

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 1 st March 2022
Application reference:	203040
Applicant:	Atlantis Highams Limited
Location:	480 – 510 Larkshall Road, Chingford, E4 9HH
Proposed development:	Demolition of the existing buildings and erection of a five to seven storeys residential-led, mixed use development comprising 68 residential dwellings (Use Class C3), flexible commercial spaces (Use Class E), flexible space for community facilities/non-residential institution (Use Class F1) and a new public train station entrance together with public realm improvements, landscaping, private and communal amenity spaces, children's play space, waste and refuse facilities, secure cycle storage facilities, public cycle hub (24 cycle parking spaces), accessible car parking and associated works.
Wards affected:	Hale End and Highams Park
Appendices:	None

1. RECOMMENDATION

1.1 That planning permission be GRANTED subject to conditions, informatives, and completion of a Section 106 Agreement with the following Heads of Terms:

Affordable Housing:

- A financial contribution of £850,000 towards off-site affordable housing within the borough. Or,
- The provision of 10% on-site affordable housing comprising 7 shared ownership units (5 x 1 bedroom and 2 x 2 bedroom units) within Blocks A and B of the development.

Affordable Housing Review:

- Early (if the applicant could not demonstrate substantial implementation of the scheme within 2 years of granting planning permission) and Late-Stage Review Mechanism of the development's viability required, based on GLA SPG terms.

Wheelchair Housing:

- Wheelchair housing to be exclusively marketed to disabled occupiers for a period of 1 year from launch.
- Prepare a Wheelchair Accessible Dwelling Marketing Strategy for the Development that sets out how the wheelchair homes will be promoted and

advertised during the exclusivity period of one year - to be agreed prior to commencement

Employment and Training Strategy:

- A total of eight apprentice posts defined by the National Apprenticeships Service, to be provided during the Construction Phase of the Development with such apprentice post to last a minimum of 52 weeks per apprentice post or as stipulated by the chosen apprenticeship standard.
- A total of three work placements paid at London Living Wage (LLW) in the construction trade during the Construction Phase of the Development with such posts being first offered to Local Residents secured through the borough's job brokerage service. Work Placement posts to last a minimum of 26 weeks.
- To procure that 35% of all jobs available for the construction or fit-out of the Development during the Construction Phase are fulfilled by Local Residents and notify the Council of all opportunities that are generated from the Construction Phase of the Development, prior to release.
- To procure a minimum of 20% of total Local Supply Value during the Construction of the Development.
- To engage in the Council-led community engagement events, meet the buyer and meet the builders (ring-fenced to two per annum).
- In the event that obligations towards apprenticeships and work placements remain unfulfilled, then the developer should pay a default payment of £3,234 per placement towards employment and training and business and £16,926 per apprentice, towards employment, training and business, to be used for residents, payable to the Council upon practical completion of the development, as set out in the LBWF's adopted Planning Obligations SPD.

Highways and Transportation:

- A financial contribution of £100,000 towards safety and connectivity improvements for walking and cycling in line with TfL's Health Streets objectives.
- A financial contribution of £7,500 towards monitoring the Construction Logistics Plan.
- A financial contribution of £25,000 towards consultation and implementation of a CPZ in the surrounding area prior occupation of the development.
- Section 278 Agreement: Highway works will be required upon completion of the works relating to the development prior to occupation. These will require a S278 agreement and would include but would not be limited to:
 - A review of expected pedestrian movements, and accommodation for these in a new highway layout;
 - Renewal of the footway on the frontage of the site;
 - Formation of new access;
 - Changes or relation to the existing signal-controlled crossing, including a raised crossing point;
 - Consideration of segregated cycles in Larkshall Road;
 - An upgrade of existing restrictions in Larkshall Road to 'No Waiting' and 'No Loading' at any time;
 - The possibility of a S38 agreement along the frontage of the site;
 - The upgrade or construction of any crossing point required for safe permeability from site to the rest of the community.

Station Entrance:

- A financial contribution of £125,000 towards safeguarding a future station entrance at Highams Park Station. The development shall agree with the Local Planning Authority in consultation with TfL the shell fit-out, feasibility appraisal and the safeguarding of the access of the land.
- The developer shall agree with the Local Planning Authority in consultation with TfL and Network Rail the safeguarding strategy of the access of the land prior practical completion of the development, with conclusion and further studies leading to either:
 - A decision notice not to take the station entrance forward in which case the land shall be released. Or,
 - A decision to take the station entrance proposal forward and therefore safeguarding the land until the delivery of the new station entrance can be established at the proposed location. The safeguarding strategy shall set out agreed timescales subject to annual reviews in consultation with TfL and Network Rail for triggering the removal of any temporary occupier and progress the new station entrance from safeguarding to delivery phases.
- The developer shall not enable any permanent use on the affected land and a mutually agreed notice period shall be agreed for removal of any structures or ceasing of any temporary uses, so TfL can request and take occupation of the land in the future and provide required technical approvals of the design together with technical inspections of the finally constructed “shell”.
- An Asset Protection Agreement and Equalities Impact Assessment (EqIA) for the proposed new station entrance and an Evacuation Safety Strategy for the station shall be submitted to the Local Planning Authority prior operation of the station entrance in consultation with TfL and Network Rail.
- A final review of the approved drawings shall consider annotations that might be required from TfL and Network Rail to confirm the spatial features which are marked as ‘indicative/subject to final approval’ following discussions with TfL and Network Rail.
- The developer will be required to report to the Local Planning Authority prior the operation of the new station entrance, any land, and legal arrangements with Network Rail, including legal transfer(s) to Network Rail the freeholder of the operational railway space.

Air Quality:

A financial contribution of £10,830 towards implementation of the Air Quality Action Plan.

Energy and Sustainability:

- A financial contribution of £33,372 towards a carbon offset fund. The applicant is required to pay 50% of the calculated contribution prior to implementation of the development. The remainder of the contribution should become due prior to occupation of the development, with this final amount based on the findings of the Approved Carbon Emissions Report.
- To design and construct the whole development so that it is capable of connecting to a decentralised energy network, including associated reserved

areas in the plant room and protected pipework routes within and adjacent to the development.

Epping Forest Special Area of Conservation (SAC):

- Financial contribution of £6,800 towards mitigation measures on the Epping Forest SAC and the Strategic Access Management Measures (SAMMS).

Architects:

- The applicant shall retain the architect during the build phase until completion.

Monitoring and Implementation:

- 5% of the total amount of contributions towards monitoring, implementation, and compliance of the legal agreement.

Legal Fees:

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

Minor Amendments:

- 1.2 That authority to be given to the Assistant Director of Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the Legal Agreement and to agree any minor amendments to the conditions or the legal agreement on the terms set out above.
- 1.3 In the event that the Section 106 Agreement is not completed within 12 weeks following the date of Planning Committee, the Assistant Director of Development Management and Building Control is hereby authorised to refuse the application, if appropriate, in consultation with the Chair. In the absence of this legal agreement, the proposed development would not be able to secure the contributions towards the following material planning considerations: Highways and Transport including the provision of a new station entrance, Air Quality, Sustainability, Employment and Training Strategies and Epping Forest SAC which must be secured by the Section 106 Agreement.

2. REASONS REFERRED TO COMMITTEE

- 2.1 The application has been referred to planning committee due to the level of public interest and the nature of the proposal, which is strategic in planning terms.

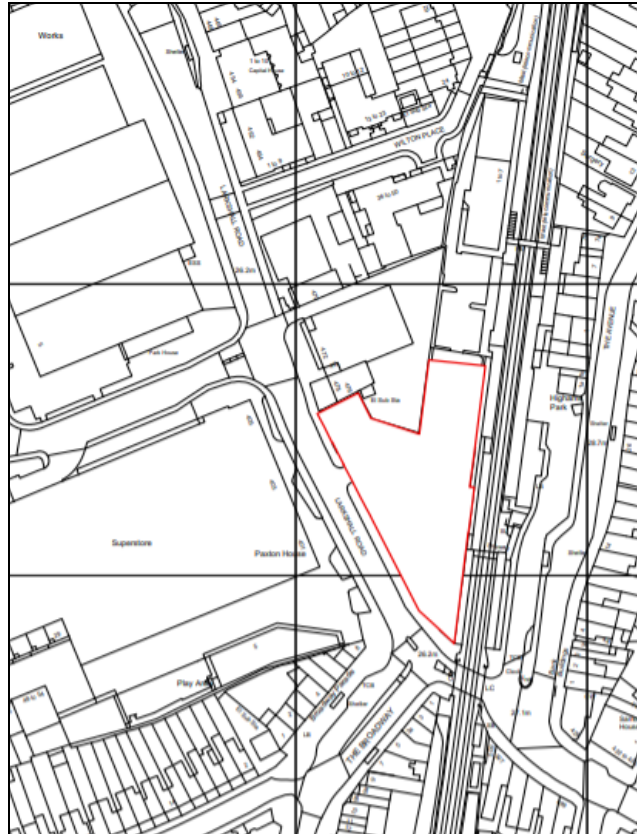
3. SITE AND SURROUNDINGS

The Site:

- 3.1 The site comprises a triangular parcel of land of approximately 0.27 hectares in area that is bounded to the west by Larkshall Road, to the east by the Highams Park Station and to the north by two neighbouring sites at 272 -278 Larkshall Road and the rear of 480 Larkshall Road (James Yard). The application site, together with these two neighbouring sites are identified as being suitable for strategic intensification in the draft Local Plan Part 2: Site Allocations Document SA59. No. 472 – 478 Larkshall Road contains a two-

storey commercial building that fronts Larkshall Road and James Yard contains a two-storey warehouse-type building that is used as office space (Class E use class).

- 3.3 The south side of the site fronts the northeast side of the intersection between Larkshall Road, The Broadway and Hale End Road. The site is therefore prominent due to the three-way junction and its position at the western side of the railway station. The site is also defined by the active features around the level crossing, with a two-storey standalone 'Signal Box' building that faces the site at the south and a 'Millennium Clock' at the southeast side of the station, which is perceived as a local landmark.
- 3.4 The site contains a two-storey brick and slate building along the Larkshall Road's frontage with a hardstanding and parking area at the north east side, which adjoins the station. Vehicular access is provided via an under croft at Larkshall Road. The existing building is predominantly used under Class E for professional and other service-based businesses and contains a separate community facility (Use Class F1), which is currently vacant.
- 3.5 The site also sits opposite the Tesco Supermarket building, which has a maximum height of five-storeys and is located at the west side of Larkshall Road. There are also contemporary forms of development further to the west of the site that are arranged around the Tesco Supermarket. For example, No. 395 Larkshall Road also fronts the site and contains a four-storey building with retail space on the ground floor with residential above.
- 3.6 The site is entirely built over and has no trees protected by Tree Preservation Orders (TPO). The site has therefore a low ecological value and falls within a Flood Zone 1, having a low (less than 1 in 1000) annual risk of flooding.
- 3.7 The site has a Public Transport Accessibility Level (PTAL) rating of 3, which is considered moderate. However, the Highams Park Station sits immediately adjacent to the site at the east side, serving the TfL Overground network on the Chingford to London Liverpool line, providing frequent services every 10 – 15 minutes.
- 3.8 The site does not fall within a Conservation Area and there are no statutory listed buildings within a reasonable proximity of the site. However, the Highams Park Signal Box, which currently operates as a café, is of local interest and faces the site at the south side. The site falls within the Higham's Park District Centre (DC3) as designated by the Waltham Forest Local Plan.



Site Location Plan

The Surroundings:

- 3.9 The Highams Park District Centre has a mixed character, but it's predominantly formed by retail uses on ground floor levels with residential units above. The site faces Larkshall Road, which has a mixed building typology with a height that ranges between two and four-storeys. However, the wider urban grain of the surrounding area is formed by buildings of varying height, typology and periods throughout the District Centre, with several recent forms of development and approved schemes within the surrounding context towards the northwest side of the site, that have a predominant building height between four and five storeys.
- 3.10 The surrounding area towards the north of the site is also characterised by a mix of industrial and employment uses with large warehouse/distribution buildings that form part of the Highams Park Industrial Estate along Jubilee Avenue and Hickman Avenue. These employment blocks are used under B2 (general industry) and B8 (storage and distribution) uses. Further to the west at Aldriche Way (No. 118 – 132 Aldriche Way) there is a large 1960's tower block, which is visible from public vantage points at Larkshall Road.
- 3.11 The Broadway (B160) and Hale End Road towards the south of the site are mainly formed by two and three storey 19th century terrace buildings that contain a mix of commercial uses at street level and residential units above. The urban grain therefore becomes tighter towards the south, with a more consistent building line with pitched roof forms. The Regal Cinema is positioned at the southeast side of the site and planning permission (Council Reference Number 173877) was given to restore and extend the building with a mixed-use development that would accommodate a total of 30 dwellings within a six-storey building at Hale End Road.

- 3.12 The District Centre and surrounding area offers access to several facilities, including local school and education facilities for all age groups, including Handsworth Primary School, Highams Park School, Highams Park Day Nursery and Pre-School, Selwyn Primary School, Ainslie Wood Primary School. In addition, the site is located within walking distance of local public spaces and leisure facilities, such as the Rolls Sports Ground, the Jubilee Sports Ground, the Peter May Hall/Cricket Pitches and the Larkswood Playing Fields.

4. APPLICATION PROPOSAL

- 4.1 The application seeks planning permission for the redevelopment of the site to replace the existing two-storey brick and slate building with a mixed-use development building comprising 68 residential units together with 83.00 sqm of flexible community floorspace (Use Class F1) and 373 sqm of commercial, business and service floorspace (Use Class E). The proposed development would enable the future provision of a new public train station entrance with associated infrastructure and would also deliver a public commuter cycle hub at the station. The existing station platform (northbound) would be extended with an infill platform element to enable connection with the new station entrance via a pedestrian ramp, as part of future development works in agreement with Network Rail and TfL. As such, the station entrance would be safeguarded, and its future operation would not be carried out in association with the development and the undercroft space would be used in the interim as a temporary commercial unit. A financial contribution has been secured to safeguard this part of the development and there is no timescale for fitting the station entrance at this stage.
- 4.2 The proposed building would have an irregular building form that would seek to maximise the potential of the site. The building would range between five and seven storeys in height and would have three connected blocks (A, B and C) that would be mainly distributed around a proposed public square that would link the new train station entrance with Larkshall Road and the western side of the Highams Park District Centre. The proposed future entrance and public square would seek to connect the east and west sides of the District Centre further, as both sides are currently perceived as being divided by reason of the level crossing at the south side of the site and the rail tracks that run through the District Centre.
- 4.3 The building would have three main cores with dedicated lobbies, lifts, staircases, cycle stores and refuse stores. The proposed Block A would have five storeys in height and would seek to activate the Larkshall Road frontage. Block A would have a double height under croft that would enable car access to the proposed disabled parking and servicing areas for refuse collection via Larkshall Road.
- 4.4 Block B would have a maximum height of seven storeys that would step down to six storeys along the boundary shared with Highams Park Station at the east of the site. This block would enclose the northern section of the proposed public square and would accommodate 164 square metres of flexible Class E floorspace that would face Larkshall Road and the public square. The building block would project further towards the northeast side of the site along the boundary with Highams Park Station and would have a setback of 4.032 metres from the east boundary line.
- 4.5 Block C would have a maximum height of six storeys and would step down to five storeys towards the three-way junction that defines the site at the south

side. The block would be connected to Block B through a two-storey element that would accommodate the new station entrance towards the east side. Block C would also accommodate 209 square metres of flexible Class E floorspace at ground floor. The ground floor level would be set in from the upper footprint of the building along the Larkshall Road's frontage, to accommodate a colonnade and activate the public realm with sheltered access to the proposed new station entrance. The building would also project along the east boundary towards Highams Park Station with a setback of 4.032 metres.

- 4.6 The development would deliver 68 homes with the following mix:
- One-bedroom (two persons): 39 units
 - Two-bedroom (three persons): 7 units
 - Two-bedroom (four persons): 12 units
 - Three-bedroom (four persons): 4 units
 - Three-bedroom (five persons): 6 units
- 4.7 Each residential flat would have an element of private amenity space by either inset or projecting balconies and the development would provide 256 square metres of communal amenity/play space at roof level, which would be positioned above floor level five on Block A. 92% of the residential units would be dual aspect and these would be accessed by the proposed three core lobbies. The maximum number of units served by a single core would be six. The development would provide seven wheelchair accessible units (10%).
- 4.8 The proposed palette of materials for the building would include light 'Reconstitute Stone' at the base of the building along the public realm, 'Flint Waterstruck' and 'Birtley Brown Waterstruck' brickwork, power-coated metal balconies and 'Bronze Anodized' for the double and triple glazed windows that would match the metalwork and balustrades. The proposed stone would be used to highlight details within the brickwork to articulate the facades further.
- 4.9 The development would provide eight disabled car parking spaces and two delivery parking bays that would be accessed via Larkshall Road through a courtyard that would also enable parking for refuse vehicles. A total of 118 long stay cycle parking spaces would be provided within three different cycle stores at ground floor level. In addition, the development would provide seven short stay, two cargo cycle parking spaces and a public cycle hub with a capacity to accommodate 24 cycle parking spaces that would adjoin the new station entrance.
- 4.10 The proposed hard and soft landscaping seeks to create a secured environment along the perimeter of the building and station entrance with the installation of bollards along Larkshall Road for HVM mitigation and clear areas around the station entrance with featured seating that would define the new public space, together with tree planting. The boundary between Block C and the rail line would be reinforced by planting buffers and the development would secure the planting of new trees within the public square and parking courtyard. An existing tree at the southern side of the site would be retained. The building would also have biodiverse roofs with habitat features, including an insect hotel feature market to improve the ecological value of the site, which is currently built over and therefore contains no ecological value.

Amendments post planning submission:

- 4.11 The plans and elevations were amended in August 2021 and additional minor changes to the layout of residential units within Block B were carried out in November 2021. The proposed changes seek to address concerns raised in terms of massing, materiality, landscaping, and relationship with Highams Park Station and its overhead equipment. These amendments are summarised as follows:
- 4.12 The ground floor plan has been revised to address concerns over the parking layout and links between the disabled parking and the wheelchair accessible units. The changes include modifications to the layout of the cycle hub and refuse store within Block C to create a more open and visible public cycle hub. In addition, the layout now includes a dedicated servicing route from Block C with a clearer link towards the refuse collection point, at the north of the site. The residential entrances have also been re-designed, so these are more visible and welcoming. In addition, the width of the station has been increased to accommodate an additional gate to be used in case the new station comes into operation.
- 4.13 The updated plans provide new details of landscaping, including seating areas, tree canopies and planting details within the public realm. Moreover, the fifth-floor plan has been amended and a communal garden space has been introduced above Block A.
- 4.14 The updated plans include minor changes to the layout of the upper floor levels within Block B, in that the balconies have been flipped to the west side of the site to separate the residential element of the development from the platform at Highams Park Station and the proposed access way towards Highams Park has been slightly reduced in width. The east-facing elevation on this building block has therefore been updated in that u-shaped glazed fixed features along the walkway have been introduced together with full height metal fins to create a stronger enclosure along the walkway and restrict any detrimental effect on the operation of the platform and overhead line equipment within the station.
- 4.15 The massing of Block C has been re-assessed as the sixth-floor element would now have a considerable setback from the building to ensure that this building is perceived as a five-storey element from street level. In addition, the height of a section of Block B has been increased by one storey to create a greater offset between the reduced massing in Block C.
- 4.16 In terms of materiality, the initially proposed red brickwork on Block C has been replaced with a light cream brickwork to reduce a sense of massing and prominence. The additional floor level within Block B would also be built in the same lighter brickwork to reduce the sense of massing and achieve a better articulation between the two building elements. The facades have evolved and would now include brick and stone decorative panels to create more visual interest.
- 4.17 With regards to affordable housing, the original offer of 10% affordable comprising 7 shared ownership homes has been replaced with the option to provide an offsite financial contribution towards affordable housing in the borough of £850,000 or alternatively, to retain the original offer of 10% affordable housing.

5. RELEVANT SITE HISTORY

- 5.1 Planning history for the site:

(Item 4.1)

Reference	Description of Development	Decision Date
173059	Prior Approval - Change of Use from office (Class B1) to residential dwelling (Class C3) (42 units).	Approved 11/10/2017
171698	Prior Approval - Change of use from office use Class (B1a) to 48 self-contained flats Class (C3) (ground and first floors).	Refused 30/06/2017
170313	Prior Approval - Change of Use from Office Use (Class B1(a)) to 48 self-contained flats(Class C3).	Refused 24/03/2017
100765	Change of use from office (B1 Use Class) to Educational Centre for maximum of 50 students (D1 Use Class).	Approved 08/09/2010

5.2 Pre-application:

Reference	Pre-Application Proposal	Advise Issued Date
N/A	<p>The applicant engaged in pre-application discussions with the Council's Planning Team since 2018. A Design Review was scheduled by the Design Council on the 6th August for the construction of a building with a maximum height of eight storeys that would step down to five storeys.</p> <p>To summarize the Design Council's Response, the panel was supportive of greater height and the introduction of a 'marker building' that supports the special qualities of the site, neighbourhood and district centre with high-quality architecture that complements the surrounding context.</p> <p>In addition, pre-application discussions were also carried out with Transport for London (TfL) in October 2019, to review the acceptability of the new station entrance, access arrangements, alignments and flows along the platforms and new public square. TfL supported the delivery of a new station entrance subject to an agreeable framework that secures a financial contribution and the safeguarding of the new station.</p>	Pre-application advice issued October 2020

5.3 Planning Enforcement:

No relevant planning enforcement investigations.

