced community and contribute to identified local needs in accordance with the objectives of Policy 15 of the Waltham Forest Local Plan LP1 (2024) and London Plan (2021) Policy H10.
- 10.60. As such the proposal with respect to housing mix would therefore be consistent with the objectives of London Plan Policy H10 (2021), and Waltham Forest Local Plan LP1 (2024).

(iv) Affordable housing

- 10.61. Policy H4 of the London Plan (2021) seeks to maximise affordable housing provision to ensure an average of at least 43,500 additional affordable homes per year across London. London Plan Policy H4 sets out a strategic target for the provision of 50% of new homes as affordable, listing specific measures intended to achieve this aim, including threshold approach and the use of grant to increase provision beyond normally achievable levels.
- 10.62. London Plan Policy H5 states that planning applications for proposals following the viability tested route should include detailed supporting viability evidence, which should be scrutinised to ensure the delivery of the maximum level affordable housing. It also sets out the requirement for early-stage, late-stage, and mid-term stage (for larger phased developments) viability reviews post planning permission for viability tested schemes. The Affordable Housing and Viability SPG sets out additional guidance on the implementation of these policies.
- 10.63. Policy 12 of the Waltham Forest Local Plan LP1 (2024) sets out a strategic target for 50% of all new homes to be genuinely affordable across the Plan Period. Policy 13 of the Waltham Forest Local Plan LP1 (2024) sets out a threshold approach to viability where sites meet a minimum of 35% would not require a viability assessment. Where sites do not meet the threshold proposals, proposals would be required to be viability tested and supported with viability evidence.

10.64. The extant planning permission Ref: 232205 secured a financial contribution of £100,000 towards offsite affordable housing provision. An updated note was submitted under this application confirming a similar position to the extant scheme.

(v) Internal Space Standards

10.65. 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.

10.66. 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.

10.67. 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.

- Proposed Standard of Accommodation:

Dwelling Type	Minimum Policy Requirement (sqm)	Proposed Dwelling Size (sqm)
1bed 2person (11 units units)	50	Range between 52 – 61
2bed 3person (1 unit)	61	75
2bed 4person (19 units)	70	Range between 69 – 81
3bed 4person (1 unit)	74	86
3bed 5person (6 unit)	86	Range between 90 – 100

10.68. The proposal includes changes to the layout and size of a number of units across the scheme from the original approval. Many of the changes are minor changes to the configuration and layout of the units with small adjustments to the size of the units that would still meet or exceed the minimum internal space standards contained within the 'Technical Housing Standards - nationally described space standard' (2015) and Standard 24 of the Mayor's Housing SPG (2016).

10.69. All units would retain a good layout with usable space with access to private amenity space. The flats would have open-plan living areas with integrated kitchen and dining areas with all units being dual aspect.

10.70. The habitable rooms within each unit would also meet the minimum spatial requirements in that double bedrooms would meet or exceed 11.50 sqm and single bedrooms would meet or exceed 7.50 sqm. The proposed floor to ceiling height of each unit would exceed 2.50 metres in height with built-in storage that would exceed the minimum standards, as required by policy D6 of the London Plan (2021).

- Internal Sunlight and Daylight for the occupiers:

10.71. Policy D6 of the London Plan (2021) states that housing developments should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect units. A single aspect dwelling should only be provided when it can be demonstrated that all habitable rooms contain adequate passive ventilation, privacy, acceptable levels of daylight and appropriate orientation.

10.72. All units would be either dual or triple aspect and in compliance with Policy D6. The application was accompanied by a daylight/sunlight report that assessed the rooms within the development, where 70% meet the requirement for daylight and 66% meet the requirements for sunlight. Where there are shortages, this is often due to recessed balconies however this should be outweighed against the benefits to provide by private balconies to each unit.

10.73. As such, it is considered that the quality of the environment of future homes is acceptable due to careful design consideration which would make efficient use of the layout thereby providing good standard of accommodation and living environment for future occupants.

- External Amenity and Children Play Space

10.74. Standard C10 GLA's Housing Design standards LPG (2023) requires a minimum of 5sqm of private outdoor space for 1-2 person units and an extra 1sqm for each additional occupant. The minimum depth and width for all balconies and other private external spaces to be 1.5m.

10.75. Policy 56 of the Waltham Forest Local Plan Part 1 (2024) sets out that one and two bed flats and maisonettes should provide a minimum of 10sqm of external amenity space per dwelling. Flats and maisonettes containing three bedrooms or more should provide a minimum of 10sqm of external amenity space per dwelling plus an additional 1sqm for each additional occupant. These external amenity space requirements should include some private outdoor amenity space for each dwelling in the form of balconies, terraces and/or private gardens (including roof gardens). The remaining external amenity space requirements can include communal, landscaped amenity space in accordance with guidelines set out in the London Plan. Private external amenity spaces must be a minimum of 5sqm and achieve a minimum depth and width of 1.5m. Communal external amenity spaces must be a minimum of 50sqm and should be easily accessible to all residents of the development, regardless of tenure.

10.76. Based on the proposed housing mix, the proposed development is required to provide 392sqm of amenity space to accord with Policy 56 of the Waltham Forest Local Plan Part 1 (2024).

10.77. Proposed External Amenity Provision:

Dwelling Type	Proposed Private Amenity (sqm)
1bed 2person (11 units)	Ranging between 5 to 12.3
2bed 3person (1 units)	15.7
2bed 4person (19 units)	6.4 to 19.2
3bed 4person (1 units)	16.9
3bed 5person (6 units)	7.9 to 33.5
External Communal Area	185
Total Amenity Provision	

10.78. In total, the proposed development would provide 563 square metres of external amenity space, of which 378 square metres would be provided by private balconies of varying sizes and 185 square metres by communal amenity space at ground floor level.

10.79. One unit, no. 9 located on the upper ground floor would be increased to a 3bed 5person unit from a 2bed unit. The unit would provide no private amenity space however provides larger area for the living space which on balance with the communal space and nearby local parks would be appropriate in this case.

10.80. All the other proposed new flats would have policy compliant sized private amenity spaces in the form of recessed or projecting balconies and private courtyard style garden ground floor units as per the above minimum standards in accordance with the London Plan and Policy 56 of the Waltham Forest Local Plan Part 1 (2024).

10.81. It should be noted the external communal area would also be accessible to all residents and also proposes a level access for residents with limited mobility and wheelchair users. The landscape, ground floor levels and pedestrian routes all fall within the existing topography to achieve accessible homes and external amenity.

10.82. In terms of children's play space, London Plan (2021) Policy S4 and Policy 56 of the Waltham Forest Local Plan Part 1 (2024) which seeks to ensure that development proposals include suitable provision for play and recreation and incorporate good-quality accessible play provision for all ages, of at least 10sqm per child. Policy 56 also sets out that where play space cannot be provided on site, a financial contribution towards enhancing or upgrading the provision of local play space(s) in the vicinity of the development could be sort.

10.83. The GLA population yield calculator estimates a total of 7.90 children would be expected within the proposed development which require 79.1 sqm.

- 10.84. The proposal would provide 43sqm of play space for 0 – 4 years however would fall short of 43sqm for ages between 5 – 17 years. The proposed play space would be well-designed and integrated with a level of surveillance from balconies and deck access. A financial contribution has also been secured for supporting the upgrade of the public open spaces at nearby local parks including Bisterne Avenue Park, Greenleaf Playground and Brookscroft Road Play Area to compensate the shortfall. The parks, noted above, provide a range of play space for differing ages and therefore the financial contribution towards supporting the improvements to these parks is accepted and justifies the shortage, in accordance with Policy S4 of the London Plan (2021) and Policy 56 of the Waltham Forest Local Plan Part 1 (2024), which accepts financial contributions when it can be demonstrated that the contribution addresses the need of the development.
- 10.85. The quality of the external amenity/play space would also be secured by a landscaping condition requiring the final design for the play space meeting the requirements of Policy S4 of London Plan (2021), and Policy 56 of the Waltham Forest Local Plan Part 1 (2024), and the Waltham Forest Urban Design SPD (2010).

(vi) Cycle Parking

- 10.86. London Plan (2021) Policy T5 and Table 10.2 set out the minimum standards for new development cycle parking provision.
- 10.87. Appendix 1 of the Local Plan (2024) sets out the Council's cycle parking standards. The minimum cycle parking provision for the residential element. would be 77.5 long stay spaces and 2 short stay with a ratio is 65% two-tier, and 30% Sheffield and 5% cargo.
- 10.88. The proposal has reconfigured the internal cycle store and external stores, providing 78 long stay spaces for the residential element. 2 short stay bays have been provided outside the site on St Johns Road.
- 10.89. The commercial units provide 2 cycle spaces within the units which would meet the policy requirement for long stay. The proposal however would not meet requirements for short stay spaces which Appendix 1 setting out a minimum of 1 space for non-food retail and a maximum of 5.8 spaces for other uses including food retail. Given the constraints of the site and that to the front of the site, highways have requested an area for adoption to create a better/wider environment for pedestrians and cyclists, on balance benefits for cyclists outweigh the negative in terms of short term cycle parking for the commercial units in this instance. Transport Policy confirmed this was an appropriate approach for this site.
- 10.90. The overall level of provision meets the requirements and as is standard practice, the proposed cycle parking provision and details will be secured by way of condition subject to planning approval.

10.91. As such, the proposed cycle stores would be safe, accessible and secure. The level of cycle provision, stand type ratios are on balance acceptable subject to conditions requiring details as to how the scheme meets the LCDS guidance as far as reasonably possible.