5.4 Planning History Neighbouring Sites Wider Context:

Reference	Location and Description of Development	Decision Date
191304	Land rear of 480 Larkshall Road (James Yard) – <i>“Demolition of existing buildings and construction of two five-storey building blocks</i>	Refused 23/06/2021

	<i>comprising 46 residential units together with associated amenity space, refuse facilities, cycle parking, landscaping and related works."</i>	
183379	<i>472 – 474 Larkshall Road – “Creation of 3 additional floors to provide 20 self-contained flats. New cycle storage + refuse facilities at Ground Floor level. Ground floor front extension to existing shop.”</i>	Approved 24/04/2020
182249	<i>Naseberry Court, 2 Merriam Close – “Demolition of existing buildings and construction of 4 buildings ranging from 3 to 5 storeys in height comprising 119 residential units with associated parking and landscaping.”</i>	Approved 25/01/2019
173877	<i>The Regal, 491 – 495 Hale End Road – “Redevelopment of the Regal and adjoining site to provide two cinema screens with an ancillary café bar (Use Class A3) and a total of 30 residential apartments (22 X 1 bed, 6 x 2 bed and 2 x 3 bed). The scheme will be developed as follows: On the Regal site there will be a 1 x cinema screen, bar and seating area on the ground floor with four floors of residential above. On the adjoining site there will be a ground floor with 1 x cinema screen, seating area for cafe and five floors of residential above.”</i>	Approved by Planning Committee 20/03/2021
131997	<i>Land known as Block H, Hickman Avenue, Highams Park – “Redevelopment of 'Block H', Highams Park (application ref 2008/1490) from Office (Use class B1) and Primary care Trust (Use class D1) to Residential (Use class C3) and Leisure uses (Use class D2) to create 83 no. residential units including 12 no. 1 beds, 64 no. 2 beds and 7 no. 3 beds; Leisure (Use ClassD2) measuring 102sqm; 61 no. car parking spaces and 83 no. cycle spaces; and associated highways and landscaping improvements.”</i>	Approved 22/07/2015

6. PUBLIC CONSULTATIONS

6.1 Public Consultation:

171 letters of consultation were sent out to local residents at Larkshall Road, Hale End Road, Signal Walk, The Avenue and The Broadway on the 21st October 2020. The application was also advertised via four site notices that were posted near the site on the 21st October 2020 and a press advert on the 29th October 2020. The initial consultation process resulted in a total of 102 objections and one letter of support.

- 6.2 Due to the amendments received in August 2021, 171 letters of re-consultation were sent out to local residents on the 19th August 2021. The application was also advertised again via four site notices that were posted near the site on the 18th August 2021 and a press advert on the 19th August 2021. The second consultation process resulted in a total of 111 letters of objection.
- 6.3 The comments received in response to both consultation procedures are summarised in the table below:

Objection received	LPA Response
<p>A) The development would not be in accordance with the “village character” of the surrounding area and would have a harmful impact on the local identity and heritage features of the Highams Park District Centre.</p>	<p>The proposed mixed form of development would be compatible with the mixed character of the Highams Park District Centre and the aspirations set out by the Draft Site Allocations Document (2020). The development would activate Larkshall Road and would introduce a new public square that would complement the District Centre. The development would therefore support the vitality and viability of the District Centre and would not detract from the character and appearance of the surrounding area. The building would have an acceptable setback from the two locally listed buildings within proximity of the site and would retain an acceptable separation from neighbouring buildings, respecting the character and local identity of the site. The development would respond to the aspirations set out by the Draft Site Allocations Document (2020) by providing an element of public space towards the south of the site and a higher building element towards the north. In addition, the building would achieve an acceptable relationship with the railway line, by virtue of the acceptable separation distance from the platform.</p> <p>In addition, the proposed building would have a stepped building form with a two-storey building element forming the new station entrance, which would reduce a sense of massing and would ultimately achieve a good relationship with surrounding sites, particularly the opposite side of Highams Park towards the east side, by reason of the lower building height for the station element.</p>

	An assessment of these planning considerations can be reviewed in Sections A, E, F, G and H of the Committee Report.
B) The building would be too high and out of scale with the surrounding built form. The development also conflicts with the Highams Park Plan, which restricts building height.	The proposed height is considered acceptable and would respond to the prominence of the site within the District Centre. The acceptability of introducing a seven-storey building element is therefore supported, by virtue of the height variation and the orientation of this building element towards the north side of the site, in accordance with the aspirations set out by the Draft Site Allocations Plan (2020). The building would reinforce a sense of place within the station in that it would constitute a 'marker building', as per comments received from the Design Council. Given the acceptable separation distance from the more consistent built form towards the south of the site and considering that the predominant five-storey building height along Larkshall Road would be in line with what was approved for the neighbouring site at 472 Larkshall Road, the building would not appear as an incongruous form of development within its setting. An assessment of this planning consideration is reviewed in Section F of the committee report.
C) The proposed layout and street features would not respond to the railway station and other landmark features within the immediate setting.	The separation distance from the east boundary of the site towards Highams Park Station would be 4.032 metres and would therefore exceed the recommended setback of 2.70 metres. The proposed building layout is welcomed as it would introduce a public square and acceptable articulation with the streetscape. The building would have an acceptable separation from any other landmark buildings within the wider setting and would incorporate a more landscape-led approach with three distinct elements of green space, which is welcomed and in accordance with the aspirations set out by the Highams Park Neighbouring Plan. An assessment of this planning consideration is

	reviewed in Section F of the committee report.
D) The proposed mix would result in a disproportionate number of one-bedroom units.	The provision of an increased number of smaller units is accepted and would be consistent with the requirements of London Plan Policies and the aspirations set out by the Highams Park Neighbouring Plan, by virtue of the position of the site within a District Centre with acceptable access to transport links, particularly as it adjoins the Highams Park Station. An assessment of the housing mix is reviewed in Section C of the committee report.
E) The proposed development would fail to provide affordable housing.	The development would deliver either an offsite financial contribution of £850,000 towards affordable housing or 10% affordable housing (shared ownership units). An assessment of the affordable housing offer is reviewed in Section B of the committee report.
F) The proposed development would constitute an over-development in terms of density and would ultimately result in an over-intensification of the site.	The proposed density would be in accordance with the strategic aim to intensify the site and make a more efficient use of the land, by reason of the position of the key site within the District Centre. A further assessment of this planning consideration is in Section D of the committee report.
G) The development would overshadow neighbouring sites, including Highams Park Station.	A Daylight and Sunlight Study (dated September 2020) was submitted and confirms that any amenity area, including the existing Highams Park Station, would receive at least 2 hours of direct sunlight on the 21 st March (equinox). The building would acknowledge the Highams Park Station by a lower two-storey element that would accommodate the new entrance to the station at ground floor and the development would not obstruct sufficient penetration of sunlight to neighbouring sites, including the Highams Park Station. An assessment of this planning consideration is in Section H of the committee report.
H) The proposed new station entrance would not improve the current facilities, considering that	The future station entrance is a key regeneration benefit for the District Centre and responds to the

<p>there would be no direct access to 'Platform One' and the layout would not provide a safe environment for commuters. The development would also cause overcrowding of trains.</p>	<p>aspirations set out in the Draft Site Allocations Document (2020). Whilst it is not possible to create a direct access to Platform One from the site, the new facilities would include an enlarged platform and pedestrian ramp that would result in a safer and more convenient public environment for commuters. The development would not cause overcrowding to trains but would seek to tackle this issue by introducing a new entrance with an enlarged platform. An assessment of this planning consideration is in Section I of the committee report.</p>
<p>I) The development would have a harmful effect on local infrastructure and would therefore result in additional pressure on the current transport network, including schools, and local health care.</p>	<p>The development would respond to the physical and environmental infrastructure capacity of the site and its surroundings. TfL raises no objections and confirmed that there is sufficient capacity to support the development and the residential units coming forward across the development. The District Centre contains sufficient educational facilities for all age groups, including Handsworth Primary School, Highams Park School, Highams Park Day Nursery and Pre-School, Selwyn Primary School, Ainslie Wood Primary School. Moreover, the development is designed to maximise the potential for sustainable travel and would be in accordance with the current transport capacity within the site to meet future demand. Details of transport, trip generation and infrastructure are assessed in Section I of the committee report.</p>
<p>J) The development would fail to provide sufficient parking for residents and would ultimately create more pressure on parking.</p>	<p>The principle of a car-free form of development is supported. Whilst the site is not located within a Controlled Parking Zone (CPZ), a planning contribution is secured for the consultation and implementation of a new CPZ within the area. The site is well served by transport infrastructure (local buses and train station at Highams Park). Details of the provision and acceptability of the quantum of disabled car parking are assessed in Section I of the</p>

	committee report.
K) The development would cause overcrowding on trains.	The proposed station entrance that could be delivered by the development seeks to respond to additional pressure by reason of overcrowding and it would provide step-free access to the London Overground Line. As such, the principle of the development would respond to additional demand and capacity, in consultation with TFL. Details of this planning consideration are assessed in Section I of the committee report.
L) The proposed layout and parking arrangement for servicing would not meet the demand of future residents and contractors.	The Council's Highways and Transport Policy Sections reviewed the proposed parking layout and servicing arrangements and the two additional parking bays for delivery vehicles and dedicated servicing space is acceptable and would ultimately meet the requirements of the development. Details of this planning consideration are assessed in Section I of the committee report.
M) The development would fail to provide sufficient outdoor amenity space.	The development would deliver a central square and an element of communal amenity space at roof level that would accommodate play space facilities on site. In addition, each residential unit would contain an element of private amenity space that would be well designed and would exceed spatial requirements. The proposed outdoor amenity space is therefore considered acceptable in terms of design, size, and position. Details of this planning consideration are assessed in Section E of the committee report.

Supporting Representation	LPA Response
The replacement of the vacant and unattractive building and the introduction of cafés and retail units would uplift the area.	The street activation along this stretch of Larkshall Road and the creation of a public square is welcomed and considered a valuable contribution to the character and vitality of the Highams Park District Centre.

6.2 External Consultation:

Details of the external consultees and the comments received are summarised as follows:

External Consultation:	Comments:
Thames Water	No objections raised.
Transport for London - TfL	TfL supports the provision of a new station entrance and raises no objections against the development, subject to a financial contribution of £125,000 towards the shell fit out, feasibility appraisal and the safeguarding arrangements for accessing the station until the entrance can be delivered with technical approvals issued by inspectors from TfL officers.
Metropolitan Police	Security standards and submitted information are on balance in line with SBD measures. There are therefore no objections from the Metropolitan Police subject to conditions requiring Secured by Design Accreditation and an informative advising the developer to seek advise from Designing Out of Crime Officers.
London Fire Brigade	The London Fire Commissioner is satisfied with the safety measures and access to water supplies and hydrants. No objections raised.
Natural England	No objections subject to financial contribution towards the Strategic Access Management Measures (SAMM).
Environment Agency	No comments received.
London Underground	No comments received.
London Overground	No objections raised.
Network Rail	Objection raised by reason that the proposed east-facing balconies were in close proximity to Network Rail land and infrastructure. The Network Rail's Asset Protection Team provided detailed comments addressing concerns over the relationship between the balconies and station equipment and conditions were recommended, which require details of a Demolition Method Statement, details of interface with the station entrance, details of cranes, details of electrical plant transformers, details of

	<p>piling method statement and details of lighting. Furthermore, legal agreements with regards to the transfer of land which would be gifted by the development towards the enlargement of the platform area with an infill element are also required, as advised by Network Rail.</p> <p><u>Officer's Response:</u> The layout of Block B was reviewed and accepted by Network Rail during a meeting on the 10th November 2021 and the balconies have been re-positioned to the west side of the site, to address concerns raised by Network Rail. Moreover, conditions that have been recommended have been incorporated and agreed with the developer to ensure that safety, maintenance and landscaping works adhere to Network Rail's guidance. Furthermore, the heads of terms have been agreed with the developer, which require the developer to report the LPA prior operation of the future station entrance, details of legal arrangements for the transfer of the land to Network Rail, as freeholder of the operational railway space.</p>
Highams Park Planning Group	<p>Objection received, noting the following points of concern:</p> <ul style="list-style-type: none"> ▪ Height and over-dominance on the character and appearance of the Highams Park District Centre. <p><i><u>Officer's Response:</u> The development is assessed under a balanced planning perspective and the site allocation, which accepts the principle of additional height within the northern side of the site and a more landscaped approach towards the south side of the site. A further assessment of the height and massing is carried out in Section F of the committee report.</i></p> <ul style="list-style-type: none"> ▪ The proposed design would be out of keeping and would not respond to the architecture and character of the surrounding area. <p><i><u>Officer's Response:</u> The principle of a 'marker building' and the intensification of the was supported by the Design Council's response, by virtue of the prominence of the site.</i></p>

	<p><i>Officers are satisfied that subject to conditions; the design quality of the development is acceptable and meets the standards set out in both local and regional design policies for developments of this nature. The planning considerations with reference to design are assessed in detail in Section F of the committee report.</i></p> <ul style="list-style-type: none">▪ <i>The feedback from the community engagement process and consultation has not been fully considered with regards to the new station entrance.</i> <p><i><u>Officer's Response:</u> The application has followed the statutory consultation procedures and the concerns raised against the new station entrance are noted. The planning merits of a new station entrance and safeguarding contributions are assessed in Section I of the committee report.</i></p> <ul style="list-style-type: none">▪ <i>The proposed traffic flow is flawed as it would not enable flows to Signal Walk.</i> <p><i><u>Officer's Response:</u> The proposed layout would reinforce the links between the Highams Park Station and the District Centre and would therefore set the principles for a more effective use of transport infrastructure within the locality. This planning consideration is assessed in more detail in Section I of the committee report.</i></p> <ul style="list-style-type: none">▪ <i>Absence of affordable housing.</i> <p><i><u>Officer's Response:</u> The development would deliver an offsite contribution of £850,000 that has been independently verified, which equate to approximately six affordable rented homes. An assessment of the offer for affordable housing is provided in Section B of the committee report.</i></p> <ul style="list-style-type: none">▪ <i>Illustrations should be provided from views from The Avenue to assess the visual impact as the building would result in a monolithic structure overwhelming the station.</i> <p><i><u>Officer's Response:</u> CGI's have been submitted with the application and the design guidelines seek to reduce any sense of massing and prominence, by virtue of height variation and</i></p>
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materiality, particularly by virtue of a two-storey building element accommodating the safeguarded station entrance. A detailed assessment of massing and impact on the surrounding area is provided in Section F of the committee report.

- The development would conflict with the guidelines and character assessment of the Highams Park Neighbourhood Plan.

Officer's Response: The Highams Park Neighbourhood Plan sets no clear restrictions in terms of building height within the District Centre, but states that any development should have regards to the height and massing of the surrounding urban grain and the nine-character areas identified by the Neighbourhood Plan.

Notwithstanding the above responses, policies within the Neighbourhood Plan have been assessed in detail and it is considered that on balance, the development would be consistent with the aspirations set out by the Neighbourhood Plan, in terms of the considerations of each policy as outlined below:

Policy HDA1- The development would respond to local need for smaller types of homes suitable for older single households and first-time buyers.

Policy GNE1- The development would improve the ecological value of the site by the planting of new trees, planters and introducing biodiverse roofs as well as providing three distinct soft and hard landscaping areas at ground floor.

Policy PCF1- The development would re-provide community facilities within the site to meet the needs of the growing population within the locality.

Policy BED1- The development would provide high-quality and fully accessible commercial floorspace.

Policy TPR1- The development would support sustainable modes of transport by securing a car-free form of development and providing

	<p><i>adequate cycle parking facilities, including a commuter cycle hub.</i></p> <p><i>Policy CDP1- The development would not affect the setting of heritage assets within the wider context of the site.</i></p> <p><i>Policy CDP2- The overall design approach is considered acceptable and consistent with local and regional policies.</i></p> <p><i>Policy BNC1- The development would enhance the ecological value of the site.</i></p>
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6.3 Internal Consultation:

Details of the internal consultees and the comments received are summarised as follows:

Internal Consultation:	Comments:
Urban Design and Conservation	<p>The Council's Design and Conservation Team supports in principle the development and acknowledge the aspirations and challenges of the site, particularly with regards to massing, street frontage, the introduction of a marker building and layout.</p> <p>Officers are satisfied that subject to conditions, the design quality of the building is acceptable and meets the standards set out in both local and regional design policies for developments of this nature within a prominent site. The planning considerations with reference to design are assessed in Section F of the committee report.</p>
Regeneration and Growth (Employment, Business and Skills)	<p>No objections subject to planning obligations requiring three work placements, eight apprenticeship posts and procurement of 35% of jobs for the construction or fit-out of the development during construction works to local residents. Moreover, the development should procure a minimum of 20% of total local supply value during building works.</p>
Highways	<p>No objections subject to financial contributions towards safety and connectivity improvements for walking and cycling, monitoring the Construction Logistics Plan and consultation and implementation of a</p>

	CPZ in the surrounding area. As advised, S278 agreement for highways works upon completion of the development prior occupation would be required. Moreover, conditions with regards to the submission of a Construction Logistics Plan, Highways Condition Survey, Car Parking Management Plan, Drainage Strategy and car-free restriction recommended.
Transport Policy Officer	No objections subject to financial contribution towards the shell fit out, feasibility appraisal and safeguarding arrangement of the new station entrance. Moreover, conditions requiring details of cycle parking (including commuter cycle hub) and specifications of electrical vehicle charging points required.
Housing Officer	No comments received at the time of writing the report.
Sustainability and Energy Consultant	No objections subject to financial contribution towards a carbon offset fund and conditions involving overheating risk mitigation, CO2 reduction targets, water use calculations and sustainable design standards. Moreover, planning obligation requiring the development being capable of connecting to a decentralised energy network recommended.
Trees, Nature and Conservation Officer	No objections received subject to pre-commencement conditions requiring the submission of a preliminary ecological appraisal, details of hard and soft landscaping, a Landscaping Management Plan, and an Arboricultural Impact Assessment.
Refuse and Recycling Officer	No comments received at the time of writing the report. However, a condition requiring the submission of a detailed waste and refuse strategy is recommended.
Planning Policy	No comments received.
Strategic Regeneration	No objections raised.
Environmental Health (Air Quality)	No objections subject to financial contribution towards the implementation of the Council's Air

	Quality Action Plan and conditions regarding Air Quality and emissions from non-road mobile machinery (NRMM).
Environmental Health (Contamination)	No objections subject to conditions involving land contamination and asbestos.
Parks and Open Spaces Officer	No objections raised.
Schools Officer	No comments received at the time of writing the report.
Early Years, Childcare and Business Development	No objections raised. There is a surplus in the ward from existing Childcare Sufficiency Data and therefore there is no need for additional childcare places within the location of the site.
CCTV	No comments received at the time of writing the report

7. DEVELOPMENT PLAN

- 7.1 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:
- the provisions of the development plan, so far as material to the application.
 - any local finance considerations, so far as material to the application; and,
 - any other material considerations.
- 7.2 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 Act, determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Waltham Forest comprises the Core Strategy (2012), the Development Management Local Plan (2013) and the London Plan (2021). The NPPF does not change the legal status of the development plan.
- National Planning Policy Framework (2021):
- 7.3 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 the heart of the framework.
- 7.4 For decision-taking, the NPPF states that the presumption means "*approving development proposals that accord with an up-to-date development without delay*" and where there are no relevant development plan policies., or the policies which are most important for determining the application are out of date, granting permission unless "*...any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*".

7.5 The NPPF gives a centrality to design policies; homes should be locally led, well-designed and of a consistent and high-quality standard. Local Planning Authorities (LPAs) are to make sure that the quality of approved developments does not materially diminish 'between permission and completion, as a result of changes being made to the permitted schemes'.

7.6 The specific policy areas of the NPPF considered to be most relevant to the assessment of this application are as follows:

- 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.

The London Plan (2021):

7.7 On the 2nd March 2021, the Mayor of London published the replacement London Plan. From this date, it forms part of the Development Plan for the purpose of determining planning applications. The 2021 London Plan supersedes the 2016 London Plan, which no longer has any effect. The relevant policies within the London Plan 2021 are:

- GG1 – Building strong and inclusive communities
- GG2 – Making the best use of land
- GG4 – Delivering the homes Londoners need
- GG5 – Growing a good economy
- SD1 – Opportunity areas
- SD6 – Town Centres and High Streets
- SD7 – Town Centres – Development Principles
- SD8 – Town Centre Network
- SD9 – Town Centres, local partnerships and implementation
- SD10 – Strategic and local regeneration
- D1 – London's form, character, and capacity for growth
- D2 – Infrastructure requirements for sustainable densities
- D3 – Optimising site capacity through design-led approach
- D4 – Delivering good design
- D5 – Inclusive design
- D6 – Housing quality and standards
- D7 – Accessible housing
- D8 – Public realm
- D9 – Tall buildings
- D11 – Safety, security, and resilience to emergency
- D12 – Fire safety
- D14 – Noise
- H1 – Increasing housing supply
- H4 – Delivering affordable housing
- H6 – Affordable housing tenure
- H7 – Monitoring of affordable housing
- H10 – Housing size mix
- S1 – Delivering London's social infrastructure
- S4 – Play and informal recreation
- E1 – Offices

- E2 – Providing suitable business space
- E9 – Retail, markets, and hot food takeaway
- HC1 – Heritage, conservation, and growth
- G6 – Biodiversity and access to nature
- G7 – Trees and woodlands
- SI1 – Improving Air Quality
- SI2 – Minimising greenhouse gas emissions
- SI3 – Energy infrastructure
- SI4 – Managing heat risk
- SI5 – Water infrastructure
- SI7 – Reducing waste and supporting the circular economy
- SI8 – Waste capacity and net waste self-sufficiency
- SI12 – Flood risk management
- SI13 – Sustainable drainage
- T1 – Strategic approach to transport
- T2 – Healthy streets
- T3 – Transport capacity, connectivity and safeguarding
- T4 – Assessing and mitigating transport impact
- T5 – Cycling
- T6 – Car parking
- T7 – Deliveries, servicing, and construction
- T6.1 – Residential Parking
- DF1 – Delivery of the plan and planning obligations
- M1 – Monitoring

Waltham Forest Local Plan Core Strategy (2012):

7.8 The Waltham Forest Local Plan Core Strategy (2012) was adopted on 1st March 2012. The Core Strategy contains 16 policies designed to deliver the Council's vision for the physical, economic, environmental, and social development of the Borough. These policies will be used to direct and manage development and regeneration activity up to 2026. The policies considered relevant to this application are the following:

- CS1: Location and Management of Growth
- CS2: Improving Housing Quality and Choice
- CS3: Providing Infrastructure
- CS4: Minimising and Adapting to Climate Change
- CS5: Enhancing Green Infrastructure and Biodiversity
- CS6: Promoting Sustainable Waste Management and Recycling
- CS7: Developing Sustainable Transport
- CS10: Creating More Jobs and Reducing Worklessness
- CS12: Protecting and Enhancing Heritage Assets
- CS13: Promoting Health and Well Being
- CS14 - Attractive and Vibrant Town Centres
- CS15: Well Designed Buildings, Places and Spaces
- CS16: Making Waltham Forest Safer

Waltham Forest Local Plan Development Management Policies (2013):

7.9 The Local Plan Development Management Policies Document was adopted 1st November 2013 and sets out the borough-wide policies that implement the Core Strategy to deliver the long-term spatial vision and strategic place

shaping objectives. The policies considered relevant to this application are the following:

- DM1: Sustainable Development and Mixed-Use Development
- DM2: Meeting Housing Targets
- DM3: Affordable Housing Provision
- DM5: Housing Mix
- DM7: External Amenity and Internal Space Standards
- DM10: Resource Efficiency and High Environmental Standards
- DM11: Decentralised and Renewable Energy
- DM12: Open Space, Sports and Recreation
- DM13: Co-ordinating Land Use and Transport
- DM14: Sustainable Transport Network
- DM16: Parking
- DM17: Social and Physical Infrastructure
- DM21: Improving Job Access and Training
- DM23: Health and well-being
- DM24: Environmental Protection
- DM25: Managing Town Centre Uses
- DM26: New Retail, Office, and Leisure Developments
- DM28: Heritage Assets
- DM29: Design Principles, Standards and Local Distinctiveness
- DM30: Inclusive Design and the Built Environment
- DM31: Tall Buildings
- DM32: Managing Impact of Development on Occupiers & Neighbours
- DM33: Improving Community Safety
- DM34: Water
- DM35: Biodiversity and Geodiversity

The Highams Park Neighbourhood Plan (2020):

7.10 The document was adopted on the 21st May 2020 and has the aim to facilitate development in the Highams Park area that provides suitable accommodation and facilities for the anticipated growth in the area's population. The document seeks to protect and enhance the existing open spaces and revitalise/improve the Highams Park District Centre by delivering improved civic and community facilities together with the residential environment of the area. The policies considered relevant to this application are the following:

- GNE1: Designation of Local Green Space
- PCF1: Public and Community Facilities
- BED1: Business, Employment and Economic Development
- BED2: Shops and Restaurants within HPDC
- TPR1: Transport
- HDA1: Housing Types and Affordability
- CDP1: Heritage Assets
- CDP2: Character and Design
- BNC1: Biodiversity and Nature Conservation
- DC01: Developer Contributions

8. MATERIAL PLANNING CONSIDERATIONS

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

- 8.1 This standard relates to the internal space within new dwellings and is suitable for applications 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.