(vii) *Waste Store*

10.92. Policy SI7 of the London Plan (2021) seeks to reduce waste and support the circular economy.

10.93. Policy 57 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.

10.94. The applicant has adhered to the Council's 'Waste and Recycling Guidance for Developers' (2022).

10.95. The proposal includes a slight change from the approved waste store creating a slightly deeper bin store with the inclusion of the commercial waste store to front of the residential store and is proposed to be accessible from the internal core.

10.96. It would still include nine bins and an area for large bulky items for the residential element. An amendment to the commercial food store was received to provide a food waste bin within the commercial store. Both residential and commercial waste stores would still (from the extant scheme) be located to Clifford Road, as part of Highway works a dropped kerb will be implemented within 15m of the bin store, to facilitate bin store collection.

10.97. Although the proposed refuse and recycling provision is sufficient for the development, a condition is recommended, in order to review a detailed refuse strategy for the physical operation of the site to be reviewed in compliance with the requirements of Policy 57 of Waltham Forest Local Plan (2024). These details should include specifications of ventilation, security, accessibility and should also include arrangements of collection in compliance with the Council's 'Waste and Recycling Guidance for Developers' (2022).

10.98. As such, it is considered that any waste management/servicing and detailed design of the store could be secured by condition in accordance with Policy 57 of Waltham Forest Local Plan (2024).

11. PLANNING OBLIGATION

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

- i. Necessary to make the development acceptable in planning terms,

- ii. Directly related to the development; and
- iii. Fairly and reasonably related in scale and kind to the development.

11.2. In terms of the S106 Agreement, the required Heads of Terms would remain the same as the extant permission.

- Affordable Housing Provision
- Wheelchair Housing
- Highways and Transportation
- Car Free Housing
- Employment and Training Strategy
- Air Quality
- Carbon Offset Fund
- Epping Forest Special Area of Conservation
- Parks and Leisure
- Flood Mitigation/SuD Implementation
- Future loss of tree
- Retention of Architect
- Legal Fees
- Monitoring and 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.
 - The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
 - The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 is only one factor that needs to be considered and may be balance against other relevant factors.

- It is considered that the recommendation to grant permission in this case would not have a disproportionately adverse impact on a protected characteristic.

Human Rights

- 12.2. In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as the London Borough of Waltham Forest to act in a manner that is incompatible with the European Convention on Human Rights.
- 12.3. You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

13. CONCLUSION

- 13.1. The height, scale, massing and design of the development would be acceptable and would still be considered to be appropriate for the location within this urban location, within the Forest Road Corridor.
- 13.2. The proposed development would have an impact on the amenities in terms of sunlight and daylight of the neighbouring properties however the report identified that the baseline conditions are high and the impacts are within an acceptable range in an urban area.
- 13.3. The proposed living accommodation and external amenity space would provide an acceptable living environment.
- 13.4. The report has considered the proposals in light of the development plan policies and other material considerations or representations relevant to the environment effects of the proposals.
- 13.5. The conditions set out in the agreed s.106 Heads of Terms from the extant permission 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.

14. RECOMMENDATION

- 14.1. The Planning Committee is recommended to grant planning permission subject to the conditions and informatives below.

PLANNING CONDITIONS

Time Limit

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

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

Approved Plans and Documents

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

Drawings References:

- *Site Location Plan*

1109 -DFA -PL_101 Rev P01 dated 24th August 2023

1109 -DFA -PL_001 Rev P01 dated 24th August 2023

1109 -DFA -PL_002 Rev P01 dated 24th August 2023

FOR001-FAR-PL-101 Rev P03 dated 5th June 2026.

- *Existing Plans*

1109 -DFA -PL_019 Rev P01 dated 24th August 2023

1109 -DFA -PL_018 Rev P01 dated 24th August 2023

1109 -DFA -PL_017 Rev P01 dated 24th August 2023

1109 -DFA -PL_016 Rev P01 dated 24th August 2023

1109 -DFA -PL_015 Rev P01 dated 24th August 2023

1109 -DFA -PL_014 Rev P01 dated 24th August 2023

1109 -DFA -PL_013 Rev P01 dated 24th August 2023

1109 -DFA -PL_012 Rev P01 dated 24th August 2023

1109 -DFA -PL_011 Rev P01 dated 24th August 2023

1109 -DFA -PL_010 Rev P01 dated 24th August 2023

- *Proposed Elevations*

1109-DFA-PL-110 Rev P03 dated 5th June 2026

1109-DFA-PL-111 Rev P03 dated 5th June 2026

1109-DFA-PL-112 Rev P02 dated 5th June 2026

1109-DFA-PL-113 Rev P03 dated 5th June 2026
1109-DFA-PL-119 Rev P03 dated 5th June 2026

- *Proposed Floor Plans*

FOR001-FAR-PL-102 Rev P04 dated 5th June 2026
FOR001-FAR-PL-103 Rev P03 dated 5th June 2026
FOR001-FAR-PL-104 Rev P03 dated 5th June 2026
FOR001-FAR-PL-105 Rev P03 dated 5th June 2026
FOR001-FAR-PL-106 Rev P03 dated 5th June 2026
FOR001-FAR-PL-107 Rev P03 dated 5th June 2026
FOR001-FAR-PL-108 Rev P03 dated 5th June 2026

- *Proposed Site Sections*

1109-DFA-PL-114 Rev P03 dated 5th June 2026
1109-DFA-PL-115 Rev P03 dated 5th June 2026
FOR001-FAR-PL-116 Rev P03 dated 5th June 2026
FOR001-FAR-PL-117 Rev P03 dated 5th June 2026
FOR001-FAR-PL-118 Rev P02 dated 5th June 2026

- *Other Plans:*

1109-DFA-PL-120 Rev P03 dated 5th June 2026
1109-DFA-PL-121 Rev P04 dated 5th June 2025

Supporting Documents:

Development viability assessment – section 73 application dated 23rd January 2026

Internal Daylight & Sunlight Report dated 4th March 2026
Daylight & Sunlight Effects Report dated 4th March 2026

Preliminary Ecological Appraisal - Biodiversity Net Gain Assessment dated June 2023

Environmental Investigation Report dated May 2018

Affordable Housing Viability Statement Addendum Report dated August 2023

Utilities Stated dated August 2023

Travel Plan Statement dated August 2023

Statement of Community Involvement dated June 2023

Noise Impact Assessment Report Rev A dated 17th August 2023

Landscape Strategy Rev P01 dated 23rd August 2023

Report to inform Habitat Regulations Assessment Screening Assessment dated July 2023

Fire Strategy Revision 3 dated 18th August 2023

Fire Statement Form dated 10th August 2023

DRAINAGE / MVHR ADDENDUM (undated)

Drainage Statement and Flood Risk Assessment Rev 3 dated November 2023
Car Parking Management Plan dated January 2024
Delivery and Servicing Management Plan dated December 2023
817-823 FOREST ROAD - ADDENDUM DOCUMENT (Undated)
Planning Statement dated December 2023
CIRCULAR ECONOMY STATEMENT Version 4 dated August 2023
Arboricultural Impact Assessment dated June 2023
Air Quality Assessment dated August 2023
Energy Statement version 6 dated 17th April 2024

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

Contamination

3. The development shall be carried out solely in accordance with the approved details under application ref 252181:
 - REMEDIATION METHOD STATEMENT dated October 2024
GEO-ENVIRONMENTAL AND GEOTECHNICAL DESK STUDY AND SITE INVESTIGATION REPORT dated October 2024

In the event that additional significant contamination is found at any time when carrying out 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 Policy 90 of the adopted Waltham Forest Local Plan LP1 (2024).

4. Prior to Occupation, a verification report relating to contamination, if remedial works are required in relation to condition 3, shall be provided setting out a complete record of all remediation activities and evidence that it has been successful including quality assurance certificates and photographic evidence shall be submitted to and agreed in writing by the Local Planning Authority.

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).

Construction

5. The development shall be carried out solely in accordance with the approved details under application Ref 252630:
- Construction Environmental Management Plan V1.2 dated 31st October 2025
 - Air Quality and Dust Management Plan (AQDMP) V1.1 dated 8th July 2025

REASON: 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).

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

REASON: To ensure that air quality is not adversely affected by the development in line with the Mayor's SPG: The Control of Dust and Emissions during Construction and Demolition, to comply with Policy S11 of the London Plan (2021).

7. The development shall be carried out solely in accordance with the approved details under application ref 260361:
- Construction Logistics Plan dated February 2026

REASON: 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).

Architecture and Design

8. Prior to the commencement of development, notwithstanding site clearance and investigation works, demolition and construction to slab level, samples and a schedule of materials to be used in the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained as such for the lifetime of the development.

REASON: To safeguard and enhance the visual amenities of the locality, in accordance with Policy 53 and Policy 57 of the adopted Waltham Forest Local Plan LP1 (2024).

9. Prior to the commencement of development on site, notwithstanding site investigation work, clearance and demolition and notwithstanding any indication on the submitted drawing, details relating to the siting, design finish of all balconies and terraces and details of privacy screens shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out solely in

accordance with the approved details, and thereafter shall be fully retained and maintained accordingly for the lifetime of the development.

REASON: In the interest of general visual amenity, and avoid overlooking of neighbouring properties so as to preserve the amenity of existing and future residents, in accordance with Policies 53 and 57 of the adopted Waltham Forest Local Plan LP1 (2024).