The London Plan Housing SPG (2016):

- 8.2 This supplementary planning guidance (SPG) focuses on housing and includes six distinct parts, which are as follows: supply, quality, housing choice, stock and investment, social infrastructure and mixed use and large developments.

The London Plan Affordable Housing and Viability SPG (2017):

- 8.3 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, detailed guidance on viability assessments and build to rent.

The Waltham Forest Local Plan Urban Design SPD (2010):

- 8.4 This document has the aim of raising the quality of design within the Borough.

Inclusive Housing Design SPD (2011):

- 8.5 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):

- 8.6 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):

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

Natural England – Epping Forest Special Area of Conservation (2019):

- 8.8 Natural England issued interim advice on the 6th March 2019 in relation to the Epping Forest Special Area of Conservation (SAC) Mitigation Strategy and the Habitats Regulations. The advice applies to all residential development within the extended Zone of Influence, which includes the Local Planning Authority's area. The development is therefore liable to mitigation measures on any impact on the Epping Forest SAC which will be secured by an appropriate financial contribution.

London Borough Waltham Forest Draft Local Plan – Part One Strategic Policies (Submission Draft April 2021):

- 8.9 The draft Local Plan underwent Regulation 18 public consultation between July 2019 and September 2019 and consultation on the proposed Submission Version between 26th October 2020 and 14th December 2020. It

has now been submitted to the Secretary of State. This is an early stage of the plan making process and less weight will be given to its policies.

8.10 The Draft new Local Plan proposes to be a “combined” document comprising 12 thematic policies and a revised spatial strategy, splitting the Borough into North, South and Central Waltham Forest.

8.11 The Draft Local Plan clearly sets out the Council’s growth agenda which seeks to facilitate the sustainable delivery of 27,000 new homes and 46,000 sqm of employment floorspace over the next plan period. The draft policies relating to housing type and mix are reflective of the London Plan.

Shaping the Borough – London Borough of Waltham Forest Draft Site Allocations Document (Regulation 19 November 2021):

8.12 The Site Allocations Document (Draft Waltham Forest Local Plan Part 2: Site Allocations Document (2021 – Reg 19) seeks to ensure that the London Borough of Waltham Forest promotes the right development in the right places at the right scale, creating attractive sustainable neighbourhoods as well as economic opportunities. Consultation started on this version of the draft WFLP Part 2 in Early November 2021 and will continue until January 2022. When adopted, the Site Allocations Document will represent Part 2 of the Council’s Local Plan. It complements the Draft Local Plan.

Local Finance Considerations:

8.13 The 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.

9. ASSESSMENT

9.1 The main issues which shall be addressed within this report are as follows:

- A. Principle of Development
- B. Provision of Affordable Housing
- C. Housing Mix
- D. Density
- E. Quality of Accommodation
- F. Design
- G. Impact on Heritage Assets
- H. Impact on Residential and Visual Amenity
- I. Transport and Highways
- J. Waste Management
- K. Environmental Impact of the Development

L. Sustainable Design and Energy Efficiency

M. Trees and Landscaping

N. Safety and Security

O. Planning Obligations

A. Principle of Development:

- 9.2 The National Planning Policy Framework (NPPF) (2021) places a presumption in favour of 'sustainable development' and states that there should be a "golden thread" running through plan and decision making. These principles are reflected in policy GG1 of the London Plan (2021), policy CS1 of the WFLP Core Strategy (2012) and policy DM1 of the WFLP Development Management Policies (2013), which also seek for every form of development proposals to achieve an appropriate balance between physical, social, environmental, and economic considerations to ensure that every form of development delivers key benefits to the locality.
- 9.3 In the context of making effective use of land, the NPPF (2021Hi) states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Developments should promote and support identified needs for housing where land supply is constrained, and available sites could be used more effectively.
- 9.4 Policy SD6 of the London Plan (2021) 'Town Centres and High Streets' states that the vitality and viability of London's varied town centres should be promoted by identifying locations for mixed-use or housing-led intensification to optimise residential growth potential and securing a high-quality environment by also complementing the local character. Moreover, policy SD7 of the London Plan (2021) 'Town Centres: Development Principles and
- 9.5 Development Plan Documents' states that Local Authorities should take a 'town centres first approach and identify sites that are suitable for higher density mixed-use residential intensification to capitalise the availability of servicing within walking and cycling distance and current and future public transport provision'. In this instance, the proposed re-development of a low-density town centre building that has no heritage value is a key consideration, particularly by reason that the building has under-used commercial floorspace.
- 9.6 Policy SD10 of the London Plan (2021) 'Strategic and Local Regeneration' reinforces the above objectives, by aiming for development proposals to conform with identified 'Strategic Areas for Regeneration' which should be based on a thorough understanding of the demographics of communities and their needs.
- 9.7 In addition, policy H1 of the London Plan (2021) 'Increasing Housing Supply' sets a ten-year target for net housing completions that each Local Planning Authority should plan for, which includes a ten-year housing target of 12,640 for Waltham Forest. There is therefore a pressing need for more homes in London, which should promote opportunity and provide a real choice for all Londoners in a way that the housing need is met. Policy H1 supports the redevelopment of surplus utility sites to optimise the potential for housing delivery.
- 9.8 At a local level, policy CS1 of the WFLP Core Strategy (2012) states that growth should be distributed and managed within the borough by focusing regeneration activities within the key Growth Areas. Policy CS1 further

states that, within these areas, the Council will seek to accommodate growth in housing and jobs, especially for local people and that additional growth would be directed to designated town and district centres to maximise residential opportunities.

- 9.9 Moreover, policy CS14 of the WFLP Core Strategy (2012) seeks to promote successful and vibrant centres throughout the Borough to serve the needs of residents, workers and visitors by ensuring that new proposals include retail, leisure, office, and community services while ensuring that the scale of the development responds to the role and character of the centre and its catchment. Furthermore, policy CS14 seeks to consolidate the role of district centres, including Highams Park, as a complementary centre to Walthamstow Town Centre.
- 9.10 The site is not identified as being within a designated Employment Area or Strategic Industrial Site, therefore local policy CS8 of the WFLP Core Strategy (2012) 'Making Efficient Use of Employment Land' would also be applicable, as this policy takes a pragmatic approach to non-designated employment land and premises when it can clearly be demonstrated that the floorspace can be released for more productive uses.
- 9.11 Due to the above policy considerations, the principle of a mixed-use form of development comprising 373 sqm of Class E floorspace, 83 sqm of Class F1 floor space, 142 sqm for a safeguarded space with the potential to deliver a new station entrance at Highams Park Station and 68 residential units is supported, by virtue of the position of the site within the Highams Park District Centre and the mixed character of the surrounding area that combines commercial and residential uses. The proposed mixed use would support and reinforce the vitality and viability of the district centre by activating the street frontage and ultimately intensifying the use of the site by upgrading employment floorspace and introducing residential units within this side of the district centre.
- 9.12 Notwithstanding the acceptability of the principle of the mixed-use form of development, the details of land use in terms of quantum of the proposed floorspace are assessed as follows:
- Flexible Commercial Units (Class E – Commercial, Business & Services):
- 9.13 The existing building contains approximately 1,629 sqm of professional services/office floor space (Class E), which is partially vacant and in poor condition. The development would deliver 373 sqm of flexible employment floor space within two units at ground floor level. Given that the development would involve the loss of approximately 1,256 sqm of commercial floor space, the acceptability of this loss should be examined in detail. Policy BED1 of the Highams Park Neighbouring Plan (2020) resists the reduction of employment floorspace and seeks to support proposals affecting employment floorspace if there would be no harm on amenity of surrounding buildings and if the development would improve the security and safety of users of the employment floorspace.
- 9.14 The site does not sit within a designated employment area and therefore the loss can be supported by policy CS8 of the WFLP Core Strategy (2012), which accepts a pragmatic approach on non-designated employment land when it can be demonstrated that the floorspace would be released for more productive uses. Given that the development would improve the quality of the employment floorspace by delivering higher quality, modern and flexible commercial spaces, the loss would not erode the viability and vitality of the

district centre, considering that it would enable an acceptable quantum of operational jobs within the site and would also support public infrastructure by the potential to provide a new station entrance (142 sqm) and a new public square that would activate this side of the district centre.

- 9.15 As background information, prior approval (Council Reference 173059) was issued for the change of the office floor space to accommodate 42 residential units. In this instance, the retention of commercial floorspace is therefore welcomed, as it represents a significant improvement to a previous planning approval, which involved a total loss of commercial floorspace and the replacement of commercial floorspace with substandard residential units and no planning benefits.
- 9.16 An Employment Land Report and Property Market Analysis dated August 2020 was submitted with the application, which states that the development would deliver up to 49 full-time operational jobs across the site and that the partial loss would be acceptable in the context of the economic framework of the wider context of the Highams Park District Centre. Waltham Forest has a stock of 84,000 sqm of office floorspace and the development therefore represents a reduction of 1.33% of the current stock. However, the loss would be accompanied by the creation of new modern employment floor space that would be more suited to current requirements, considering that the existing condition of the employment floor space is under-specified with little functionality, compared to modern standards.
- 9.17 The Employment Land Report and Property Market Analysis confirms that there is over 6.6% of office floorspace with varying unit sizes available in the market within the borough. Given the age of the building and the fact that the existing commercial floor space is not fit for future use, the partial loss of Class E commercial floor space is accepted, by virtue that the development would maximise efficiency as the proposed 373 sqm of employment floor space would co-exist with community facilities and residential flats as part of a mixed and comprehensive re-development for the site.

Flexible Community Facilities (Class F1 – Non-residential Institutions):

- 9.18 The site contains 226 sqm of community facilities/non-residential institutions (Class F1), which are currently vacant and in poor condition. The community facilities unit was previously used as an education centre under revoked use class D1 (non-residential institution). The development would re-provide 83.00 sqm of flexible floorspace for community facilities, such as a gallery, education facilities, clinic, public hall, or an exhibition centre. The community facilities would be positioned on a prominent position along the Larkshall Road's frontage and would complement the commercial units that are being proposed, which would be located along the public square's frontage. A condition restricting the use of the F1 floorspace is recommended, to ensure that any use respects the residential amenity of future residents of the site by restricting any use of the space as a place of worship or day nursery.
- 9.19 Whilst the proposed community facilities would be 140 sqm smaller when compared to the existing vacant facilities, the proposed unit would be designed with contemporary features with appropriate servicing at the rear. The principle of re-providing an upgraded space for community use is therefore supported, by virtue that it would strengthen the vitality of the Highams Park District Centre by serving the needs of residents, workers and growing population, as required by policy CS14 of the WFLP Core Strategy (2012) and policy PCF1 'Public & Community Facilities' of the Highams Park Neighbourhood Plan (2020).

Residential Units (Class C3 - Dwellings):

- 9.20 The introduction of 68 residential units would contribute to meet the housing target as set out in London Plan Policy H1 (2021). Moreover, the residential units, when added to the flexible employment and community facilities units, would be consistent with the aspirations set out in London Plan Policy SD6 (2021), which seeks to strengthen the vitality and viability of town centres by introducing mixed-use or housing-led intensification schemes that optimise residential growth potential.
- 9.21 In addition, the provision of 68 residential units would be consistent with Policy CS14 of the WFLP Core Strategy (2012), in that it would provide housing in a district centre as part of a mixed-use development above commercial uses, on sites where a high-quality living environment offering good levels of amenity, safe streets and natural surveillance can be provided without having a harmful effect on the function of the designated centre, which includes retail or other commercial uses.

Conclusion on Principle of Development:

- 9.22 The site is currently underused and identified as having the potential (together with two adjoining key sites at James Yard and 472-510 Larkshall Road) for delivering a minimum of 145 new homes, reprovision of employment floorspace and a new station entrance, as advised by the Site Allocations draft document (November 2021). Whilst the development involves the loss of employment floor space, the loss is justified in this instance, by the reasons outlined in paragraphs 9.14 to 9.17 of this committee report. The proposed mixed use is consistent with the aspirations set out in the Site Allocations Document and responds to the strategic importance of the site.
- 9.23 Given that the site is partially vacant, and its declining condition presents an inefficient use of the land, it is considered that the development represents an opportunity to provide a distinct and high-quality development that optimises its potential and delivers a sustainable form of development within this strategic location on the district centre. The proposal does not only represent an opportunity to provide a contribution towards the housing stock in the Borough, but also responds to the strategic significance of the site by reinforcing the viability and vitality of the district centre, considering that the development would activate the street frontage within this side of the district centre and also support public infrastructure by delivering a new station entrance and public square that would ultimately support the proposed commercial, community and residential uses.
- 9.24 In light of the above, the principle of development is supported under a land use point of view, as it would result in a significant contribution in delivering the objectives of policies GG1, GG2, GG4, SD6, SD7, SD10, H1 and S1 of the London Plan (2021), policies CS1, CS2 CS3 and CS8 of the Waltham Forest Local Plan Core Strategy (2012) policies DM1, DM2 and DM17 of the Waltham Forest Development Management Policies (2013) and policies PCF1 and BED1 of the Highams Park Neighbourhood Plan (2020).

B. Affordable Housing:

- 9.25 Policy H4 of the London Plan (2021) seeks to maximise affordable housing to meet the need of approximately 43,500 affordable homes per year, as established in the 2017 Strategic Housing Market Assessment. The Mayor's Housing SPG (2016) also provides guidance on the overall approach to

estimate the needs of different sorts; on the role of planning in facilitating private rented housing and addressing the requirements of distinct groups.

- 9.26 Policy H5 of the London Plan (2021) sets out a threshold approach that applies to major development proposals which trigger affordable requirements with a minimum of 35% of affordable housing on gross residential developments. The policy requires an application to follow the Viability Tested Route when it does not meet the threshold requirements, which should include detailed supporting viability evidence in a standardised format to ascertain the maximum level of affordable housing using the methodology and assumption set out in the London Plan and the Affordable Housing and Viability SPG.
- 9.27 At a local level, Policy CS2 of the WFLP Core Strategy (2012) seeks to maximise the number of quality affordable homes in the borough by aiming to provide at least 50% affordable housing over the plan period. Policy CS2 provides flexibility in assessing the level of affordable housing on a site-by-site basis to achieve the maximum available capacity.
- 9.28 A financial viability report dated September 2020 was submitted in respect of the application and was reviewed by BPS Surveyors on behalf of the Council. The report states that the scheme has a deficit in terms of viability and therefore it should be dealt with as a 'commercial decision' from the developer's position to proceed with the scheme. The scheme has additional cost implications (arising from the policy and site allocation requirements), which involve the creation of public space to deliver a new station entrance in the future and the fact that a large portion of the ground floor is being constructed for public use and will not generate a revenue, as well as other Section 106 financial contributions. These cost implications, when added to the fact that the existing use value of office floor space is high within the district centre, have an effect on viability and restrict the ability of the scheme to deliver a higher proportion of affordable housing.
- 9.29 BPS consultants have carried out an independent verification of the viability appraisal and conclude that the scheme is not viable to support further affordable housing contributions. The values that have been attributed to the existing and proposed commercial units and current market evidence are therefore accepted, considering the uncertainty surrounding commercial property valuation during this time, which is based on "material valuation uncertainty", by reason of the COVID-19 response. However, a review mechanism into the S106 is recommended, to allow actual costs and values to be adopted when re-assessing the viability.
- 9.30 Notwithstanding the above and regardless of viability concerns and "the commercial approach' adopted by the developer, the initial offer of 10% affordable housing which comprised 5 x 1 one- bed homes and 2 x 3 three-bed homes (shared ownership) has been replaced with two options comprising a payment in lieu of £850,000 towards an offsite affordable housing contribution OR the provision of 10% affordable housing which would constitute 5 x 1 bedroom and 2 x 2 bedroom shared ownership units within Blocks A and B. The updated offers follow discussions between the applicant, consultants, and officers at the Council, to explore options to optimise the scheme in terms of delivery and viability. The proposed PIL would equate to approximately six affordable rented homes (8.82% per unit / 10.67% per habitable room), using a similar methodology used for similar scenarios on different forms of development within the Local Authority. Alternatively, the proposed 10% on-site affordable housing provision would

include a two-bedroom wheelchair accessible dwelling within Block B (third floor level). The affordable homes would be 'pepper-potted with the market units within Blocks A and B.

- 9.31 Concerns have been raised about the impact of a future station entrance has on the offer for affordable housing. However, the planning contribution of £125,000 which has been secured for safeguarding the station entrance would not had resulted in a significant increase of affordable housing within the site. In addition, if affordable rent homes were sought for the development, these would have resulted in a reduced number of affordable homes, by reason of the viability issues mentioned above. In addition, experience from other sites has shown that it is very difficult to attract registered providers to acquire and manage small numbers of rented homes within developments Therefore the PIL is considered acceptable in this instance, as per the independent advice given by BPS surveyors.
- 9.32 Due to the above considerations, the offers of £850,000 towards an offsite provision of affordable homes in the borough or 10% on-site provision of affordable housing (seven shared ownership homes) are accepted, subject to an early and late-stage review clause that would require the applicant to submit a viability re-assessment after 30% of sales of the units, that should be accompanied with an updated build contract for the scheme. This would require an open book assessment with the potential of an additional financial contribution being payable towards delivery of affordable housing in the Borough, in case the viability for the scheme improves, as required by policy H5 of the London Plan (2021) and the Mayor's Affordable Housing and Viability SPG (2017).

C. Housing Mix:

- 9.33 The NPPF (2019) states that "sustainable development involves seeking positive improvements in the quality of the built environment, including widening the choice of "high-quality homes". The NPPF recognises that 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.
- 9.34 Policy H10 of the London Plan (2021) states that development should generally consist of a range of unit sizes and to determine the appropriate mix of unit sizes, developments should have regard to robust local evidence of need where available or the range of housing need and demand identified by the 2017 London Strategic Housing Market Assessment. The policy adds how developments should deliver mixed and inclusive neighbourhoods by providing a range of unit types at different price points across London, also considering the range of tenures within the same scheme.
- 9.35 At a local level, Policy CS2 of the WFLP Core Strategy (2012) requires mixed and balanced communities and sets out the Council's priority for larger homes (three bedrooms or more) in new developments. Policy DM5 of the WFLP Development Management Policies (2013) supports the aspirations set out by Core Strategy Policy CS2 and outlines the Council's preferred housing mix for mainstream housing schemes. There should be a varied mix of units across a development, with the preferred percentage being as follows: 20% 1-bedroom units, 30% 2-bedroom units, 40% 3-bedroom units and 10% 4-bedroom units.
- 9.36 The proposed development would provide 68 residential units with the following mix set out within the following schedule of accommodation:

Unit Type	Market Units	Total
One-Bed (two-people)	39	39 (78 Hab. Rooms)
Two-Bed (three-people)	7	7 (21 Hab. Rooms)
Two-bed (four-people)	12	12 (36 Hab. Rooms)
Three-Bed (four-people)	4	4 (20 Hab. Rooms)
Three-Bed (five-people)	6	6 (24 Hab. Rooms)
TOTAL	68	68 (179 Hab. Rooms)

- 9.37 Although the percentage of family units is not entirely consistent with the requirements set out by policy DM5 of the WFLP Development Management Policies (2013), by reason of an uplift of one-bed units, policy H10 of the London Plan (2021) and the Mayor's Housing SPG (2016) accept a level of flexibility in terms of housing mix on higher density developments with accessible locations by supporting a higher proportion of one and two bed units within suitable locations which are closer to a town centre or station. 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 within a district centre with an acceptable access to transport links.
- 9.38 Policy HDA1 of the Highams Park Neighbourhood Plan (2020) 'Housing types and affordability' also states how any residential development within the district centre should meet the local need for particular types of homes and this should include flats that are suitable for downsizing for older households and for younger first-time buyers. The policy adds how there is also an issue with affordability for younger people within the area, which are sometimes forced to leave the area due to the high entry cost of the local housing market.
- 9.39 Due to the above considerations and considering the needs identified within the context of the site, the proposed mix that includes 57.35% one-bedroom units and 42.65% two and three-bedroom units (four to five people) is accepted, as it would deliver a mixed and balanced community with an acceptable quantum of units able to accommodate a small family, while meet the identified local need to cater for older people in need to downsize and younger people to access the housing market. The development is therefore consistent with the objectives of London Plan Policy H10 (2021), WFLP Core Strategy Policy CS2 (2012), WFLP Development Management Policy DM5 (2013) and Policy HDA1 of the Highams Park Neighbourhood Plan (2020).
- D. Density:**
- 9.40 Whilst the NPPF (2021) does not set out any prescriptive guidance with regards to residential density, it encourages new proposals for residential development to optimise the capacity of sites in a manner that is compatible with the use, scale, character and urban grain of the surrounding area.
- 9.41 Policy D3 of the London Plan (2021) states that all forms of development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. The policy does not contain a density matrix and seeks to ensure that all design options are fully considered in a way that the development responds to the context of the

surrounding area, with regards to capacity for growth and existing/planned infrastructure capacity.