10. Prior to the commencement of development on site, notwithstanding site investigation and clearance works, demolition and constructions to slab level, details relating to the siting, design and height and finish of all new walls, gates, fencing, railings, and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. In line with the LBWF Biodiversity Action Plan, new boundary fences should be permeable at multiple points for ground based wildlife where appropriate. 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).

11. Prior to completion of the development, a proposed shopfront and signage strategy for the commercial unit(s) within the development shall be submitted to and approved in writing by the Local Planning Authority. The agreed strategy shall thereafter be included in any sale or lease documents issued in relation of the commercial unit(s) and any signage displayed shall accord with the approved details and shall be retained in accordance with the strategy for as long as it is displayed.

REASON: To ensure that the development is not detrimental to the character and appearance of the site in accordance with Policies 53 and 57 of the adopted Waltham Forest Local Plan LP1 (2024).

12. Any shutters to commercial units shall be internal only. No shutters should be placed on the external facade.

REASON: To ensure that the development is not detrimental to the character and appearance of the site in accordance with Policies 53 and 57 of the adopted Waltham Forest Local Plan LP1 (2024).

13. Prior to occupation, details relating to the entrances, including entry control system, display of postal numbers and position of letter box facilities shall be submitted to and agreed in writing by the Local Planning Authority. The agreed measures shall be fully implemented as approved and thereafter maintained for the lifetime of the development.

REASON: In the interest of security and visual amenity, in compliance with Policy 53 of the adopted Waltham Forest Local Plan LP1 (2024).

14. The ground floor commercial use hereby approved shall maintain the active frontage as designed and the display window to each individual commercial unit shall at no time have any more than 25% of total window frontage obscured including by advertisements or vinyl transfers or similar.

REASON: To safeguard the visual amenities along the streetscape, creating an attractive, safe and inviting environment, in accordance with Policy 53 of the adopted Waltham Forest Local Plan LP1 (2024).

15. No vents, extracts, or plumbing or pipes, other than rainwater pipes, shall be fixed on the external face of the building, unless shown on the approved drawings.

REASON: In the interest of general visual amenity in accordance with Policy 53 of the adopted Waltham Forest Local Plan LP1 (2024).

Safety and Security

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

REASON: In the interest of security and to protect the living conditions of existing and future residents in the locality in accordance with Policy D11 of the London Plan (2021) and Policy 58 of the of the adopted Waltham Forest Local Plan LP1 (2024).

17. Prior to the commencement of the development, notwithstanding site investigation and clearance works, demolition and groundworks to slab level, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. All luminaries shall be oriented and designed in such a way to minimise light spillage beyond the site boundary and prevent glare to the windows of residential or light sensitive properties identified. The lighting scheme shall be implemented in accordance with the agreed details and thereafter maintained as such for the lifetime of the development.

REASON: To protect the amenities of adjoining occupiers and the surrounding area, to comply with Policies 50 and 57 of the adopted Waltham Forest Local Plan LP1 (2024).

Highways

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

REASON: In the interests of pedestrian and highway safety, in compliance with Policies 63, 64 and 66 of the adopted Waltham Forest Local Plan LP1 (2024) and Policy T5 of the London Plan (2021).

Sustainable Design and Energy Efficiency

19. Prior to the first occupation of any part of the development hereby permitted, a report demonstrating how the scheme reduces the carbon dioxide emissions of the development by at least 35% compared to the 2021 Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall reference the measures set out in the Energy Statement accompanying the planning application, but shall explain what measures have been implemented in the construction of the development. The development and energy efficiency measures shall thereafter be retained. Any shortfall shall be compensated for in line with the Section 106 legal agreement associated with this site.

REASON: To ensure the development is sustainable and to comply with Policies 85 and 87 of the adopted Waltham Forest Local Plan LP1 (2024).

20. Prior to the commencement of development on site, notwithstanding site investigation and clearance works, demolition and constructions to slab level, a scheme detailing measures to reduce water use within the development, to meet a target water use of 105 litres or less per person, per day, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme and thereafter retained.

REASON: To minimise the water use of the development, in accordance with the requirements of Policy SI5 of the London Plan (2021) and Policy 89 of adopted Waltham Forest Local Plan LP1 (2024).

21. Prior to the commencement of development on site, notwithstanding site investigation, clearance works and demolition, specifications of a surface water drainage system based on sustainable drainage principles to include details of design, implementation including construction detail, adoption, maintenance and management shall be submitted to and approved in writing 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).

22. The development shall be carried out solely in accordance with the approved details under application ref 260782:

- BREEAM Credit Tracker - Design Stage dated 12th June 2025
- BREEAM New Construction V6 Design-Stage Tracker Shell Only Retail dated 7th April 2025
- Email from BREEAM registration team

REASON: To ensure that the development achieves BREEAM rating level 'Excellent' and that this is done early enough in the process to allow adaptations to designs and assessment and certification shall be carried out by a licensed BREEAM assessor and to ensure that the development contributes to mitigating and adapting to climate change in accordance with Policy 87 of the adopted Waltham Forest Local Plan LP1 (2024).

23. Prior to occupation of the non-residential units hereby permitted, final post construction BREEAM certificates indicating that the BREEAM 'Very Good' rating has been achieved shall be submitted to the Local Planning Authority and approved in writing.

REASON: To ensure that the development achieves BREEAM rating level 'Very Good' and that this is done early enough in the process to allow adaptations to designs and assessment and certification shall be carried out by a licensed BREEAM assessor and to ensure that the development contributes to mitigating and adapting to climate change in accordance with Policy 87 of the adopted Waltham Forest Local Plan LP1 (2024).

Landscape and Biodiversity

24. Prior to the commencement of development on site excluding ground works, 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 proposed planting around the site, along with the requirement to demonstrate any permeable areas. The development shall be carried out solely in accordance with the approved details and all approved planting shall be carried out in the first planting season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedges, shrubs, and greenspaces forming part of the approved scheme which within a period of five years, dies, is removed, or becomes seriously damaged or diseased shall be replaced with others of similar size and species.

REASON: To ensure a satisfactory appearance and in the interest of local amenity and biodiversity in accordance with Policies 53, 77, 79 and 80 of the adopted Waltham Forest Local Plan LP1 (2024).

25. Prior to the first occupation of the residential units, a Landscape Management Plan, which includes long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved Landscape Management Plan shall be implemented prior to the first occupation of the development hereby approved and thereafter maintained for the lifetime of the development.

REASON: To ensure the well-being of the trees and in the interest of biodiversity, in accordance with Policies 53, 77, 79 and 80 of the adopted Waltham Forest Local Plan LP1 (2024).

26. The development shall be carried out solely in accordance with the approved details under application ref 252182:
- Arboricultural Method Statement dated 12 December 2025
 - Arbtech TPP 01 Rev b dated December 2025

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 53, 79 and 80 of the adopted Waltham Forest Local Plan LP1 (2024).

27. The development shall fully conform with the recommendations of the Arboricultural Impact Assessment, submitted with this application dated June 2023. The development shall be carried out solely in accordance with the approved details, and all works shall comply with BS 3998:2010(Tree Work - Recommendations) and shall be supervised by a suitably qualified Arboriculturalist and any post-construction mitigation measures shall thereafter be maintained for the lifetime of the development.

REASON: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies 53, 79 and 80 of the adopted Waltham Forest Local Plan LP1 (2024).

28. If within a period of 5 years from the date of planting trees, hedges, and soft landscaping or any replacement planting, is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree, hedge or associated soft landscaping with the scheme, of the same size and species as that originally planted shall be planted at the same place within the first available planting season, unless the local planning authority gives its written consent to any variation.

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 53, 79 and 80 of the adopted Waltham Forest Local Plan LP1 (2024).

29. Prior to the first occupation of the residential units, details of the bat/bird/ habitat boxes shall be submitted to and approved in writing by the local planning authority. The bat/bird/ habitat boxes shall be installed prior to first occupation of the development hereby approved and shall thereafter be maintained in accordance with the approved details in perpetuity.

REASON: In the interest of biodiversity and local amenity, in accordance with Policy 79 of the adopted Waltham Forest Local Plan LP1 (2024).

30. All private and communal amenity spaces shall be laid out and implemented in accordance with the approved plans and shall not be used for any other purpose. The balconies and communal amenity spaces shall be retained for the use of the occupiers of the development for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the amenities of adjoining occupiers and the surrounding area in order to comply Policies 53 and 57 of the adopted Waltham Forest Local Plan LP1 (2024).

31. Prior to occupation of the development details of the proposed children's play equipment in relation to play areas shown on the approved plans will be submitted to and approved in writing by the local planning authority. All children's play equipment will be installed in accordance with the information approved and retained and maintained in perpetuity for the lifetime of the development.

REASON: In order to ensure adequate and appropriate children's play equipment is provided in accordance Policy S4 of the London Plan (2021) and Policy 56 of the Waltham Forest Local Plan LP1 (2024).

Waste Management

32. Prior to first occupation of any part of the development hereby permitted, a Waste Management Strategy, which sets out a scheme for the storage and disposal of waste and recycling, including details of methods for collection and enclosures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and the refuse stores brought into use prior to first occupation of any of the dwellings hereby permitted and shall be retained as such together with the approved Waste Management Strategy being operated for the lifetime of the development.

REASON: To ensure that adequate arrangements are made for the storage and collection of refuse and recycling and to comply with Policies 57 and 93 of the adopted Waltham Forest Local Plan LP1 (2024).