- 9.42 The site has a Public Transport Accessibility Level (PTAL) of 3, which is considered moderate. However, the site is regarded as urban in its setting, by virtue of its position within the Highams Park District Centre with good transport links. The development would have a residential density of 252 units per hectare and 648 habitable rooms per hectare, based on a site area of 0.27 hectares. The proposed density is supported, as it would be in line with the strategic aim to intensify the key site and make a more efficient use of the land.
- 9.43 Concern has been expressed regarding the impact of additional residential development on social and transport infrastructure. Transport for London (TfL) raised no objections against the proposed development and confirmed that there is sufficient infrastructure capacity to support the development. Moreover, the Place Development and Premises Team confirmed that there is a surplus in the ward for childcare facilities. This development is identified in the Site Allocations Document and is therefore part of the planned growth envisaged in the Local Plan. This growth is supported by Council's Infrastructure Delivery Plan, which identifies the infrastructure necessary to support planned growth and sources and funding, including Community Infrastructure Levy, which this development will pay. Given the fact that the development's child yield is small and in the absence of a detrimental impact over surrounding infrastructure, the proposed densification is supported. In addition, the development would provide a good living environment for future residents of the site, which includes the provision of adequate private and communal amenity spaces that would reduce any perception of an over-development for the site.
- 9.44 Due to the above, the proposed development would be consistent with the requirements of Policy D3 of the London Plan (2021), in that its design and quantum would respond to the urban context and aspirations to increase the density of the site, as this would be supported by existing and future infrastructure within the locality.

E. Quality of Accommodation:

- 9.45 London Plan Policies D4 'Delivering Good Design' and D6 'Housing Quality and Standards' (2021) seek to scrutinise the qualitative aspects of a development in terms of living environment, design quality and spatial standards. Given the high-density of the development and the proximity of the site to Highams Park Station, careful consideration should be given to the proposed form, layout, external amenity space and accessibility to ensure that the residential accommodation provides a good level of amenity and co-exists with the proposed non-residential floor space at ground floor level, including the new station entrance.
- 9.46 At a local level, policy CS2 of the WFLP Core Strategy (2012) requires high quality design for any new housing development, which should have the ability to adapt to changing needs of residents with appropriate spatial standards. The proposed quality of accommodation is reviewed as follows:

Non-Residential Floorspace:

- 9.47 The level access to the community facilities unit would be positioned along the Larkshall Road frontage and access to the two commercial units would be provided through the public square and Larkshall Road. The commercial

unit at ground floor level within Block C would have a setback from the main building line along Larkshall Road, as it would introduce a colonnade at ground floor level and an additional element of public realm at the corner of the site, to enhance the street zone towards the three-way junction that defines the site.

- 9.48 The internal layout of the non-residential floor space would allow a level of flexibility of these units and would secure modern accessibility requirements for disabled and elderly residents by providing step-free access. The entrances to the community facilities and commercial units would therefore be designed to meet the requirements of Part M4(3) with a clear opening width that would exceed 85 centimetres to allow sufficient turning space within the access points.
- 9.49 The quality of the non-residential floorspace raises no concerns in terms of size, layout, amenity, and safety. The commercial units would activate the streetscape and would respond to the civic and commercial character of this part of the district centre. Moreover, the non-residential floorspace would be compatible with the introduction of residential units on upper floor levels within the building and therefore consistent with policy DM25 of the WFLP Development Management Policies (2013), in that these units would complement the character of the surrounding area by the introduction of well-designed, accessible and inviting facilities.

Internal Space Standards – Residential Units:

- 9.50 Table 3.1 under London Plan Policy D6 (2021) ‘Housing Quality and Standards’ state the minimum internal floor areas expected for the proposed residential units. The policy seeks for high quality and functional layouts that are fit for purpose. In addition, Table 3.2 under London Plan Policy D6 (2021) provides qualitative aspects that should be taken into consideration, such as legibility, orientation, privacy, visual outlook, and circulation.
- 9.51 Policy CS3 of the WFLP Core Strategy (2012) requires high quality design for new residential developments, which should have an ability to adapt to changing needs for residents and ultimately create healthy and sustainable communities with appropriate spatial standards and adequate levels of amenity.
- 9.52 The proposed building would accommodate 68 residential flats (including four duplex units) and the table below sets out the range of floor areas provided per each type of unit and the proposed spatial standards compared to the expected sizes that should be provided.

Unit Type	Accommodation Sizes	Policy Requirement
1 Bed – 2 People (39 units)	50 m ² – 54 m ²	50 m ²
2 bed – 3 people (6 units)	74 m ² – 75 m ²	61 m ²
2 bed – 3 people duplex (1 unit)	77 m ²	70 m ²
2 bed – 4 people (12 units)	70 m ² – 76 m ²	70 m ²
3 bed – 4 people (3 units)	90 m ² – 93 m ²	74 m ²
3 bed – 4 people duplex (1 unit)	93 m ²	84 m ²
3 bed – 5 people (4 units)	90 m ² – 95 m ²	86 m ²
3 bed – 5 people duplex (2 units)	95 m ² – 97 m ²	93 m ²

- 9.53 The proposed residential units meet the minimum spatial requirements in terms of floor area and the habitable rooms within each unit would also meet the minimum spatial requirements in that double bedrooms would exceed 11.50 sqm and single bedrooms would exceed 7.50 sqm. The floor to ceiling height of each unit would exceed 2.50 metres in height and the flats would also have open-plan living areas with integrated kitchen and dining areas with built-in storage that would exceed the minimum standards, as required by policy D6 of the London Plan (2021).

Dual Aspect Units and Units per Core:

- 9.54 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.
- 9.55 Sixty-three units would be dual aspect, which would result in an exceptionally large percentage (92.6%) of dual aspect units, which is welcomed. There would be no north-facing single aspect units, as the five single aspect units would be east/west-facing. The proposed residential units within Block B, which would be closest to Highams Park Station, would be dual-aspect and would have private external amenity spaces overlooking the west side of the site, by reason of health and safety concerns due to the proximity to the platform and to ensure that the residential living environment for future residents is protected from noise, disturbance and poor visual outlook. As such, the proposed layout would accommodate the habitable rooms within units closer to the station to the west side of the site and only bathrooms and kitchens would be positioned towards the east side. The proposed balustrades and screening on the walkway closer to the station entrance would incorporate full height u-shaped glazing and deck access fins, which would serve as a buffer to minimise any harmful impact on amenity in terms of air quality and noise and to respond to concerns raised by Network Rail in restricting any balconies overlooking the platform due to health and safety considerations.
- 9.56 With regards to privacy, concerns were initially raised over how the proposed windows at upper floor levels, which would overlook the public square, would have an ability to overlook opposite windows, if measured between Blocks B and C. Given the triangular form of the square, the minimum separation distance between these windows would be 12.00 metres and the maximum separation distance would be 18.00 metres. Although the separation between these windows would fail to meet the recommended distance of 18.00 to 21.00 metres as stipulated by the London Plan's Housing SPG (2016), the windows would be at an angle, by reason of the irregular form of the public square. Any ability to overlook would be therefore restricted by the visual outlook and orientation, considering that the windows would not be facing each other directly.
- 9.57 The proposed layout also seeks to limit the number of residential units per core by a maximum of seven dwellings per core lobby. The stair cores would also be suitably sized. Due to the acceptable number of units per core within the minimum threshold of eight, there are no concerns with regards to how the internal layout would fail to enable proper evacuation and safety

procedures, in accordance with policy D12 'Fire Safety' of the London Plan (2021).

Accessible Units:

- 9.58 Policy D7 of the London Plan (2021) stipulates that a minimum of 10% of new housing must meet the Building Regulations requirement under Part M4 (3) 'wheelchair user dwellings' and that all other dwellings should meet the Building Regulations under Part M4 (2) 'accessible and adaptable dwellings'.
- 9.59 The development would provide seven wheelchair accessible units (10%). These seven units would be two-bed (three people) units and would be located at floor levels one to five within Block B.
- 9.60 The wheelchair accessible units would be positioned within Block B to ensure that these are well linked via two different entrances to the public square and future station entrance. In addition, the wheelchair units would be well integrated with the parking area at the west side of the site through a gate and wheelchair accessible pathway that would link the disabled parking spaces with the core lobby within Block B. The three lobbies would be accessible by stairs and lifts that would exceed the minimum dimensions of 1.1 metres x 1.40 metres with clear landings that would exceed the minimum requirement of 1.5 metres x 1.5 metres. The proposed stairs would also meet the recommendations set out in Part M and Part K (General Access Stairs) of the Buildings Regulations with handrails that would continue around the half landings. In addition, the internal corridors within the building would also meet the minimum requirement of 1.50 metres in width, to allow convenient access and manoeuvring for wheelchair users. The wheelchair units will be secured as M4 (3) adaptable dwellings by condition. The remaining units will be secured as M4 (2) accessible and adaptable dwellings.
- 9.61 Due to the reasons above, the provision of seven wheelchair accessible units is supported, considering that the internal layout of these units would meet the minimum guidelines, which are set out by Parts M and K of the Building Regulations, in accordance with the requirements of Policy D7 of the London Plan (2021).

Daylight and Sunlight for Proposed Residential Accommodation:

- 9.62 An assessment of the impact of the development on the residential amenities of neighbouring properties is included within Section H of this committee report. However, the provision of internal daylight and sunlight for future occupiers of the development is reviewed against the submitted 'Daylight and Sunlight Study (within development)' document dated 3rd September 2020, prepared by Rights of Light Consulting.
- 9.63 The habitable rooms within the proposed residential flats have been assessed using the Average Daylight Factor (ADF) metric. The assessment concludes that 83% of the proposed habitable rooms would meet or exceed the recommended daylight quantity (ADF). The 83% constitutes a high level of compliance. In addition, all the proposed habitable rooms would pass the room depth test, as these have been designed with good proportions of daylight distribution. The shortfalls mainly occur in Lounge/Kitchen/Diners, where the higher standard for kitchens is applied, and there is a marginal shortfall from this.

- 9.64 The development would therefore provide very good levels of visual and residential amenity for future residents with regards to sunlight, daylight, and visual outlook. The quality of the proposed residential accommodation would therefore be consistent with policy H6 of the London Plan (2021), which requires new residential development to provide sufficient visual outlook together with acceptable levels of daylight and sunlight for future residents with a high level of compliance with the BRE recommendations that are set out in the BRE guide 'Site Layout Planning for Daylight and Sunlight'.

External Amenity Space and Children's Play Space

- 9.65 Policy D6 of the London Plan (2021) states that where there are no higher local standards in the Borough Development Plan Documents, a minimum of 5 square metres of private outdoor space should be provided for 1 – 2 person dwellings with an extra 1 square metres for additional occupant, with a minimum depth and width of 1.5 metres. In addition, policy S4 of the London Plan (2021) states that formal play area provision should normally be made on-site and should provide at least 10 square metres per child to address child occupancy and play space requirements.
- 9.66 At a local level, policy DM7 of the WFLP Development Management Policies (2013) states that 10.00 sqm of amenity space should be provided per bedroom and balconies should have a minimum size of 5 sqm. Each flat should include an element of private amenity space, but the overall provision can be a combination of private and communal space. As such, there is a requirement to deliver 1,071 sqm of external amenity space. The development would deliver a total of 1,014 sqm of external amenity space, of which 758 sqm would be provided by private balconies (126 sqm in Block A, 399 sqm in Block B and 234 sqm in Block C) and 256 sqm would be provided within a proposed communal amenity space at roof level on Block A.
- 9.67 The development would therefore represent a very small shortfall of 57 sqm and therefore a financial contribution towards local parks and outdoor spaces would not be justified, considering that the development would also provide a public square and a small element of public realm (approximately 65 square metres) on the south corner towards the three-way junction that bounds the site at the south.
- 9.68 In terms of children play space, London Plan Policy S4 (2021) requires the provision of 10 sqm of play space per child. The requirements have been calculated using the proposed housing mix and the GLA's Population Yield Calculator, which resulted in a child yield of 16.6 children within the site (166.60 sqm requirement). The development would meet this requirement, by introducing 170 sqm for children play space (ages 0 – 18) within the proposed communal amenity area at roof level over Block A.
- 9.69 The proposed play space would be well-designed and integrated at podium level, with direct access from Blocks A and B. Given that this would be positioned at roof level, careful design guidelines that address concerns over health and safety, which have been discussed during the application process should be addressed in detail. Notwithstanding the design guidelines that have been incorporated to the Addendum Design Statement, further details, and specifications of forms of screening and playing features that enclose the space and restrict any ability to access the edge of the roof are recommended by condition, to ensure that these are adequate in terms of health and safety.

Conclusion:

- 9.70 Overall, the proposed development would deliver an acceptable living environment for future residents. The proposed residential units would meet the minimum requirements in terms of floor space and would enjoy acceptable levels of visual outlook and sunlight/daylight. Whilst the development would have a small shortfall of communal amenity space (55.5 square metres), this shortfall would be justified in this instance, by reason that the private amenity space for each unit would be well designed and would largely exceed the minimum requirements set out by Policy D6 of the London Plan (2021).
- 9.71 Furthermore, the development would also introduce a public square and would deliver an acceptable provision of play space for children of all ages at podium level. The development would also deliver an acceptable quantum of wheelchair accessible units, which would be well-designed and linked to disabled parking spaces, in accordance with the specifications set out under the Building Regulations under Part M4 (2) 'accessible and adaptable dwellings'. Due to the reasons outlined above, the quality of the proposed accommodation is supported and consistent with policies D6, D7 and S4 of the London Plan (2021) and policy DM7 of the WFLP Development Management Policies (2013).

F. Design:

- 9.72 The NPPF (2021) 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 on sustainable development, to ensure that any form of development creates better places that improve the way these function by promoting a strong sense of place and identity.
- 9.73 Policy D4 of the London Plan (2021) states that the design of development proposals should be thoroughly scrutinised, and borough and applicants should make use of the design review process to assess and inform design options early in the planning process. The policy states how boroughs and applicants should make use of the design review process to assess and inform design options during the planning process. The format of design review should consider the following guidelines:
- Design review should be carried out transparently by independent experts in relevant disciplines.
 - Design review comments should be mindful of the wider policy context and focus on interpreting policy for the specific scheme.
 - Where a scheme is reviewed more than once, subsequent design reviews reference and build on the recommendations of previous design reviews should be noted.
 - Design review recommendations should be appropriately recorded and communicated to officers and decision makers.
 - Schemes show how they have considered and addressed the design review recommendations.
 - Planning decisions demonstrate how design review has been addressed.
- 9.74 In addition, policy D9 of the London Plan (2021) states that Local Authorities should determine if there are locations where tall buildings (exceeding six storeys in height or 18 metres in height) may be accepted, subject to meeting all other material planning considerations. The policy also states that tall buildings should only be developed in locations that are identified as suitable in Development Plans. Tall buildings should be assessed in terms

of the form, proportions, composition, scale and character of surrounding buildings and urban grain.

- 9.75 At a local level, policies CS2 and CS15 of the WFLP Core Strategy (2012) require development proposals to be of a high standard and design quality that respond to the local context and the character of the surrounding area, while promoting local distinctiveness and a strong sense of place. Policies DM29, DM30 and DM31 of the WFLP Development Management Policies (2013) also seek for high standard of urban and architectural design for all new forms of development, particularly in terms of how a taller building element can be assessed in terms of how it maximises the use of the site by creating sustainable places within locations that are well served by public transport and local services.
- 9.76 The proposed development is also assessed against local policy CDP2 of the Highams Park Neighbourhood Plan (2020), which seeks for high-quality design that complements the character and appearance of the area. The policy states how any form of development should have regard to the form, materials, scale, height, massing, orientation and pattern of surrounding buildings, streets and spaces.
- 9.77 The key considerations when assessing the design aspects of the development against the requirements of the policies listed above are addressed as follows:

Building Layout and Spatial Configuration:

- 9.78 The application site is complex in terms of its constraints and opportunities by reason of its location at the west side of the railway line that serves Highams Park Station and its prominent position at the north side of a three-way junction formed by Larkshall Road, The Broadway and Hale End Road. The proposed building would have an irregular form that would respond to the triangular form of the site and its prominence within the Highams Park District Centre. As such, the proposed building layout would seek to address the following principles to respond to the constraints and opportunities of the site:
- Respond to the limited connectivity between Highams Park Station and the west side of the District Centre, which is currently dissected by the level crossing. The introduction of a new public square that connects the station with the west side of the District Centre and reinforces the street character at Larkshall Road is therefore welcomed, as it would also respond to the current underutilisation of the site.
 - The proposed building layout should acknowledge the two neighbouring key sites at 472 Larkshall Road and James Yard by delivering a comprehensive approach for the future development of the two neighbouring key sites. The placemaking principles should therefore have regard to the aspirations set out for key site SA59 within the Site Allocations draft document (November 2021), by enhancing pedestrian/cycle connectivity, introduce a new station entrance, provide green planting areas at the south side to ensure a visual break, acknowledge the hostile edge towards the east due to the rail line and considering the potential for additional height towards the northern side of the site. The proposed layout would respond to these principles.
 - The development should provide a safe and convenient public space for all users with adequate levels of surveillance. Moreover, the proposal spatial strategy should respond to potential conflicts between cyclists, commuters,

and residents. The introduction of a public square would therefore address these principles.

- The proposed building layout should reinforce interactive building frontages to activate the streetscape and should enable the introduction of landscaping and vegetation to enhance the visual appearance of the site and wider context. The proposed landscaping strategy and activation along the street frontage is supported, by virtue that it would enhance this stretch of Larkshall Road and its links with the west side of the District Centre.

9.79 The proposed building would respond to the above spatial principles by its irregular configuration that would also respond to the triangular form of the site and its prominent position. The building would contain three main residential entrances that would be well distributed along the street frontages at Larkshall Road and within the proposed public square. The residential entrances would co-exist with the two commercial units and community facilities floor space at ground floor to achieve a balance between the residential, civic, and public character of the development. Due to the proposed location of servicing and refuse stores towards the rear and side of Blocks A and B and considering that servicing from Block C would be highly concealed by a dedicated refuse route, the entrances to the residential and non-residential elements would remain welcoming and the overall layout would maximise valuable street frontage at Larkshall Road.

9.80 The proposed building edge on Block C would have a setback at ground floor level when compared to the existing building line formed by the current building. The proposed setback would seek to provide a more generous public realm at Larkshall Road and introduce a colonnade that would achieve a better relationship between the streetscape, the public character of the square and the new link between Highams Park Station and Larkshall Road.

9.81 The proposed building layout would also introduce soft and hard landscaping to the site by the creation of a new public square and an element of public realm at the south side, in line with the aspirations set out by the Site Allocations draft document (November 2021), which proposes an element of green space at the southern side towards the street junction, as a placemaking principle. The introduction of soft and hard landscaping is welcomed, considering the constraints of the site in terms of footprint and the aspirations set out by local policy CDP2 of the Highams Park Neighbourhood Plan (2020), which seeks for a more landscape-led approach within the context of the site at this side of the District Centre.

9.82 In light of the above considerations, the proposed building configuration and typology is accepted in terms of spatial form when assessed against the existing urban environment that surrounds the site. The building would respond to the constraints and opportunities of the site by considering the design principles listed above, by virtue of its separation distance from neighbouring sites at the north side and creation of new links between the station and wider district centre. As such, the proposed building layout is consistent with policy D4 of the London Plan (2021), policy DM29 of the WFLP Development Management Policies (2013), policies CS2 and CS15 of the WFLP Core Strategy (2012) and policy CDP2 of the Highams Park Neighbourhood Plan (2020).

Height and Massing:

- 9.83 The proposed building would have a maximum height of seven storeys and therefore meets the definition of a tall building as described by London Plan Policy D9 of the London Plan (2021), which states that based on local context, the definition would be applicable for buildings that exceed six storeys or 18 metres in height if measured from ground to the floor level of the uppermost storey. The policy states that tall buildings should only be considered in locations that are identified in Local Plans as being suitable for such buildings.
- 9.84 Policy CS15 of the WFLP Core Strategy (2012) sets out that tall buildings may only be appropriate on specific sites within key growth areas, which include Blackhorse Lane, Northern Olympic Fringe, Walthamstow Town Centre and Wood Street Centre. However, the policy states that medium rise taller buildings (defined as between five and nine storeys in height) can be appropriate both within growth areas and at other key locations that are identified in the Site Allocations Document, and could include gateway sites, locations at key junctions along principal routes, central areas, or key junctions within shopping areas and in areas fronting large areas of open space.
- 9.85 Any additional height within the context of the site has raised concerns and is a strong ground for objection in response to the statutory consultations that were carried out in October 2020 and August 2021. These concerns are therefore assessed in detail with regards to the requirements of London Plan Policies and Local Policies, including the aspirations set out by policy CDP2 of the Highams Park Neighbourhood Plan, which states that any form of development should have regards to the height and massing of the surrounding urban grain and describes nine-character areas within Highams Park. The application site falls within 'Character Assessment Area 9' and describes mostly Victorian and Edwardian buildings along The Avenue and Hale End Road, which are predominantly, three storeys in height with a vertical emphasis that is reinforced by pitched roof lines. The character assessment also acknowledges the large Tesco Superstore, which is more recent and has a maximum height of five storeys.
- 9.86 Due to the sensitivity of any additional height within the context of the site, each building element is assessed in detail as follows:
- Block A:
- 9.87 Block A would have a maximum height of five storeys along the Larkshall Road's frontage. The building height would conform with the approved building height for the neighbouring site at 472 – 474 Larkshall Road, by reason that planning permission (Council Reference 183379) was granted for three additional floor levels to the existing two-storey building to accommodate twenty additional flats, resulting in an overall height of five-storeys. Moreover, the five-storey building height would be largely in line with the height and massing that has been built at the west side of Larkshall Road for the Tesco Superstore building, that has a predominantly four-storey height with a five-storey element. Block A would therefore conform with the scale and massing that has been accepted for neighbouring sites at the west and north sides of the Larkshall Road's frontage. As such, the five-storey element is considered acceptable.
- Block B:
- 9.88 Block B would have a maximum height of seven storeys that would project along the proposed public square's frontage with a lower six-storey element

towards the north side along the boundary with Highams Park Station. The seven-storey element would have a limited width of 9.00 metres along the Larkshall Road's frontage, by reason that it would project east-west and would therefore enclose the northern side of the proposed public square.

- 9.89 Whilst the proposed seven storey element would be higher than the prevailing height within the immediate context of the site, particularly towards the south side of the Highams Park District Centre, this planning consideration was reviewed by the Design Council, who advised on the acceptability of a higher building element in their report dated 18th August 2020. As noted, the height subject to review by the Design Council was eight storeys and this has therefore been reduced, in response to discussions that were carried out between the applicant and Council Officers. The Design Council advised that *“the proposal represents a significant increase on the surrounding context of the two to three storeys which typifies Highams Park Area. As a site with great potential in a local centre in close proximity to transport links, we recognise the reason for a greater height, similarly to many sites in London”*. The response adds that *“the proposal is often referred to as a marker building for the local centre. As a special site for the area, we agree that this site deserves a marker building”*.
- 9.90 Given the position of the site within the Highams Park District Centre and its strategic importance as set out by the Site Allocations draft document (2021), which accepts additional height within the northern section of the application site, the introduction of a 'marker building' with an element of additional height in order to densify this section of the district centre is justified, considering the location of the site adjoining the Highams Park Station with good access to public transport. Moreover, the seven-storey element has been conceived together with the following design considerations, which aim to achieve an adequate building articulation between the proposed development and its immediate context:
- Height Variation and Proportions: The seven-storey element within Block B would adjoin a two-storey element that would accommodate the new station entrance. Furthermore, the building block would have a stepped building form with a lower six-storey element towards the northeast side of the site, which would avoid the formation of a monolithic building when viewed from different vantage points. Given the stepped building form and the limited width of 9.00 metres along the Larkshall Road's frontage, the seven-storey element within Block B would not appear visually at odds with its surroundings to a degree that a refusal would be justified, considering the separation distance from neighbouring sites.
 - Public Realm: The seven-storey element would enclose the northern section of the proposed public square and would therefore achieve an acceptable relationship with the streetscape, as the public square would provide a visual break between the taller building element and its immediate context. Any visual impact that would result from the additional building height of this block would therefore be reduced, by virtue of the setback from the street and the introduction of hard and soft landscaping features surrounding the building at the south and north sides of the taller building element.
 - Orientation: Given the north orientation of the seven-storey element if viewed from the proposed public square and its considerable setback

from neighbouring sites at the northern side of the site, the seven-storey element would not raise concerns in terms of overshadowing.

- Ground Floor Activation: Block B would accommodate a commercial unit at ground floor level and therefore the building would achieve a positive relationship with the streetscape, particularly Larkshall Road and the future station entrance.

9.91 Due to its position and stepped building form, the taller building element would incorporate appropriate principles of design to reduce any sense of prominence. Block B would retain an acceptable separation distance from the lower building lines at The Avenue and Hale End Road, which form part of the 'Character Assessment Area 9' of the Highams Park Neighbourhood Plan (2020).

Block C:

9.92 The southern element of the building that forms Block C is prominent, by reason that it would front the three-way junction at the south side. Block C has been modified during the application process and its massing has been considerably reduced in that the building would now contain five storeys with a sixth-floor addition at a considerable setback from the south building edge of 8.00 metres. The six-storey element would therefore not appear as a prominent feature if observed from the streetscape at the south side of the site and the building would be perceived as a five-storey structure, in line with Block A and the approved building height at 472 – 474 Larkshall Road.

9.93 The development would introduce an element of public realm on the south side of the site, in accordance with the aspirations set out by the Site Allocations draft document (2020), which seeks for a visual break between the key sites, the level crossing and the building forms along Hale End Road and The Broadway, which are more consistent in terms of building form and height (ranging between two and three storeys). The proposed height variation and visual break that would result from the introduction of soft landscaping at the south side of the site would aim to respond to the character of the south side of the District Centre, by achieving an adequate articulation between the proposed building height and the wider context of the site towards the south.

9.94 In light of the above, the proposed height and massing is considered acceptable and would respond to the prominence of the site, in that a seven-storey element would be justified by virtue of its design rationale involving a stepped building form and the fact that the construction of a 'marker building' is supported, as advised by the Design Council. The acceptability of introducing a medium height building on the site is therefore supported, considering that the building would reinforce a sense of place, due also to its layout. As such, the proposed height and massing are consistent with the objectives of Policy D9 of the London Plan (2021), Policy DM29 of the WFLP Development Management Policies (2013) and Policies CS2 and CS15 of the WFLP Core Strategy (2012).

Townscape Views:

9.95 Policy HC3 of the London Plan (2021) states that several views make a significant contribution to the image and of London at a strategic level and that these contribute to the legibility of the city and form part of the key landmarks that form the broader townscape.

- 9.96 The Skyline Study that underpins the emerging Local Plan tests the impact of a development scenario of up to 8 storeys, from various views, including Locally Significant Views identified in the Neighbourhood Plan and Important Borough Views. This recommends 6 – 8 storeys, subject meeting design criteria. Given the medium height that would range between five and seven storeys and the fact that the site does not form part of a protected vista, the development would have no detrimental effects on the heritage and townscape views protected by strategic vistas. As such, the development would not conflict with policy HC3 of the London Plan (2021).

Façade Articulation and Materiality:

- 9.97 The proposed building would have three distinct elements formed by a stone base in white Portland colour, brickwork middle element in Flint Waterstruck within Blocks A and B and a setback at top floor element within Block C, which would be built in lighter brickwork that would be visually integrated with the upper floor level on Block B. The proposed variation to the brickwork and concept of introducing a base, middle and top sections for the building would seek to reduce a sense of massing, which would be reinforced by the stepped building line approach as a design guideline mentioned above. In addition, the base would ensure that there is a visual continuity and cohesiveness throughout the three building blocks, which would reinforce building articulation.
- 9.98 The building would have two main urban frontages at Larkshall Road and towards the proposed public square. The proposed treatment for the commercial units in lighter stones would highlight the details of the brickwork and would reinforce the civic character of this side of the District Centre, which would be emphasised by the introduction of a colonnade along Larkshall Road and a sheltered new access to the Highams Park Station. With regards to the railway elevation, the building would introduce a different elevational treatment formed by the deck access and balustrades with u-shaped glass features and deck access screens that would seek to separate the residential element from the public platforms by depicting a dynamic approach and reducing any perception of dead frontages.
- 9.99 In terms of fenestration and façade treatment, the building would contain vertical grouping of windows and balconies that would respond to the proposed horizontal proportions of the building blocks. The proposed window alignment would have subtle variations to add character to the blocks. Given the more prominent position of Block C, this block would have a more uniform elevational treatment with a slight emphasis on verticality, by virtue of the corner position towards the three-way junction.
- 9.100 With regards to details of façade treatment, these would be formed by reconstitute white stone panels, bronze anodised double and triple glazed windows throughout the three building blocks, balustrades in matching colour with architectural metalwork and two main brickworks forms in Flint and Birtley Brown Waterstruck, which would blend in with the lighter stone panels at the base. An addendum to the originally submitted Design and Access Statement was therefore submitted, which provides further details of how the material palette has evolved during the application process. A condition requiring details and samples of materials for a detailed assessment is also recommended.

Public Realm:

- 9.101 Policy D8 of the London Plan (2021) states that every form of development should contain well-designed, safe, accessible, inclusive, and well-connected public spaces, with appropriate landscaping treatment, planting, street furniture and surface materials that are durable and sustainable. The design of the public realm should follow an understanding of how the public realm in the area functions to create a sense of place during different times of day, including different times of the year.
- 9.102 Policy GNE1 of the Highams Park Neighbourhood Plan (2020) also seeks for the provision on-site of new green and open public spaces that enhance the existing public realm within the area by allowing the planting of new trees and vegetation.
- 9.103 The existing site is entirely built over and therefore has no ecological value. The absence of green and open spaces within the prominent site adjacent to Highams Park Station at the north side of the three-way junction affects the current quality and safety of the public realm, and results in a poor street interface. The development would introduce soft and hard landscaping features, including planting of new trees, planters, street furniture and lighting within the public square and additional element of public realm at the south side of the site. The strategy would include a wider footway along Larkshall Road when accessed from the three-way junction at the south side.
- 9.104 In addition, the development would provide new tree planting within the proposed servicing areas at the rear of Block A, which would be integrated with the car parking space and servicing areas to soften this space towards the north side of the site. This feature would seek to integrate the development with neighbouring sites at James Yard and 472 – 474 Larkshall Road, as part of a comprehensive approach for developing the three key sites. Furthermore, the proposed green roofs and provision of communal amenity space at podium level above Block A would constitute new and acceptable public realm provisions.
- 9.105 In light of the above, the development would recognise the opportunity to transform the public realm within the context of the site and maximise green infrastructure/accessibility to open spaces within the site. The proposed public square and public realm around the building would not only secure social interaction and outdoor amenity space but would also be well integrated with the wider setting towards the west side of the District Centre.

Conclusion:

- 9.106 The proposed development would be acceptable under design, visual and massing terms, in that it would respond to the concept of a 'marker building' within the site that is prominent by virtue of its position within the Highams Park District Centre. The proposed building layout is welcomed and the principle of a taller element for Block B is acceptable, by reason that it would reinforce the sense of place for a strategic site where densification is justified. In addition, the proposed principles of design, including appropriate height variation and a lighter material palette to reduce any sense of massing are welcomed. The proposal is therefore consistent with the objectives of policies D4 and D9 of the London Plan (2021), policies CS2 and CS15 of the WFLP Core Strategy (2012), policies DM29, DM31 and DM32 of the WFLP Development Management Policies (2013) and policies GNE1 and CDP2 of the Highams Park Neighbourhood Plan (2020).

G. Impact on Heritage Assets:

- 9.107 Policy HC1 of the London Plan (2021) states that development proposals that have an effect on heritage assets and their setting should conserve their significance. The cumulative impact of incremental change from development on heritage assets and their setting should be managed to avoid any harm and identify enhancement opportunities by integrating heritage considerations during the design process.
- 9.108 Policy CS12 of the WFLP Core Strategy (2012) states that in managing growth and change, the Council will promote the conservation, enhancement and enjoyment of the Borough's heritage assets and their setting. Moreover, Policy DM28 of the WFLP Development Management Policies (2013) supports Policy CS12 by stating that development proposals that can affect the significance of heritage assets in the Borough should demonstrate how these assets are protected, conserved and where appropriate, enhanced.
- 9.109 A Townscape and Visual Impact Assessment (dated September 2020) was submitted with the application which provides a detailed assessment. The report does not identify significant heritage assets that are visually linked to the site, considering that the site is not within a conservation area and there are only two buildings of local interest within the immediate context of the site, comprising the Highams Park Signal Box and the former Regal Cinema. The development would have no detrimental effect on the significance or fabric of these locally listed buildings, by reason that there is no architectural or historic relationship between these buildings and the site. Additionally, the proposed building would introduce an element of public realm at the south side towards the level crossing, which would ensure that there is an acceptable visual gap between the site and Hale End Road and The Broadway. The views of these neighbouring locally listed buildings would therefore not be compromised and therefore any impact on heritage assets would be negligible.
- 9.110 The Council's Conservation Officer raises no objections with regards to harm on heritage assets. On balance, the proposed development would be consistent with policy HC1 of the London Plan (2021), policy DM28 of the WFLP Development Management Policies (2013) and policy CS12 of the WFLP Core Strategy (2012).

H. Impact on Residential Amenity:

- 9.111 Policy D6 of the London Plan (2021) states that design of development should provide sufficient daylight and sunlight to new and surrounding housing, including amenity space, and should therefore be appropriate within its context. New development should avoid overheating, minimise overshadowing, and maximise outdoor amenity space. Whilst there is no policy for assessing the impact on any loss of daylight and sunlight on neighbouring sites, guidance is provided within the 'BRE – Site Layout Planning for Daylight and Sunlight'.
- 9.112 Policy DM32 of the WFLP Development Management Policies (2013) states that when considering the impact of a new development on neighbouring amenity, the Council should have regards to (among other aspects) access to daylight and sunlight and shall only find development acceptable where it would not cause an unacceptable loss of amenity to adjoining or future occupiers. The main issues with regards to the requirements of policies D6

of the London Plan (2021) and DM32 of the WFLP Development Management Policies (2013) with regards to impact on amenity are assessed as follows:

Privacy and Overlooking:

- 9.113 The proposed building would have a considerable setback from neighbouring buildings at the east, west and south sides of the site, as the site is located between Larkshall Road at the west, Highams Park Station and train line at the east and the three-way junction, formed by Larkshall Road, Hale End Road and The Broadway at the south. The neighbouring residential buildings at the east, west and south sides of the site are therefore at a considerable distance that exceeds 18.00 metres. The closest neighbouring building is the Tesco Superstore, which contains an element of residential use. This development is located at approximately 23.00 metres towards the west side.
- 9.114 Any impact in terms of privacy and overlooking should therefore be mainly assessed against the neighbouring site at the north, which is No. 472 Larkshall Road, which contains a two-storey building that has a two-storey rear projection with a considerable depth. Planning permission (Council Reference 183379) was approved for this neighbouring site, involving the construction of three additional floor levels to accommodate 20 new residential flats. Whilst the proposed Block A would adjoin the boundary shared with No. 472 Larkshall Road, the building would have no windows overlooking the north side of the site and therefore the development would have no harmful impact in terms of privacy for existing or future occupiers of this neighbouring site. Whilst the north and west-facing windows within Block B would have a visual outlook towards 472 Larkshall Road, these windows would be positioned at a considerable distance that would exceed 26.00 metres. As such, the development raises no concerns in terms of visual intrusion.
- 9.115 With regards to any ability to overlook the other neighbouring site at James Yard, further to the north side of the site, the development would not have north-facing windows within the six-storey element on Block B, which is closest to this neighbouring site at a distance of 3.00 metres from the boundary line shared between both sites. As such, there are no concerns raised in terms of loss of privacy on James Yard either. Whilst a roof terrace is proposed at fifth floor level within Block B, which would have a visual outlook towards the north side at James Yard, the amended plans show a greater setback from the northern boundary line, to restrict any ability to overlook or cause disturbance on this neighbouring site.
- 9.116 Due to the above considerations, the development would have no harmful impact on amenity in terms of overlooking and would be consistent with the requirements of policy D6 of the London Plan (2021) and the Mayor's Housing SPG (2016), which recommends a minimum separation of 18 to 21 metres between habitable windows to ensure adequate levels of privacy for residents.

Daylight, Sunlight and Overshadowing Assessment:

- 9.117 A 'Daylight and Sunlight Study (Neighbouring Properties)' dated 3rd September 2020 has been submitted and provides a detailed assessment of the impact that the development would cause on neighbouring residential and non-residential properties, including amenity space. Whilst some of the neighbouring buildings are not residential in use, the report provides a study

of the impact on these sites, which are located at James Yard, The Avenue, The Broadway, Station Approach, Larkshall Road and the Highams Park Station.

- 9.118 The BRE document is the key guidance when considering daylight, sunlight and overshadowing implications of a proposed development on neighbouring sites. The aim of the guide is to ensure that good conditions within the surrounding built environment are retained. However, the Mayor's Housing SPG (2016) states that *"an appropriate degree of flexibility needs to be applied when using the BRE guidelines to assess daylight and sunlight impacts of new developments on surrounding properties as well as new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites, and accessible locations. This should consider local circumstances, the need to optimise housing capacity and the scope for the character and form of an area to change over time"*. The assessment should therefore not be limited to a technical exercise against the default BRE guidelines and recommendations but should take into consideration that there are no policy requirements with regards to numerical values.
- 9.119 The submitted 'Daylight and Sunlight Study' reviews the impact against 239 windows and 57 of these windows serve neighbouring residential properties. The report considers the Vertical Sky Component (VSC) which quantifies the amount of skylight that would be available at the centre point of a window and states that 21 of the 239 windows would not satisfy BRE guidelines in that these would not pass the Vertical Sky Component (VSC) test as these would fall below the 27% threshold. These windows are positioned within first, second and third floor levels at 401 – 405 Larkshall Road. These windows have recessed balconies and therefore their current ability to view the sky is currently obstructed, ultimately affecting their amount of skylight.
- 9.120 The report includes an assessment of the 'No Skyline' (NSL) daylight distribution, which calculates the direct daylight distribution within a room by plotting the NSL and identifying points that can or cannot directly observe the visible sky. The report concludes that all habitable rooms within neighbouring buildings with a requirement for daylight would still pass the Daylight Distribution Test, except for four habitable rooms at 401 – 405 Larkshall Road, by reason of the design of this building with inset balconies and overhangs. As advised, if the balconies and overhangs of this building were removed, two of the four habitable rooms would still pass the daylight distribution test.
- 9.121 In terms of overshadowing, the proposed building height would range between five and seven storeys with a two-storey element between Blocks B and C, which would accommodate the new station entrance at ground floor. The BRE guidance recommends that at least 50% of any quantifying amenity area should be able to receive at least 2 hours of direct sunlight on the 21st March (equinox). Due to the orientation and the varying building height, the development would allow sufficient penetration of sunlight/daylight to neighbouring sites, including the Highams Park Station and the proposed public square.
- 9.122 In the absence of amenity spaces at the north side of the tallest element, considering that the northern section of the site would be used as a car park and servicing area and because Highams Park Station is positioned at the east side of the proposed building, the development would not cause

unreasonable overshadowing on neighbouring sites. Any surrounding public space would receive more than two hours of sunlight on the 21st March, as confirmed by the submitted 'Daylight and Sunlight Study' and careful consideration has been given to the setting of the existing station building, by virtue of the height variation and the limited height of two storeys for the proposed element that would accommodate the new station entrance.

Conclusion:

- 9.123 Given the separation distance of the site from other building sites at the east, west and south sides of the development, any residential properties would remain largely unaffected in terms of loss of daylight/sunlight, overshadowing and privacy. 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.
- 9.124 Whilst 21 residential windows on a neighbouring building at the west side of the site would fail to achieve BRE guidelines, this would be inevitable, considering the design of this building containing inset balconies that ultimately reduce any penetration of light through the windows. Given that BRE guidance advocates for a flexible and contextualised approach in line with the Mayor's Housing SPG (2016), the proposed building would not constitute an un-neighbourly form of development and on balance, the development would be consistent with the requirements of policy D6 of the London Plan (2021) and Policy DM32 of the WFLP Development Management Policies (2013).

I. Transport and Highways:

- 9.125 Paragraph 110 of the NPPF requires applications for development to, as far as possible, facilitate access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services with appropriate facilities that encourage public use of transport.
- 9.126 Policy T1 of the London Plan (2021) states that proposals should support the delivery of the Mayor's strategic target of 80% of all trips in London to be made by foot, cycle, and public transport by 2041. Policy T1 of the London Plan (2021) requires developments to make the most effective use of land, in a way that reflects its connectivity and accessibility by existing and future transport links, walking and cycling routes to ensure that any impact on the London's transport networks and supporting infrastructure is mitigated. In addition, policy T6 of the London Plan (2021) encourages car-free forms of development as a starting point for all development proposals in places that are well connected to public transport. Car-free developments should still provide disabled parking.
- 9.127 At a local level, WFLP Core Strategy Policy CS7 (2012) sets out that the Council will promote sustainable travel by guiding development to accessible locations, including town centres, to reduce the need to travel by car and to encourage walking, cycling and the use of public transport.
- 9.128 In addition, Policy DM14 of the WFLP Development Management Policies (2013) states that the Council will encourage sustainable travel. Major developments should seek to support safe, vibrant and healthy places to live and work by enhancing connectivity in order to facilitate regeneration and growth in a sustainable manner by the provision of enhanced and attractive travel options to access jobs and facilities within the Borough and beyond.