Flooding and Water Management

33. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework, in accordance with London Plan (2021), Policy SI12; Policy 89 Waltham Forest Local Plan LP1 (2024).

34. No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure in accordance with Policies 68 and 89 of the adopted Waltham Forest Local Plan LP1 (2024).

Parking Management

35. Prior to the commencement of development on site, notwithstanding site investigation work, clearance and demolition, and notwithstanding any indication on the submitted drawings, details of electric vehicle charging point locations and technical specifications shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and retained as such thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interest of effective provision of safe and well designed parking facilities in accordance with Policy 67 of the Waltham Forest Local Plan LP1 (2024).

36. Prior to the commencement of the development on site, notwithstanding site investigation works, clearance, demolition and construction to slab level, detailed drawings of the cycle storage facilities, including enclosures, access and security, must be submitted to and approved in writing by the local planning authority. The

development shall be carried out in accordance with the approved details and the areas identified cycle storage shall be retained as such for the lifetime of the development.

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

Noise

37. Noise from all new building services plant for the lifetime of the development shall be controlled to a level not exceeding 10dB(A) below the typical underlying background noise level (LA90) during the time of plant operation at a position one metre external to the nearest noise sensitive premises. The underlying background LA90 shall be determined in the absence of the new plant noise. This assessment shall be completed in accordance with BS4142:2014+A1:2019 'Method for Rating and Assessing Industrial and Commercial Sound'.

REASON: To protect the amenities of adjoining occupiers and the surrounding area in order to comply with Policy 50 and 57 adopted Waltham Forest Local Plan LP1 (2024).

38. Prior to the commencement of the development on site, notwithstanding site investigation works, clearance, demolition and construction to slab level, a sound insulation scheme shall be submitted to and approved in writing by the Local Planning Authority, which will incorporate details of sound insulation to be installed between the commercial premises and residential premises in order manage noise and disturbance. The development shall be carried out in accordance with the approved scheme and shall be fully implemented prior to the development hereby approved first being brought into use and shall thereafter maintained as such for the lifetime of the development.

REASON: To protect the amenities of occupiers and the surrounding area, in order to comply Policy 50 of the adopted Waltham Forest Local Plan LP1 (2024).

Residential Standards

39. All residential units shall be built to The Building Regulations (2010) Access to and use of Buildings, Approved Document M (2015 as amended), Volume 1: Dwellings, M4(2): Accessible and adaptable dwellings.

REASON: To ensure inclusive development in accordance with Policy 16 of the adopted Waltham Forest Local Plan LP1 (2024) and Policy D7 of the London Plan (2021).

40. Four of the units (units 1, 2, 4 and 5 as shown on FOR001-FAR-PL-102) hereby permitted shall be built shall be built to The Building Regulations (2010) Access to

and use of Buildings, Approved Document M (2015 as amended), Volume 1: Dwellings, M4(3): Wheelchair user adaptable dwellings. Circulation areas in blocks with M4(3) dwellings will be built in full accordance with Part M4(3), as referred to in London Plan para 3.7.2. This includes the entrance and circulation area doors which will have to be fully compliant with the relevant sections of Approved Document M.

REASON: To ensure inclusive development in accordance with Policy 16 of the adopted Waltham Forest Local Plan LP1 (2024) and Policy D7 of the London Plan (2021).

41. Notwithstanding approved drawings, the development hereby permitted shall have the following mix of accommodation:

- 11 x one-bedroom units
- 20 x two-bedroom units
- 7 x three-bedroom units

REASON: To ensure the agreed mix is delivered and in the interest of the creation of mixed and balanced communities in accordance with policy 15 of the adopted Waltham Forest Local Plan LP1 (2024) and Policy H10 of the London Plan (2021).

Commercial

42. The commercial use hereby approved, shall only operate within Use Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended). No change of use outside of Class E of this premises that would otherwise be permitted by the Town and Country Planning (Use Classes) Order 1987 (as amended) or the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that order, shall be carried out without planning permission having first been obtained from the Local Planning Authority.

REASON: To protect the amenities of adjoining occupiers, in compliance with Policies 48, 50 and 57 of the adopted Waltham Forest Local Plan LP1 (2024).

43. The commercial use hereby approved shall only operate between the hours of 6am to 11pm on Mondays to Sundays including Bank Holidays.

REASON: To protect the amenities of adjoining occupiers, in order to comply with Policy 57 of the adopted Waltham Forest Local Plan LP1 (2024).

Informatives

1. To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which offers a pre planning application advice service. The scheme was submitted in accordance

with guidance following pre application discussions and the decision was delivered in a timely manner.

2. "Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development may be liable to pay the London Borough of Waltham Forest Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Waltham Forest CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties may now need to assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at CIL@walthamforest.gov.uk. The Council will then issue a Liability

Notice setting out the amount of CIL payable on commencement of the development.

Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.

Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Waltham Forest Council website at <https://walthamforest.gov.uk/content/community-infrastructure-levy>. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at <http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/>.

Note: The Mayoral CIL Charging Schedule (MCIL1) (adopted 2012) will be superseded by MCIL2 Charging Schedule; and will take effect from 1 April 2019. The London Borough of Waltham Forest has been moved from Band 3 to band 2, increasing the MCIL2 rate from £20 to £60 per sq m h(excluding indexation)."

3. **IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences**
 - You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
 - Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
 - Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a Certificate of Lawfulness.
4. Construction and demolition works audible beyond the boundary of the site should only be carried out between the hours of 0800 and 1800 hours Mondays to Fridays and 0800 and 1300 hours on Saturdays, and not at all on Sundays or Public/Bank Holidays.
 5. The submitted Construction Environmental Management Plan shall include details of: Site hoarding Wheel washing Dust suppression methods and kit to be used Bonfire policy Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 Confirmation if a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors Copy of an asbestos survey. Unexploded Ordnance Survey
 6. It is the developer's responsibility to ensure all signage associated with the proposed development i.e. street nameplates, building names and door numbers are erected prior to occupation, as agreed with the Councils Street Naming/Numbering Officer.
 7. The verification plan should include proposals for a groundwater-monitoring programme to encompass regular monitoring for a period before, during and after ground works. E.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9month period. The verification report should be undertaken in accordance with guidance Verification of Remediation of Land Contamination: <http://publications.environment-agency.gov.uk/pdf/SCHO0210BRXF-e-e.pdf>
 8. Piling works: With respect to any proposals for piling through made ground, the EA refer the applicant to the EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention". NGWCL Centre Project NC/99/73. Approval of piling methodology should be further discussed with the EA when the guidance has been utilised to design appropriate piling regimes at the site. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters. Considering the site sensitivity, a groundwater monitoring/ sampling program should be implemented prior/ during and after piling works.
 9. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit <http://nrmm.london/>.
 10. The AQDMP can form part of the Construction Environmental Management Plan (CEMP). The AQDMP shall include the following for each relevant phase of work (demolition, earthworks, construction and trackout):

- i. A summary of work to be carried out;
 - ii. Proposed haul routes, location of site equipment including supply of water for damping down, source of water, drainage and enclosed areas to prevent contaminated water leaving the site;
 - iii. Inventory and timetable of all dust and NO_x air pollutant generating activities;
 - iv. List of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment;
 - v. Details of any fuel stored on-site;
 - vi. Details of a trained and responsible person on-site for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions);
 - vii. Summary of monitoring protocols and agreed procedure of notification to the local authority; and
 - viii. A log book for action taken in response to incidents or dust-causing episodes and the mitigation measure taken to remedy any harm caused, and measures employed to prevent a similar incident reoccurring. Developments assessed to be medium risk or greater for any of the steps required in an Air Quality and Dust Risk Assessment (AQDRA) regular or continuous PM₁₀ monitoring should be carried out on site. Baseline monitoring should commence 3 months before the commencement of works and continue throughout all construction phases. Details of the equipment to be used, its positioning, additional mitigation to be employed during high pollution episodes and a proposed alert system should be submitted to the Council for approval. No demolition or development shall commence until all necessary precommencement measures described in the AQDMP have been put in place and set out on site. The demolition and development shall thereafter be carried out and monitored in accordance with the details and measures approved in the AQDMP. The IAQM "Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites" details appropriate monitoring for the scale of the site or project.
11. Air Quality ADMS-Roads input data and output files must be provided to LB of Waltham Forest on validation of the planning application. AQ modelling must be based on transport related inputs which have been approved by LB of Waltham Forest Transport Assessment team. It is essential that junctions and heavily congested roads are modelled accurately, and this is reflected in the choice of relevant node spacing and vehicle speed inputs – clearly showing the node distance with speed reduction as the vehicle approaches the area of congestion/junction. This also applies to pedestrian crossings, roundabouts and any street layout which causes congestion such as single lanes with a bus stop. Where under predictions occur nodes must be scrutinised and where necessary vehicle speeds adjusted to reflect queuing. It is the responsibility of the applicant to ensure that their appointed consultants' modelling verification is robust and adjustment factors clearly explained and justified, calculations and graphs must be provided at validation. Margin of error must not exceed 4 (refer to LAQM guidance as best practice). Contrary to the values given in the EPUK guidance a magnitude of change greater than 0.5 µg/m³ is considered significant in areas where present

concentrations are approaching / breaching limit values and shall be assessed as such. Any other scenarios should be considered which are relevant to this site.

12. The applicant must seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813.
13. 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.
14. This notice is without prejudice to your responsibilities under any other legislation.