New Station Entrance – Highams Park Station:

- 9.129 The proposed safeguarded space for delivering a new station entrance has been subject to numerous discussions with TfL and Network Rail and has therefore undergone several amendments. TfL strongly supports the provision of a future station entrance, as it would improve the existing transport infrastructure within the District Centre and would seek to increase the capacity of the existing station by enhancing accessibility and high-quality public transport infrastructure. A future station entrance would address existing shortcoming of the current arrangement, by reason that the existing entrance from Wilton Place is suboptimal and away from the movement of passengers from the south side of the station.
- 9.130 In addition, the existing infrastructure is not capable to respond to future capacity demand that would result from future developments within the wider Highams Park area. Due to current capacity issues, a second entrance is opened between 17:00PM and 19:00PM to relieve congestion, which is via stairs and is ungated and causes security concerns. London Overground would therefore derive significant financial benefits from the development, including improved revenue protection measures, as a future station entrance would involve the removal of an ungated second exit from the station.
- 9.131 Furthermore, the future station entrance would introduce a new spatial layout that would respond to future demand and capacity requirements of a new ticket hall space, which should address current concerns over passenger movements and numbers. The new station entrance and its position fronting a public square would facilitate accessibility and legibility through the creation of clearer routes, including wheelchair access, which would respond to the infrastructure requirements of the station entrance.
- 9.132 The future station works involve the construction of a concrete box and ramp, which would be carried out by the developer. Due to the poor access to the station entrance from the west and considering that the development would represent a one-off opportunity to deliver a new station entrance in line with the aspirations set out by the Draft Site Allocations Document (2021), this part of the development is strongly supported by the Council's Regeneration and Transport Policy Teams. Moreover, TfL supports the proposal, which includes the future construction of an infill platform element and pedestrian ramp to enable a new form of access, with a financial contribution of £125,000 towards the safeguarding arrangements for accessing the station until the entrance can be delivered with technical approvals with required inspections from TfL officers.
- 9.133 A budget estimate for the fit-out, enclosure and re-location of the station entrance from Wilton Place was commissioned in 2019, which followed detailed discussions and site visits that were carried by the Council's Transport Policy Team, TfL and London Overground. At that time, the assumptions were that these costs (£125,000) would be carried out by TfL, including design and legal works. However, given TfL's current financial situation and Covid-19 pandemic, TfL can no longer lead or take any further delivery. As such, an updated feasibility study to clarify the genuine full cost of 'fit out', including installation of ticket machines and legal costs have been secured through the financial contribution of £125,000, to establish a budget prior to occupation while covering the safeguarding arrangements.
- 9.134 Whilst the costs would exceed the secured financial contribution for safeguarding the space, further sources of funding shall become available

via S106/CIL contributions from future developments within Highams Park. In the interim, the undercroft space would be used under a short-term commercial tenancy, until detailed costs and a complete funding package is assembled to implement the scheme. This approach is supported by TfL and Network Rail. Moreover, the introduction of a temporary retail unit (approximately 80.00 sqm) in the interim would complement the district centre and activate the building frontage around the proposed public square.

- 9.135 TfL recommends the submission of an updated feasibility appraisal to clarify full costs for the future operation of the station entrance, an 'Equalities Impact Assessment' and an 'Evacuation Safety Strategy', which shall be submitted prior completion and operation of the new station infrastructure facilities. Furthermore, Network Rail recommends an Asset Protection Agreement. These requirements are secured in the S106 Agreement, which also includes the provision of future legal arrangements with Network Rail as the freeholder of the operational railway space.
- 9.136 With regards to local policy requirements, the proposed future station entrance would also be consistent with policy TPR1 of the Highams Park Neighbourhood Plan (2020), which states how residential developments towards the west side of the railway line, which were completed in 2012, have caused an influx of new residents and many of these people commute to Central London, resulting in additional pressure on the station. One of the objectives of the Plan is to provide better and safer pedestrian movement particularly in and around the station. Whilst comments with regards to how the proposed future station entrance would not enable direct access to Platform 1 are noted, the current platform arrangement would not change and access to Platform 1 would be provided by the existing pedestrian bridge over the railway. However, any commuter arriving at Platform 2 would be able to leave directly through the new station entrance without long queues, by virtue that these works would respond to increase capacity demand and more legible links between Highams Park Station and the west side of the District Centre.
- 9.137 The proposed building's superstructure would have a separation distance of 3.41 metres from the station platform (9.581 metres from the track edge of the platform) and therefore there are no concerns raised in terms of harm on the operation of the railway in terms of risks for the occupants of the development or maintenance of staff. However, several conditions requiring details of piling, details of plants/cranes, details of interface with the station entrance and specifications of electrical plants/transformers are recommended, which have been agreed with the developer. In addition, informatives clarifying on issues with regards to trespassing, road vehicle incursion, demolition activities affecting the railway and buried services within the station are also included, as recommended by the Network Rail's Asset Protection Team.
- 9.138 The proposed safeguarded entrance to the station would set the principle for a clear and legible link with Larkshall Road and would ultimately constitute a strategic contribution towards public transport infrastructure within Highams Park. The new entrance, by virtue of its position, would create a more direct link between Highams Park Station and the District Centre and would therefore deliver facilities that would be used effectively for commuters travelling to and from the station. Given that the station entrance would be built-in accordance with the latest TfL guidance on Healthy Streets and the fact that the principle of a new entrance would increase permeability around the locality while reducing walking distances between the platforms and

street level, this part of the proposal is strongly supported. Moreover, sufficient measures would be incorporated to mitigate any risk of impact on existing public access spaces during the construction phase of this part of the development, by reason that the operational works would also be assessed by the submission of a Construction Management Plan, which is recommended by condition.

- 9.139 In light of the above considerations and considering the poor condition of the existing station facilities and key strategic objectives of this part of the proposed development, delivering a future station entrance would enhance the economic, social and environmental conditions of this part of the District Centre and would ultimately improve transport infrastructure within Highams Park. The proposed safeguarding approach would enable the proposed entrance to come into operation in the future and is therefore supported by TfL and Network Rail as an immediate solution to costs. As such, the financial contribution has been secured to enable this space for its use as a temporary commercial unit with the option to provide a future station entrance that responds to existing shortcomings. The development would therefore be consistent with the objectives of London Plan Policies T1, T4 and T6, WFLP Core Strategy Policy CS7 (2013) and Policy TPR1 of the Highams Park Neighbouring Plan (2020).

Car Parking and Highways Works:

- 9.140 The site is not located within a Controlled Parking Zone (CPZ). However, the site is positioned within a District Centre and it's well served by the local transport network. A financial contribution of £25,000 towards the consultation and implementation of a CPZ is being secured, which would be subject to consultation with local residents. The CPZ should be in place prior occupation of the development and would only come forward following the consultation results. The car-free restriction is therefore recommended by condition, as confirmed by the Council's Highways Team.
- 9.141 The development would provide eight disabled parking spaces and two dedicated service spaces. Policy T6 of the London Plan (2021) requires 3% of dwellings to have a designated disabled persons parking bay, with an additional 7% provided for if existing provision becomes insufficient. The proposed eight disabled parking spaces are therefore acceptable, as confirmed by the TfL and the Council's Transport Section. Four car parking spaces would be equipped with infrastructure for charging electric vehicles, which is also acceptable and passive provision would be made for all remaining spaces. Details of charging points are recommended by condition.
- 9.142 The proposed car parking area would be accessed via Larkshall Road through an undercroft that would lead to a servicing area that would also accommodate parking for refuse vehicles. A detailed Car Parking Management Plan is recommended by condition, to ensure that the layout and car parking arrangements are always operational and deter unauthorised individuals from parking within the site. Moreover, the Car Parking Management should introduce a monitoring regime which should be implemented by the operator and enforced thereafter.
- 9.143 The Council's Highways Team have considered the application and no objections are raised, subject to identified S278 works, and S106 contributions for the improvement of sustainable modes of transport, the monitoring of the Construction Logistics Plan and for the implementation of a CPZ in the surrounding area to mitigate any overspill parking. Furthermore,

conditions requiring a Highways Condition Survey, a full Car Parking Management Plan, SuDS drainage details, lighting details and a full Construction Logistics Plan have been recommended. The Section 278 agreement should require the following works:

- A review of expected pedestrian movements, and accommodation for these in a new highway layout;
- Renewal of the footway on the frontage of the site;
- Formation of new access;
- Changes or relation to the existing signal-controlled crossing, including a raised crossing point;
- Consideration of segregated cycles in Larkshall Road;
- An upgrade of existing restrictions in Larkshall Road to 'No Waiting' and 'No Loading' at any time;
- Possible S38 along the frontage of the site;
- Upgrade or construction of any crossing point for safe permeability from site to the rest of the community.

9.144 In terms of servicing, a Delivery and Servicing Plan is recommended by condition, as also advised by TfL. The details should include specifications of the operational and servicing requirements of the development from Larkshall Road. In addition, a full Construction Logistics Plan is recommended by condition, which should be approved in consultation with TfL and Network Rail. Due to the proximity to the Highams Park Station and London Overground, planning obligations for infrastructure protection are also secured in the S106 Agreement, including safeguarding arrangements.

Cycle Parking:

- 9.145 Table 10.2 under London Plan Policy T5 (2021) sets out the minimum standards for new developments. At a local level, WFLP Core Strategy Policy CS7 (2012) sets out that cycle parking should be provided in accordance with the minimum standards set out in the London Plan. In addition, WFLP Development Management Policy DM16 (2013) mentions that the Council would seek to effectively manage parking to ensure the provision of safe and attractive parking facilities by requiring development proposals to provide well designed, high quality parking stores in accordance with the Council's minimum cycle parking standards.
- 9.146 The development would provide a total of 117 long stay and 2 short stay cycle spaces for the proposed residential units and would therefore comply with the minimum standards set out in policy T5 of the London Plan (2021), which requires one space per one-bedroom dwelling and two spaces for any other dwellings (long stay) and two spaces for 5 to 40 two-person dwellings and one additional space per 40 dwellings (short stay).
- 9.147 Given that the flexible commercial floor space and community facilities have no specific use at this stage, the proposed cycle parking spaces for these units is 3 long-stay and 16 short-stay spaces, as required by policy T5 of the London Plan (2021). This provision is acceptable and supported by TfL. In addition, the development would accommodate a 24-space commuter cycle hub for users of Highams Park Station, which is welcomed.
- 9.148 The cycle parking would be accommodated within secured and integrated cycle stores that would be linked with the three cores. Furthermore, the provision of long stay cycle parking would be provided within the public square, which would be directly linked to the commercial floor space with good levels of surveillance from the station entrance and commercial units.

- 9.149 Subject to a condition that secures an adequate ratio in accordance with the requirements of Policy T5 of the London Plan (2021) with an acceptable provision of two-tier stands, Sheffield stands and secured lockers, the development would provide an acceptable quantum of cycle parking that would be secured, sheltered and well-integrated. The Council's Transport Policy Team therefore supports the development, as set out within the submitted Healthy Streets Transport Assessment dated September 2020.

Trip Generation:

- 9.150 Policy T3 of the London Plan (2021) seeks for development proposals to connect to local public transport and active travel networks by facilitating the delivery of local connections. In addition, policy T4 of the London Plan (2021) aims to minimise the cumulative impact of development on public transport to reduce any associated effects on safety and public health.
- 9.151 The submitted Framework Travel Plan (dated September 2020) provides full details of trip generation forecasts, which indicate that the proposed development is expected to generate a total of 429 two-way trips per day. However, 90% of the trips that would be generated by the residential element of the development would be active and under public transport modes. Moreover, 89% of the trips completed by the new commercial units would be completed by non-car mode. This is supported by the Mayor's strategic transport target, which seeks for every development to achieve at least 80% of all trips in London by walking, cycling and public transport. TfL therefore raises no concerns in terms of harm on the highway networks.
- 9.152 Given that the development would uplift sustainable travel modes by delivering a future station entrance and introducing a commuter cycle hub to support additional demand within the District Centre and considering the large percentage of trips that would be generated by public transport modes, the increase in vehicle trips would be negligible and the development would therefore have no adverse impact on the existing highways network and its safety.
- 9.153 The details of trip generation contained within the submitted Framework Travel Plan (dated September 2020) are considered reasonable and therefore Transport for London raises no objections in terms of any adverse impact on the public transport network. The development would therefore be consistent with policies T1, T2, T3 and T4 of the London Plan (2021).

J. Waste Management:

- 9.154 Policy SI7 of the London Plan (2021) requires design of developments to incorporate adequate, flexible, and accessible waste storage spaces and collection systems. At a local level, WFLP Core Strategy Policy CS6 (2012) promotes the prevention and reduction of waste and requires development proposals to provide well-designed internal and external storage facilities for residual waste and recycling. Moreover, Policy DM32 of the WFLP Development Management Policies (2013) states that new developments should ensure that the provision of adequate facilities for the storage, collection and disposal of waste is secured.
- 9.155 The three proposed refuse and recycling stores would be accommodated at ground floor and would be directly linked to the refuse collection point at the rear of Blocks A and B. The updated plans introduce a new dedicated route for servicing Block C with a direct link to the servicing area. The additional

refuse store for the flexible community facilities (Class F1) would also be directly linked to the refuse collection point at the rear of Block A.

- 9.156 The refuse strategy ensures that any servicing will be carried out within the boundary of the site, to prevent disruptions on the highway network at Larkshall Road. As such, a large servicing bay for waste trucks would be introduced within the servicing yard and there would be sufficient space for turning of large trucks for accessing and leaving the site in forward gear. In addition, the parking layout secures two standard sized designated servicing and delivery bays, which would be positioned along the northern boundary line of the site, at the side of the disabled parking spaces. These spaces would cater for servicing and delivery of vehicles that might need a longer stay without using public highway
- 9.157 Although the proposed refuse and recycling stores are acceptable in terms of position and size and would have the capacity to cater the development, a condition requiring a detailed waste and recycling strategy is recommended, in order to ensure that the physical operation of the site is further reviewed in compliance with the requirements of policy DM32 of the WFLP Development Management Policies (2013). These details should also include specifications of ventilation, security and accessibility, together with details of arrangements of collection in compliance with the Council's 'Waste and Recycling Guidance for Developers, Storage and Collection Requirements' (2017).

K. Environmental Impact of the Development:

- 9.158 Policy DM24 of the WFLP Development Management Policies (2013) seeks to control and mitigate pollution in all its forms, including noise, vibration, lighting, smell as well as land, water, and air-based considerations. The Council's Environmental Health Team reviewed the proposed development and considered that the development would be acceptable subject to mitigation measures to reduce any detrimental impact on amenity, to ensure that an acceptable living environment is delivered for residents. These issues are reviewed as follows:

Noise and Vibration:

- 9.159 Policy D14 of the London Plan (2021) requires mitigation measures on existing and potential adverse impacts in terms of noise as a result of new development in order to enhance the acoustic environment of a site and its surroundings. In addition, policy DM24 of the WFLP Development Management Policies (2013) states that all major forms of development should aim to minimise the adverse impacts of noise through sensitive design, management, and operation.
- 9.160 The submitted Acoustic Report dated August 2020 prepared by Stantec UK Ltd includes two sound surveys of the site at two different locations, which were carried out on the 29th January and 30th January 2020. These surveys provide details of the existing levels of noise within the site and how these would have an incidence on the proposed development. A vibration survey was also undertaken at 16:00 hours on the 30th January 2020, when typical rail traffic movements and higher vibration levels are expected from the London Overground Line serving Highams Park Station.
- 9.161 The result of the surveys have been used to calculate the required external building fabric performance and the recommended acoustic specifications, including the limits on any plant and noise emission element. The report

concludes that suitable internal noise levels would be achievable and that these would fall within the range of BS8233, through the provision of acoustically laminated glazing and high-performance acoustic trickle ventilations in the worst-case areas around the development. Moreover, the vibration survey concludes that the levels of perceptible vibration (VDV) have been calculated below the level which is likely to cause an adverse impact for future residents of the site. Notwithstanding the findings, mitigation measures on vibration are recommended by condition requiring the submission of a sound insulation scheme, to ensure that different elements of the building as a 'worst-case scenario' are covered.

- 9.162 Given that the internal noise levels can be effectively controlled, the Council's Environmental Health Team raises no objections against the development, subject to conditions requiring the submission of a Construction Environmental Management Plan, details of noise and vibration mitigation measures, details of noise levels controlled from plants and machinery and specifications of sound insulation between the residential and non-residential elements of the development.
- 9.163 Subject to conditions, the development would be acceptable in terms of noise and vibration and consistent with Policy D14 of the London Plan (2021) and Policy DM24 of the WFLP Development Management Policies (2013).

Air Quality:

- 9.164 Policy SI1 of the London Plan (2021) sets out the requirements for new development to address poor air quality. All forms of development must be at least air quality neutral. At a local level, policy DM24 of the WFLP Development Management Policies (2013) states that new developments should neither contribute nor suffer from unacceptable levels of air pollution. All major applications should demonstrate appropriate mitigation measures through an Air Quality Assessment.
- 9.165 A review of the historic assessments in terms of air quality for the borough confirms that the annual means of objectives for air quality have been exceeded across the Borough, primarily centred on the main roads. These exceedances are predicted to continue and therefore the Air Quality Management Area encompasses the entire Borough. Due to these conditions, the site is located within an air quality management area (AQMA) and requirements to reduce the level of nitrogen dioxide and other particular matter emissions are applicable. As such, an Air Quality Assessment (dated 28th August 2020) has been submitted with the application, which has been reviewed by the Council's Air Quality Officer.
- 9.166 As advised by the Council's Environmental Health Section, the assessment is considered satisfactory and therefore air quality would not pose a constraint for the development, subject to a financial contribution of £6,800 for the residential element (£100 per dwelling) and £4,030 for the commercial element (£10 per square metre). The financial contribution has been secured towards the implementation of the Air Quality Action Plan, which shall ensure maintenance of the Air Quality monitoring network and Air Quality modelling within the site and its surroundings. In addition, conditions requiring compliance with the non-road mobile machinery (NRMM) Low Emission Zone and the submission of an Air Quality and Dust Management Plan are recommended.

- 9.167 The development would be consistent with Policy SI1 of the London Plan (2021) and Policy DM24 of the WFLP Development Management Policies (2013), subject to conditions and a financial contribution that would ensure that the development protects the amenity and health of neighbouring properties in terms of air quality and pollution.

Contaminated Land:

- 9.168 Policy CS13 of the WFLP Core Strategy (2012) sets out that the Council will aim to create and develop healthy and sustainable places and communities. Development proposals are required to meet appropriate standards that address the risks arising from contaminated land and hazardous substances. In addition, policy DM24 of the WFLP Development Management Policies (2013) states that sites which are potentially contaminated should identify risks to water quality posed by the development and agree on a strategy to overcome any risk.
- 9.169 The existing building within the site would be demolished. An asbestos survey is therefore recommended by condition, as advised by the Council's Land Contamination Officer. The application also includes a Phase 1 Environmental Risk Assessment dated 20th August 2020. However, a condition is recommended, which should provide details of the Desk Study Report including a preliminary risk assessment and a conceptual site model. This should therefore include the findings of the Desk Study Report and provide information of a detailed assessment of the risk to all receptors. Furthermore, in the event that remediation measures are identified as necessary, details of these measures with a verification report should be provided for satisfying the requirements of the contamination condition.
- 9.170 Given that the development would address the risks associated with land contamination and would therefore protect pollution of groundwater, the Council's Land Contamination Officer supports the proposed development, subject to a condition requiring details that ensure that the development would not pose a risk for future occupiers with regards to contamination. The development would therefore be consistent with policy SD1 of the London Plan (2021), policy CS13 of the WFLP Core Strategy (2012) and policy DM24 of the WFLP Development Management Policies (2013).

Flood Risk:

- 9.171 The site is not located within a critical drainage area and is positioned within a Flood Zone 1. As such, there is a low probability of surface water flooding. Policy SI12 of the London Plan (2021) requires development proposals to ensure that appropriate measures are incorporated to minimise and mitigate any flood risk.
- 9.172 A Flood Risk Assessment and Drainage Strategy prepared by Ardent Consulting Engineers Ltd was submitted with the application and outlines potential risks of flooding for the site, and include surface water, ground water and sewers, which are considered low to very low risk subject to mitigation measures. The report therefore provides details of measures, including raising the ground surface levels to slope up into the site from Larkshall Road to prevent the ingress of surface water flooding from Larkshall Road and managing run off from the built development areas of the site through appropriate and well-designed/maintained surface water drainage infrastructure. As advised, the risk of flooding from these sources can be managed by maintenance and regular inspections and there is no

significant risk at the site that would materially affect the suitability for development by reason of flooding.

- 9.173 The development would therefore be consistent with the requirements of policy SI12 of the London Plan (2021) and policy CS5 of the WFLP Core Strategy (2012) in that it would not pose a risk of flooding by incorporating acceptable mitigation measures.

Sustainable Urban Drainage:

- 9.174 London Plan Policy SI13 (2021) requires new forms of development to utilise sustainable urban drainage systems (SuDS) to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy.

- 9.175 The current site is mainly buildings and hard surfacing and surface water flows directly into the existing drainage system. The current run-off rate in a storm event is 32.9 l/s. The applicant's drainage reports proposes a sustainable drainage system that would result in a significant reduction in run-off, to 3.2 l/s, achieving better than a greenfield run-off. Notwithstanding the submitted Flood Risk Assessment and Drainage Strategy dated September 2020, which includes details of the operation and management of SuDS, a drainage condition is recommended, requiring greenfield run-off, with further details of SuDS features for the development site, which should include permeable paving, rain gardens, soakaways and specifications of infiltration test results together with recommended soakage rates where soil conditions are suitable for infiltration. Subject to a condition that requires the submission of a final drainage strategy, the development would be in accordance with policy SI13 of the London Plan (2021) and policy CS5 of the WFLP Core Strategy (2012).

Water Efficiency:

- 9.176 Policy SI5 of the London Plan (2021) states that development proposals should minimise the use of mains water in line with the Operational Requirements of the Building Regulations to achieve mains water consumption of 105 litres or less per head per day. In addition, policy DM34 of the WFLP Development Management Policies (2013) states that every form of development should implement water efficiency measures to achieve usage of less than or equal to 105 litres per person per day for residential use and to incorporate measures for saving water for any new development involving more than 100 sqm, as required by the London Plan.

- 9.177 Although the submitted Flood Risk Assessment and Drainage Strategy dated September 2020 provides detailed specifications of drainage calculations and a drainage strategy in compliance with the requirements under policy SI5 of the London Plan (2021), the statement provides no details in how the development would meet water efficiency targets. As such, a condition requiring details of measures to reduce water use within the development is recommended, to meet the requirements of policy DM34 of the WFLP Development Management Policies (2013) and policy SI5 of the London Plan (2021).

Ecology:

- 9.178 London Plan Policy G6 (2021) states that *'development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best ecological information and addressed from the start of the development process'*. Policy DM35 of the WFLP

Development Management Policies (2013) seeks for the avoidance of detrimental impacts in designated sites of ecological importance. The policy also states that development proposals should provide measures to support species and habitats using appropriate landscaping strategies.

- 9.179 The application site is entirely built over and therefore has low ecological value. The site falls within 0 to 3 kilometres from the zone of influence to the Epping Forest SAC and therefore poses an effect to the SAC. Natural England provided comments and advised that given that the site is within the Zone of Influence for the Epping Forest SAC, the development is liable to provide a financial contribution towards the Strategic Access Management Measures (SAMM), in accordance with Natural England's interim advice dated 6th March 2019.
- 9.180 Whilst it is noted that an ecological appraisal has not been submitted for review, as required by policy TPR1 of the Highams Park Neighbouring Plan (2020), this requirement is secured by a pre-commencement condition, by reason that the site is within close proximity to Chingford to Liverpool Street railway line, which is designated as a Site of Grade 2 Borough Importance to Nature Conservation. The biodiversity net gain of the site would therefore need to be monitored in the long terms and therefore a survey would be required as part of the ecological appraisal. This would therefore be dealt with by an ecological appraisal condition, as agreed with the Council's Tree and Landscaping Officer.
- 9.181 On balance, the development would be an improvement to the landscaping of the area and is likely to provide net gains in biodiversity and urban greening. In the absence of objections from Natural England and due to the financial contribution of £6,800 that has been secured towards the SAMM to ensure that the development incorporates appropriate mitigation measures on the SAC, the development would be consistent with London Plan Policy G6 (2021) and Policy DM35 of the WFLP Development Management Policies (2013).

Archaeology:

- 9.182 Policy HC1 of the London Plan (2021) states that development proposals affecting heritage assets and their setting should be sympathetic to the assets' significance and appreciation within their surroundings. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations in the design process. In addition, policy DM22 of the WFLP Development Management Policies (2013) states that the Council will ensure the preservation, protection and where possible, the enhancement of the archaeological heritage of the Borough.
- 9.183 The site does not fall within an Archaeological Priority Zone (APZ) and given the size of the site below 0.5 hectares, an Archaeological Desk Based Assessment was not considered a requirement as part of the application. In the absence of archaeological interest and considering that any impact on archaeological remains below ground level would be negligible, the development would not be contrary to policy HC1 of the London Plan (2021) and policy DM22 of the WFLP Development Management Policies (2013) with regards to any impact on significant archaeological remains on site.

L. Sustainable Design and Energy Efficiency:

- 9.184 London Plan Policy SI2 (2021) states that major forms of development should be net zero carbon. This means reducing greenhouse gas emissions

in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- Be lean: use less energy and manage demand during operation.
- Be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly.
- Be green: maximise opportunities for renewable energy by producing, storing, and using renewable energy on-site.
- Be seen: monitor, verify and report on energy performance.

9.185 Development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target would be met within the framework of the energy hierarchy. The submitted Energy and Sustainability Statement dated September 2020 confirms that using SAP10 CO2 factors, the development predicts to achieve a reduction of 83.46% in regulated emissions against Building Regulations 2013 baseline for the residential development and a reduction of 43% for the commercial element. This exceeds the London Plan overall target of 35%. The figures have been correctly calculated using SAP10 factors, as confirmed by the Council's Energy and Sustainability Consultant.

9.186 At a local level, policy DM10 of the WFLP Development Management Policies (2013) requires developments of one or more units or greater than 100 sqm to be designed with regards to sustainable development principles and to achieve the Council's stepped targets towards zero carbon by 2016 for residential development and by 2019 for non-residential developments. Policy DM10 requires an on-site emissions reduction of 35% for non-residential developments. As noted, the non-residential floor space would achieve an on-site reduction of 43% and would therefore be compliant with the requirements set out by local policies under the WFLP Development Management Policies (2013).

9.187 The Council's Energy and Sustainability Consultant confirmed that there are residual emissions of 13.72 tonnes in the residential element of the development, 4.82 tonnes for the non-residential element and an offset rate of £1,800 per tonne would be applicable. An offset carbon contribution of £33,372 is therefore required, which would be secured in the legal agreement.

Sustainable Design:

9.188 Policy DM10 of the WFLP Development Management Policies (2013) states that non-residential development greater than 100 sqm should achieve BREEAM 'very good' or equivalent standards and encourages major non-residential developments to achieve BREEAM 'excellent or equivalent'. The Energy and Sustainability Statement states that the non-residential element is expected to achieve a rating of 'Very Good' with an overall score of 57.91%. The requirement to achieve a threshold for a 'Very Good' rating would also be secured by a condition.

Energy Demand Reduction (Be-Lean) and Overheating:

9.189 Policy SI4 of the London Plan (2021) states that development proposals should minimise adverse impacts on the urban heat island through design, layout, orientation, materials, and the introduction of green infrastructure. Development should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems.

- 9.190 As advised by the Council's Energy and Sustainability Consultant, the proposed u-values for the various elements of the building fabric would meet or improve the requirements of Building Regulations and would therefore be of a good standard. As also confirmed, the development would incorporate good practice air permeability values for both elements of the development. Given that active cooling has been specified for the commercial element of the development and in the absence of a thermal modelling to demonstrate that there is no risk of overheating, a condition requiring the submission of a thermal modelling that demonstrates that the commercial element has no risk of overheating is recommended.

Low Carbon Energy Supply (Be-Clean):

- 9.191 London Plan Policy SI3 (2021) states that development proposals within a Heat Network Priority Area should have a communal low-temperature heating system and that the heat source for the communal heating system should be selected in accordance with the following heating hierarchy:
- Connect to local existing or planned heat networks.
 - use zero-emission or local secondary heat sources.
 - use low-emission combined heat and power (CHP) and,
 - use ultra-low NOx gas boilers.
- 9.192 The feasibility study has identified solar PV and air source heat pumps (ASHP) as the most appropriate technology for the residential element of the development. Air source heat pumps (ASHP) have also been identified for the commercial element of the development. This approach is accepted by the Council's Energy and Sustainability Consultant.

District Heating and Cooling Networks:

- 9.193 Policy DM11 of the WFLP Development Management Policies (2013) requires developments of one or more units or greater than 100 sqm, which are located in the proximity of an existing or committed future 'Decentralised Energy Network' to assess opportunities and to implement links into existing or future decentralised energy networks, unless it can be demonstrated that an efficient connection is not feasible.
- 9.194 The Energy and Sustainability Assessment includes an excerpt from the London Heat Map, which shows that there is no existing network within 1,000 metres of the proposed development. There is therefore no requirement in principle to assess opportunities for connection to a shared heat network.
- 9.195 In terms of site wide communal systems/network and design for district network connection, policy DM11 of the WFLP Development Management Policies (2013) requires major developments that have demonstrated that a connection to an existing or committed decentralised energy network is not feasible, to be connection ready for future networks, unless it can be demonstrated that an efficient connection is not feasible. Connection ready developments would be expected to meet the full carbon reduction targets as set out in policy DM10 of the WFLP Development Management Policies (2013).
- 9.196 The submitted Energy and Sustainability does not address future proofing of the development for connection to a network. As such, the planning obligations secure the requirement to provide specifications showing how the development would be future proofed for connection to a decentralised energy network, including details of reserved areas in the plant room and

protected pipework, to ensure that the building is designed in a way that it is capable of being connected to future network opportunities.

Renewable Energy Supply (Be-Green):

- 9.197 Policy DM11 of the WFLP Development Management Policies (2013) states that major forms of development should seek to reduce the site's carbon emissions through on-site renewable energy, to ensure that the proposed renewable system is appropriate to the location and does not have an adverse impact on the development, local amenity of neighbourhoods or the environment, including air quality.
- 9.198 The building would employ an efficient building fabric, including the installation of PV panels to maximise carbon savings for the site. A solar PV array of 55 kWp, which would constitute 169 panels, would cover large areas of the roofs. This provision is accepted by the Council's Energy and Sustainability Consultant and this would be consistent with policy DM11 of the WFLP Development Management Policies (2013).

M. Trees and Landscaping:

- 9.199 Policy D8 of the London Plan (2021) requires development proposals to encourage and explore opportunities to create new public realm where appropriate. Development proposals should provide well-designed, safe, accessible, inclusive, and attractive public realm spaces that relate to the local context of the site. Landscaping proposals, including planting, street furniture and surface materials should be of good quality and sustainable. Additionally, lighting should be well-designed to minimise light pollution and reduce intrusive forms of illumination.
- 9.200 At a local level, policy DM12 of the WFLP Development Management Policies (2013) states that development proposals should optimise physical and visual access between the built environment and open spaces. The policy also seeks to enhance green infrastructure and maximise access to open spaces within the borough by improving connectivity within the green infrastructure network.
- 9.201 In addition, policy GNE1 of the Highams Park Neighbourhood Plan (2020) seeks for any form of development to provide on-site, where appropriate, new green/open spaces to enhance public realm, promote biodiversity and nature conservation and allow for the planting of new trees. Policy TPR1 of the Highams Park Neighbouring Plan (2020) resists any design proposals that would have a detrimental impact on wildlife habitats and any applications should therefore provide robust assessment of local biodiversity, pollution, and other significant environmental factors. Moreover, the policy states that an ecological assessment should be submitted for any landscaping proposals, by reason that the Chingford to Liverpool Street railway line is designated as a Site of Grade 2 Borough Importance to Nature Conservation.
- 9.202 The submitted landscaping plan and Sketchbook 004 Document secures the retention of an existing tree at the southern corner of the site at the three-way junction and the introduction of new trees within the servicing areas, at the boundary shared with No. 472 Larkshall Road. In addition, planting, climbers on boundary walls and buffer features along the boundary shared with Highams Park Station at the south east side of the site are also labelled in the submitted documents. The development would introduce three distinct green areas at ground floor level, which would comprise a new public square that would be enclosed along the Larkshall Road with bollards, a

public realm element at the south side of the site towards the three-way junction and a third element of tree planting and screening within the servicing areas at the rear of Blocks A and B. The proposed public realm within the site and the planting of new trees to enhance the biodiversity of the site are therefore welcomed, as these works would be in accordance with the aspirations set out by local policy GNE1 of the Highams Park Neighbourhood Plan (2020).

- 9.203 The proposed soft landscaping works would include a range of tree species and the introduction of tree planters within the public square, that would blend in with featured seating areas around the station and the introduction of new public gathering space that would be linked to the commercial units. Given that the site is entirely built over and has no ecological value, the proposed landscaping proposals would improve the biodiversity of the site through the introduction of varied habitats. Due to this consideration, the development would accommodate bio-solar green roofs that would include insect hotel features and new planted areas that would be reinforced by the provision of planted residential balconies.
- 9.204 The building would accommodate a roof terrace at fifth floor level, which would accommodate 207 sqm of play space within an overall space of 256 sqm of landscaping. This would include features such as raised planting beds, multi-step trees, cube planters and equipped playing facilities. Given the introduction of biodiverse greenery, the proposed soft landscaping approach is acceptable and consistent with policy D8 of the London Plan (2021) and policy DM12 of the WFLP Development Management Policies (2013).
- 9.205 Whilst it is noted that an ecological appraisal has not been submitted for review, as required by policy TPR1 of the Highams Park Neighbouring Plan (2020), this requirement is secured by a pre-commencement condition, by reason that the site is within close proximity to Chingford to Liverpool Street railway line, which is designated as a Site of Grade 2 Borough Importance to Nature Conservation. The biodiversity net gain of the site would therefore need to be monitored in the long terms and therefore a survey would be required as part of the forthcoming appraisal. This would therefore be dealt with by an ecological appraisal condition, as agreed with the Council's Tree and Landscaping Officer.
- 9.206 In terms of hard landscaping, the materials would include permeable paving for the service and parking areas, patterned dutch paving within the public realm and new means of enclosure due to security reasons, such as bollards. The permeable materials would provide proper rainwater run-off to support the proposed biodiverse habitat areas of the site. Notwithstanding the details shown in the Design and Access Statement and landscaping plans, conditions requiring details of tree planting, ecological appraisals and a Landscaping Management Plan are recommended, to ensure that the proposed biodiversity for the site is protected in accordance with policy CS15 of the WFLP Core Strategy (2012) and policy DM35 of the WFLP Development Management Policies (2013).

N. Safety and Security:

Fire Safety:

- 9.207 Policy D12 of the London Plan (2021) requires the submission of a Fire Safety Statement for all major forms of development proposals. These should be produced by a third-party, independent, and suitably qualified

assessor and should aim for design proposals that incorporate appropriate features to reduce the risk of a fire. The strategy should include appropriate fire alarm systems, measures for minimising the risk of fire spread, details of means of evacuation and passive/active fire safety measures.

- 9.208 A Fire Statement dated October 2020 has therefore been submitted. The report provides details of escape routes and fire exits, fire safety systems including detectors and alarm systems, internal fire spread prevention measures and accessibility for firefighting rescue vehicles and access points to the three main building blocks. The submitted Fire Statement was reviewed by the London Fire Brigade, who raised no objections against the proposed fire safety measures.
- 9.209 Given that the London Fire Commissioner is satisfied with the safety measures and access to water supplies and hydrants, no condition requiring the re-submission of a fire strategy is required in this instance. However, an informative recommending that sprinkler systems are considered for the development, as advised by the London Fire Brigade.

Secured by Design:

- 9.210 Policy D11 of the London Plan (2021) sets out policy requirements that ensure all new forms of development to incorporate acceptable levels of safety and security measures and ensure that buildings remain resilient to emergencies. Moreover, policy DM33 of the WFLP Development Management (2013) seeks for a safe environment with appropriate levels of natural surveillance.
- 9.211 The Design and Access Statement sets out measures to tackle crime prevention, which include maximising active frontages at Larkshall Road and along the new public square to increase surveillance over the new station entrance, specifications of height of gates that would be perforated to increase visibility, recessed areas on the entrances to promote visibility, provision of lighting and CCTV to residents parking bays to meet BS5489-2013 standards. Furthermore, specifications of fob key access and CCTV to communal stairs and security measures for the cycle stores have been provided.
- 9.212 The Metropolitan Police raised minor concerns with reference to secure access between Core B and the residential walkways, with the exception of the western side of the fifth-floor level which provides access to the communal amenity space. Moreover, concerns were raised over the external gate and therefore the updated plans include a recess, to address concerns also raised by the Council's Highways Team, to ensure adequate space for delivery vehicles to stop in front of the gate without disrupting the traffic at Larkshall Road. In terms of the proposed height for the gate, this enclosure would be 2.70 metres in height, which is considered acceptable, as discussed with the Metropolitan Police.
- 9.213 Due to the design guidelines above and revisions to the plans, which aim to secure safe routes around the site and an acceptable separation between commercial and residential uses, the Metropolitan Police does not object to the proposed development, subject to conditions that ensure that the development achieves a Certificate of Compliance to the relevant Secure by Design Guide, with adequate crime prevention measures in consultation with the Metropolitan Police. Additionally, a condition requiring details of external illumination is also recommended. On balance and subject to conditions, the

development would be consistent with the requirements of policy D11 of the London Plan (2021).

O. Planning Obligations:

9.214 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.

9.215 In terms of the Section 106 Agreement, the required Heads of Terms, have regards to planning policy, the Waltham Forest Supplementary Planning Document "Obligations" (2017) and the Waltham Forest Supplementary Planning Document "Affordable Housing and Viability" (2018). The Heads of Terms are outlined in Section 1 of this committee report.

10. ADDITIONAL CONSIDERATIONS:

10.1 Public Sector Equality Duty

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

Human Rights:

10.2 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.

- 10.3 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.

11. CONCLUSIONS:

- 11.1 The principle of development is considered acceptable and consistent with local and regional policies. The optimisation of the site, which would involve the re-provision of social infrastructure accommodation, introduction of new commercial units, provision of a future station entrance and a contribution towards housing delivery would provide key benefits for the strategic site, which is considered prominent by virtue of its position adjoining the Highams Park Station. The proposed approach to safeguard the station entrance until future funding is assembled is also accepted, by virtue that any temporary commercial unit would support the district centre and complement the street frontage towards Larkshall Road and therefore the phasing approach would enable the future operation of the station entrance in consultation with TfL and Network Rail. The principle of development would therefore be in accordance with the objectives set out in the Draft Site Allocation Document (2021).
- 11.2 The proposed building would have proper regard to building layout, scale, height and massing and the provision of a new public square that would link Highams Park Station and the west side of the District Centre is strongly supported. The proposed building form would respond to the context of the site and the prominence of the corner position at the three-way junction at the south side. Moreover, the higher element of the building would be positioned towards the northern side of the site, in accordance with the placemaking principles set out in the draft Site Allocations Document (2021). The proposed building would also activate the frontage along Larkshall Road and would therefore provide a sense of place for the site. As such, the development would complement and support the vitality of the Highams Park District Centre.
- 11.3 The proposed development would offer an acceptable housing mix and would provide good standards of residential accommodation in terms of size, visual outlook, external amenity space and provision of daylight/sunlight. In addition, the development would deliver an acceptable quantum of wheelchair accessible units, that would be well-designed in accordance with specifications set out under the Building Regulations under Part M4 (2) 'accessible and adaptable dwellings'.
- 11.4 The development would have no adverse impact on residential amenity of neighbouring properties. Although the development would be broadly in line with BRE guidance, the development would cause some reduction in sunlight/daylight of neighbouring properties at the west side of Larkshall Road. However, any impact on sunlight/daylight would be inevitable, by

reason of the context of the site and the high baseline conditions, as the site currently contains a two-storey building and the windows that would be subject to sunlight/daylight reduction are inset windows with projecting balconies. The impact on sunlight and daylight on some residential properties at the west side of the site is moderate and it's outweighed by the benefits of the proposed development.

- 11.5 The proposed development would have no detrimental effects on highway safety and would involve highway works that would aim to enhance the public realm and the pedestrian safety of residents. The development would provide acceptable waste/refuse and cycle parking facilities, which would include a commuter cycle hub at Highams Park Station and disabled parking spaces, which are considered adequate and in proportion with the scale of the development. Subject to putting in place a CPZ, the car-free restriction is strongly supported.
- 11.6 The development would incorporate the highest environmental standards and would be sustainable, in that it would deliver acceptable energy reduction measures and meet the required carbon dioxide reduction targets. The development would achieve 'very good' BREEAM standards. In addition, the impact on air quality, flood risk, contamination and sustainable drainage systems are considered acceptable, subject to conditions requiring further details to ensure that the development meets the highest standards in terms of sustainability. The introduction of sustainable drainage systems and achievement of a greenfield run-off rate is a significant improvement on the current situation.
- 11.7 The development would deliver a comprehensive landscaping strategy that would include planting of new trees within the proposed public square, southern element of the site, boundary shared with Highams Park Station and new servicing areas. The development would therefore improve the biodiversity of the site, considering that the existing site is entirely built over. The proposed soft landscaping would introduce varied habitats and planting that would enhance the green infrastructure of the site and its surroundings.
- 11.8 The development would achieve appropriate safety and security measures and conditions requiring Secured by Design certification and lighting details are recommended to ensure that suitable crime prevention measures are fully incorporated as part of the development.
- 11.9 Overall, it is considered that the committee report provides a comprehensive assessment of the planning application and supporting documentation. All material planning considerations have been considered, including responses to consultation. Whilst concerns over building height and harm on the character of the Highams Park District Centre are noted, it is considered that there are no material planning considerations in this scheme that would warrant a refusal, considering that the proposed building would have appropriate design guidelines in terms of layout, height variation, materiality and landscaping. The conditions and planning obligations set out in the Heads of Terms would ensure that any adverse impact of the scheme is mitigated against. Officers are therefore satisfied that the development would deliver significant benefits.

12. RECOMMENDATION

- 12.1 The Planning Committee is recommended to grant planning permission subject to the conditions and informatives below and the prior completion of

a Section 106 Agreement with the agreed Heads of Terms, as set out in paragraph 1.1 of this committee report.

Conditions

The following conditions to be imposed on the planning permission:

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.
2. The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings:

OS Plan Reference 1820-OS-01, Location Plan P001 (Rev. P0), 63692-F-G, 55824-E-01, 63692-S, 198020/01, P100 (Rev. P18), P101 (Rev. P14), P102 (Rev. P12), P103 (Rev. P10), P104 (Rev. P10), P105 (Rev. P14), P106 (Rev. P12), P107 (Rev. P7), D200 (Rev. P13), D201 (Rev. P12), D202 (Rev. P11), D203 (Rev. P8), D204 (Rev. P11), D205 (Rev. P6), D206 (Rev. P7), D207 (Rev. P7) and D208 (Rev. P9).

Documents:

Revised Planning Statement dated October 2021, Post Planning Revised Massing – Accommodation Schedule Document Ref. 1820-Z116-S2-P3, Design and Access Statement dated September 2020, Addendum to Design and Access Statement revisions dated November 2021, Larkshall Road Sketchbook 004 Landscape Document, Air Quality Assessment dated 28th August 2020 (Report Number H2750), Outline Construction Logistics Plan (Revised) dated November 2021, Daylight and Sunlight Study (Neighbouring Properties) dated 3rd September 2020, Daylight and Sunlight Study (within development) dated 3rd September 2020, Employment Land Report & Property Analysis dated August 2020, Employment Land Study Final Report dated August 2019, Energy and Sustainability Statement dated 1st September 2020, BREEAM pre-assessment (Appendix A) issued by JAW Sustainability, Flood Risk Assessment & Drainage Strategy dated September 2020 (Ref. 198020-01D), Drainage Strategy, Desktop Health Impact Assessment dated September 2020, Phase 1 Environmental Risk Assessment dated 20th August 2020 (Ref. HLEL77264), Acoustic Report dated August 2020 (Ref. ACO/RP1), Statement of Community Involvement dated August 2020, Healthy Streets Transport Assessment dated September 2020 and Framework Travel Plan dated September 2020.

REASON: To ensure a satisfactory appearance in accordance with Policy CS15 of the Waltham Forest Local Plan Core Strategy (2012).

Materials

3. Prior to commencement of the development (excluding ground works and substructure), and notwithstanding any indications shown in the submitted plans, 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 ensure a satisfactory appearance in accordance with Policies CS12 and CS15 of the Waltham Forest Local Plan Core Strategy (2012), policies DM28 of the Waltham Forest Local Plan – Development Management Policies (2013) and policy D4 of the London Plan (2021).

Shopfront and Signage Strategy

4. Prior to completion of the development, a proposed shopfront and signage strategy for the commercial units 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 retail units 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 CS12 and CS15 of the Waltham Forest Local Plan Core Strategy (2012) and policies DM28 of the Waltham Forest Local Plan – Development Management Policies (2013).

Highways and Parking

5. No construction activities shall commence until a detailed Construction Logistic Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction and Logistics Plan and Delivery and Servicing Plan must be submitted using the TfL template and guidance found in www.constructionlogistics.org.uk and shall include details of site access, journey planning, access routes, hours of deliveries, temporary traffic arrangements or restrictions, site operation times, loading and unloading locations and storage of building materials. All works shall be carried out in accordance with the approved details and the Construction and Logistics Plan should be implemented throughout the construction works.

REASON: To ensure considerate construction, to protect the amenities of nearby residents and to ensure that disruption is kept to a minimum and has no adverse effect on highway traffic flows or safety, in accordance with Policies CS7 and CS13 of the adopted Waltham Forest Local Plan Core Strategy (2012) and Policies DM14, DM15, DM24 and DM32 of the adopted Waltham Forest Local Plan Development Management Policies (2013).

6. Prior to the commencement of development on the site, a specification for a highway condition survey of the carriageway and footways fronting the site and an actual condition survey to assess the condition of highway before and after construction works shall be submitted to and approved in writing by the local planning authority. The highway condition survey shall include a site plan showing the location of the photographs taken and then be carried out in accordance with the approved timescales contained within the approved specification. It shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied. Any damage to the highway incurred as a result of the construction works, will have to be reinstated by the Council but funded by the developer, in accordance with the timescales and details agreed as part of the survey.

REASON: In the interest of pedestrian and highway safety, to comply with Policy CS7 of the Waltham Forest Local Plan – Core Strategy (2012) and Policy

DM14, DM15 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

7. Prior to occupation of the development hereby approved, a Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall be laid out and allocated in accordance with the approved management plan and shall be made available for the purposes of parking private motor vehicles in association with the development and for no other purpose. The development shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.

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

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

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

9. Prior to the construction of roof slab level, specifications of a surface water drainage system based on sustainable drainage principles to include details of design, implementation, 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 the development and thereafter maintained in accordance with the agreed details for the lifetime of the development.

REASON: In the interests of future health of occupiers of the development and to protect pollution of groundwater in accordance with policies CS4 and CS13 of the Waltham Forest Local Plan – Core Strategy (2012) and policies DM23 , DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

10. Prior to occupation, arrangements shall be agreed with the Council in writing and put in place to ensure that, with the exception of disabled persons, no resident of the development shall be able to obtain a resident's parking permit within the controlled parking zone [either by an amendment to the traffic management order or restrictions included in tenancy agreements].

REASON: In the interest of pedestrian and highway safety, to comply with Policy CS7 of the Waltham Forest Local Plan – WFLP Core Strategy (2012) and Policy DM14, DM15 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

11. Prior to commencement of development (other than demolition, enabling and groundworks and development below DPC level) and notwithstanding any indication on the submitted drawings, a schedule showing the number and

location of all cycle parking spaces and details of secure and sheltered cycle storage facilities shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include specifications of the hereby approved commuter cycle hub and the agreed facilities shall be fully implemented prior to occupation and shall be permanently retained thereafter.

REASON: In the interest of security and sustainable development, in compliance with Policies CS6, CS15 and CS16 of the Waltham Forest Local Plan - Core Strategy 2012 and Policies DM13, DM14, DM23 of the Waltham Forest Local Plan – Development Management Policies (2013).

Network Rail and Station Entrance:

12. Prior to commencement of development (other than demolition, enabling and groundworks and development below DPC level) and notwithstanding any indication on the submitted drawings, a demolition method statement shall be submitted and agreed with the Local Planning Authority in consultation with Network Rail. Any demolition works on site must be carried out so that these works do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building, due to the site's proximity to the Network Rail boundary, must be carried out in accordance with the agreed method statement. Approval of the method statement must be obtained from the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence.

REASON: In the interest of pedestrian and highway safety, to comply with Policy CS7 of the Waltham Forest Local Plan – Core Strategy (2012) and Policy DM14, DM15 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

13. Prior to commencement of development (other than demolition, enabling and groundworks and development below DPC level) a comprehensive report outlining details of interface with the station operator and Network Rail shall be submitted and agreed with the Local Planning Authority in consultation with Network Rail. The report shall provide details of safety measures and operational requirements.

REASON: In the interest of pedestrian and highway safety, to comply with Policy CS7 of the Waltham Forest Local Plan – Core Strategy (2012) and Policy DM14, DM15 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

14. Prior to commencement of development (other than demolition, enabling and groundworks and development below DPC level) an Electromagnetic Interference (EMC) risk assessment shall be submitted and approved in writing by the Local Planning Authority in consultation with Network Rail. The report shall provide details of any potential impact the development can have on Network Rail's assets. Any development that is positioned within 20.00 metres or any transmitter within 100.00 metres of the operational railway will require an Electromagnetic Compatibility Assessment, which shall be carried out in accordance with Network Rail Standards 'NR/L1/RSE/30040, 'NR/L1/RSE/30041' and NR/L2/TEL/30066'

REASON: In the interest of pedestrian and highway safety, to comply with Policy CS7 of the Waltham Forest Local Plan – Core Strategy (2012) and Policy

DM14, DM15 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

15. No temporary structure should be positioned within 3.0 metres of the live railway electrification equipment without consultation with the Local Planning Authority and Network Rail.

REASON: In the interest of pedestrian and highway safety, to comply with Policy CS7 of the Waltham Forest Local Plan – Core Strategy (2012) and Policy DM14, DM15 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

Overground Assets Protection:

16. Development of any phase/building shall not be commenced until detailed design and method statements (in consultation with London Overground) for each stage of the development for demolition, all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent) for the relevant phase/building, have been submitted to and approved in writing by the Local Planning Authority, which:

- Provide details of all structures.
- Provide details on the use of heavy plant.
- Accommodate the location of the existing London Overground structures and tunnels.
- Accommodate ground movement arising from the construction thereof.
- Mitigate the effects of noise and vibration arising from the adjoining railway operations.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted, which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the relevant phase/building is occupied.

REASON. To ensure that the development does not have a harmful impact on existing London Overground transport infrastructure to comply with London Plan policy T4 (2021).

Air Quality and Noise:

17. A construction/demolition method statement shall be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail. The method statement shall include details of the following:

- Works of demolition and construction shall be carried out during normal working hours i.e. 8:00 – 18:00 Mondays to Fridays and 8:00 – 13:00 Saturdays with no noisy working audible at the site boundary being permitted on Sundays and Bank Holidays.
- Haulage routes.
- Likely noise levels being generated by plants.
- Details of any noise screening measures.
- Proposals for monitoring noise and procedures to be put in place where agreed noise levels are exceeded.
- When works are likely to lead to vibration impacts on surrounding residential properties, proposals for monitoring vibration and procedures to be put in place if agreed vibrations levels are exceeded. Note: It is

expected that vibration over 1 mm/s measured as a peak particle velocity would constitute unreasonable vibration.

All the above submissions shall have regard to the Mayor's SPG.

The development shall be carried out in accordance with the hours of operation stated in this condition and the approved construction and demolition statement hereby required.

REASON: To ensure considerate construction and to protect the amenities of the nearby residents from excessive noise and dust and to comply with policies CS7 CS13 of the Waltham Forest Local Plan Core Strategy (2012) and policies DM14, DM15 and DM24 of the Waltham Forest Local Plan - Development Management Policies (2013).

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

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

19. No development shall commence until full details of the proposed mitigation measures for impact on air quality and dust emissions, in the form of an Air Quality and Dust Management Plan (AQDMP), have been submitted to and approved in writing by the Local Planning Authority. In preparing the AQMDP, the applicant should follow the recommendations outlined in the AQ assessment submitted with the application and the guidance on mitigation measures for sites set out in Appendix 7 of the Control of Dust and Emissions during Construction and Demolition SPG 2014. Both 'highly recommended' and 'desirable' measures should be included. If the development is located in or near an air quality focus area the applicant should follow the guidance on mitigation measures for **Medium Risk** as a minimum.

REASON: In order to mitigate the impact of the development on the air quality and dust emissions in the area and London as a whole, and to avoid irreversible and unacceptable damage to the environment, in accordance with the requirements of London Plan Policy SI1 (2021) and the London Plan SPGs for Sustainable Design and Construction and Control of Dust and Emissions during Construction and Demolition).

20. Prior to commencement of development (other than demolition, enabling and groundworks and development below DPC 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 non-residential premises and the residential units in order to manage noise and disturbance. The scheme of noise insulation measures shall be prepared by a suitably qualified consultant/engineer and shall demonstrate that the proposed sound insulation will achieve a level of protection which is at least +5dB above the approved document E standards (dwelling houses and flats) for airborne sound insulation and -5dB for impact sound insulation. 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 adjoining occupiers and the surrounding area in order to comply with policies CS13 CS15 of the Waltham Forest Local Plan Core Strategy (2012) and policies DM24 and DM32 of the Waltham Forest Local Plan - Development Management Policies (2013).

21. The noise of all new plant shall be 10dB(A) below the 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 must be completed in accordance with the BS4142: 2014 Method.

REASON: To protect the amenities of adjoining occupiers and the surrounding area, in order to comply with Policy CS13 of the Waltham Forest Local Plan – Core Strategy (2012) and Policies DM24 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

Hours of Operation

21. The commercial unit within the development shall operate between the following hours and at no other times without prior written consent having first been obtained from the Local Planning Authority: Mondays to Saturdays (0800 until 2300) and Sunday or Bank Holidays (0900 until 21:00).

REASON: To protect the amenities of occupiers and the surrounding area, in order to comply with Policy CS13 of the Waltham Forest Local Plan – Core Strategy (2012) and Policies DM24 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

Ecology, Landscaping and Boundary Treatment

22. Prior to the commencement of the development, details of the hard and soft landscaping to be provided on site shall be submitted and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of the retained and proposed planting around the site, along with the requirement to demonstrate that all hardstanding areas are permeable. The development shall be carried out solely in accordance with the approved details and all approved planting shall be carried out in the first planting season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is sooner. Any trees, hedges, shrubs, and greenspaces forming part of the approved scheme which within a period of five years dies, is removed, or becomes seriously damaged or diseased shall be replaced with others of similar size and species.

REASON: To ensure a satisfactory appearance and in the interest of local amenity and biodiversity in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan Development Management Policies (2013).

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

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

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

24. Prior to the commencement of the approved landscaping works, a scheme for the protection of the retained trees (the Tree Protection Plan) and an Arboricultural Impact Assessment to assess the impact of the hereby approved development on adjacent trees shall be submitted to and approved in writing by the Local Planning Authority. Depending on the outcome of the Arboricultural Impact assessment, an Arboricultural Method Statement to demonstrate how the development would cause no adverse impact on the existing tree stock of the locality shall be submitted and approved in writing by the Local Planning Authority.

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

25. Prior to commencement of the development on site and notwithstanding site investigation and clearance works, demolition and construction to slab level, a Preliminary Ecological Appraisal that includes a survey together with specifications of ecological features present or potentially present within the site and its surrounding area shall be submitted and approved in writing by the Local Planning Authority. The appraisal shall include details of habitat provision to be created by the hereby approved development, including details of habitat boxes for birds, bats and invertebrates as part of the building fabric.

REASON: In the interest of biodiversity and visual amenity, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

26. Prior to the construction of roof slab level, details relating to the siting, design, height and finish of all new walls, gates, fencing, railings, and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall 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 residents, in accordance with Policies CS13 and CS15 of the Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Waste Management Strategy

27. Prior to the commencement of works, a Waste and Refuse Management Strategy incorporating full details of the measures to store and collect refuse and recyclable materials for all residents, including those residing in the wheelchair accessible

units, shall be submitted to and approved in writing by the Local Planning Authority. The strategy must also include the design and construction of refuse stores and the means of access for collection by refuse operatives and vehicles. The development shall be implemented in accordance with the approved details and the refuse/recycling stores brought into use prior to the occupation of the development hereby permitted.

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

Energy and Sustainability

28. Prior to the 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 2013 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 therefore be retained.

REASON: In the interests of the sustainability and energy efficiency of the development and to meet the requirements of Policy SI2 of the London Plan (2021) and Policy DM10 of the Waltham Forest Local Plan Development Management Policies (2013).

29. Prior to the occupation of any part of the Development, details showing how any potential overheating risk will be mitigated in line with the Cooling Hierarchy shall be submitted and agreed in writing by the Local Planning Authority. This should include:
- a) an Overheating Assessment which will outline all measures introduced for the minimisation of overheating and which will demonstrate that the overheating risk has been minimised.
 - b) Confirmation that guidance will be provided to occupants on minimising the risk of dwelling overheating in line with the energy hierarchy. The overheating guidance document should be submitted.

The approved measures shall be incorporated into the final design of the development and implemented prior to first occupation.

REASON: In the interest of sustainability, energy efficiency and to provide a high-quality development in accordance with Policy CS4 of the Waltham Forest Local Plan Core Strategy (2012) Policy DM10 of the Waltham Forest Local Plan Development Management Policies (2013).

Water

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

REASON: In order to minimise the use of water on the development, in accordance with the requirements of Policy SI5 of the London Plan (2021).

Contamination and Piling:

31. Prior to the commencement of the development hereby permitted, a scheme including the following components (where applicable) to address the risks associated with site contamination shall be submitted to and approved in writing by the Local Planning Authority:

- A) A desk study report including a preliminary risk assessment and conceptual site model.
- B) A ground investigation based on the findings of the Desk Study Report to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- C) The results of the investigation and revised risk assessment and based on these, in the event that remediation measures are identified necessary, a remediation strategy shall be submitted giving full details of the remediation measures required and how they will be undertaken.
- D) A verification report providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete.

Any investigation and risk assessment must be undertaken in accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR11). In the event that additional significant contamination is found at any time when carryout the approved development it must be reported immediately to the LPA.

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

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

32. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS13 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM24 and DM34 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

33. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been

demonstrated that there is no resultant unacceptable risk to groundwater and an impact assessment in consultation with Network Rail must be conducted and where necessary track and structure monitoring must be instigated in accordance with Network Rail standard NR/L2/CIV/177 where piling/deep excavation is proposed within the track support zone. The development shall be carried out in accordance with the approved details.

REASON: In the interests of future health of occupiers of the development and to protect pollution of groundwater in accordance with policies CS4 and CS13 of the Waltham Forest Local Plan - Core Strategy (2012) and policies DM23, DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

34. The operation cranes should comply with CPA Good Practice Guide 'Requirements for Mobile Cranes Alongside Railways Controlled by Network Rail' or the CPA Good Practice Guide 'Requirements for Tower Cranes Alongside Railways Controlled by Network Rail'. Use of piling rigs should comply with Network Rail standard 'NR/L3/INI/CP0063 – Piling adjacent to the railway line' and written consent from the Local Planning Authority in consultation with Network Rail shall be obtained where the compound collapse radius of a crane is within 3.0 metres of the Network Rail boundary or asset. A possession and isolation of the railway may be required in this instance.

REASON: In the interests of future health of occupiers of the development and to protect the operational safety of the railway in accordance with policies CS4 and CS13 of the Waltham Forest Local Plan - Core Strategy (2012) and policies DM23, DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

35. Prior to the commencement of any part of the development hereby permitted, an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers shall be submitted to and approved in writing by the Local Planning Authority. The report must be written by a suitably qualified person and shall be independently verified to the satisfaction of the Local Planning Authority prior to occupation of the development.

REASON: In the interests of future health of occupiers of the development and to protect pollution of groundwater in accordance with policies CS4 and CS13 of the Waltham Forest Local Plan - Core Strategy (2012) and policies DM23, DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

Safety and Security

36. Prior to commencement of ground works, details of measures to be incorporated into the development demonstrating how the development can achieve Secure by Design Certification, 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 health and in order to protect the living conditions of existing and future residents in the locality in accordance with Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012).

37. Prior to occupation of the development hereby approved, the development shall achieve a Certificate of Compliance to the relevant Secure by Design Guide (s) submitted to and approved in writing by the Local Planning Authority in conjunction with the Metropolitan Police. The development shall be carried out in accordance with the approved details and thereafter retained and maintained as such for the lifetime of the development.

REASON: In the interest of health and in order to protect the living conditions of existing and future residents in the locality in accordance with Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012).

38. Prior to the completion of roof slab level, details of any form of external illumination and/or external lighting around the site, including any streetlighting, shall be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail. The approved details shall be fully implemented prior to the first occupation of any of the residential units hereby permitted and retained as such for the lifetime of the development.

REASON: In the interest of health and to protect the living conditions of existing and future residents in the locality in accordance with Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012).

Residential:

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 CS15 of the Waltham Forest Local Plan Core Strategy (2012) and DM Policies DM7 and DM9 of the Development Management Plan (2013).

40. At least seven of the residential units hereby permitted shall be built in accordance with Approved Document M 2015, M4 Category 3: Wheelchair user dwellings, category M4(3)(2)(a) "Adaptable". All wheelchair user dwellings must provide sufficient footprint and drawings must demonstrate that they can achieve a fully accessible layout. To ensure compliance with these conditions, contact should be made with the Council's Senior Occupational Therapist in Housing both before and during the build.

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

41. The private / communal amenity spaces and children's play areas 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 with the Local Planning Authority.

REASON: To protect the amenities of adjoining occupiers and the surrounding area and in order to meet the requirements of Policies CS13 and CS15 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM29 and DM32 of the Waltham Forest Local Plan Development Management Policies (2013).

42. Notwithstanding the submitted Addendum to the Design and Access Statement, details of forms of screening, playing features, safety measures and enclosures for the hereby approved communal amenity space shall be submitted and approved in writing prior to first occupation of the development. The development shall be carried out in accordance with the approved details and thereafter retained and maintained as such for the lifetime of the development.

REASON: In the interest of health and safety and in order to protect the living conditions of existing and future residents in the locality in accordance with Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012).

43. The F1 floorspace for social infrastructure/community use for the ground floor unit Within Block A hereby permitted shall operate only within Use Class F1 of the Use Classes Order 1987 (as amended), excluding any use as a place of worship, health centre/clinic, creche/day nursery or any other use within the Use Classes Order 1987 (as amended) without planning permission having first been obtained from the Local Planning Authority.

REASON: To safeguard the amenities of neighbouring occupiers in accordance with Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM24 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

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. 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.
3. The developer should consult with Thames Water with regard to whether any off-site reinforcement of the foul water drainage network is required. Copies of the correspondence should be provided for the Council records.

It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on- or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it

leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

We recommend that developers should:

- Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297401/s_cho0804bibr-e-e.pdf
 - Refer to the Environment Agency Guiding Principles for Land Contamination for the Type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
<https://www.gov.uk/government/publications/managing-and-reducing-landcontamination>
 - Refer to our website at www.environment-agency.gov.uk for more information.
 - We expect the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by land contamination. E.g. British Standards when investigating potentially contaminated sites and groundwater, and references with these documents:
 - BS5930:2015 Code of practice for site investigations.
 - BS 10175:2011+A1:2013 Code of practice for investigation of potentially contaminated sites.
 - BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and End 5 installation of groundwater monitoring points.
 - BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)
 - Use MCERTS accredited methods for testing contaminated soils at the site. A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out.
4. The application is subject to both the Mayoral and the Waltham Forest Council Community Infrastructure Levy.
 5. The applicant is required to submit a Post Completion Report to the relevant Local Authority and the GLA at ce&wastestatement@london.gov.uk
 6. If approved 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. In the event that asbestos containing materials (ACMs) are discovered, details of the contractors with their plan of work detailing the method of removal of ACMs in compliance with current legislation shall be submitted to the HSE.

8. With respect to any proposals for piling through made ground, the EA refers the applicant to the EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention". 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. Piling activities on parts of a site where an unacceptable risk is posed will not be permitted.
9. 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 track out):
 - a) A summary of work to be carried out.
 - b) 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.
 - c) Inventory and timetable of all dust and NOx air pollutant generating activities.
 - d) List of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment.
 - e) Details of any fuel stored on-site.
 - f) Details of a trained and responsible person on-site for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions).
 - g) *Summary of monitoring protocols and agreed procedure of notification to the local authority; and*
 - h) *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.*
10. No demolition or development shall commence until all necessary pre-commencement 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. The applicant must seek the advice of the MPS 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.
12. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site, should the foundations of the fencing or wall or any embankment be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.
13. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site, should the foundations of the fencing or wall or any embankment be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.
14. The developer must ensure that they allow sufficient space from the Network Rail boundary fence so as not to import risk to the operation of the railway or impose risk to the occupants of the building or maintenance staff. A minimum of 2.5 metres

should be allowed between the Network Rail boundary fence and any superstructure. A minimum of 3m must be allowed to any Network Rail electrification equipment.

The developer must ensure any future maintenance intervention does not import the risks to the operational railway. The applicant must ensure that the construction and subsequent maintenance of their development can be carried out without adversely affecting the safety of operational railway or station operations.

15. The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.
16. Any scaffold or temporary works which is to be constructed adjacent to the railway must be erected subject to NR ASPRO consent and in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned such that in the event of failure, it will not fall on to Network Rail land.
17. It is recommended no trees are planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Please refer to the following specifications:

Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina".

Not Permitted: Alder (Alnus Glutinosa), Aspen – Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).
18. The London Fire Brigade recommends that sprinklers are considered for the development, to significantly reduce the damage caused by fire and the consequential costs and to reduce the risk to life.
19. No temporary structure should be positioned within 3.0 metres of the live railway electrification equipment without prior consultation with Network Rail.
20. Some of the potential buried services crossing under the railway tracks may be owned by Network Rail. The developer is responsible for a detailed services survey to locate the position, type of services, including buried services, in the vicinity of railway and development site. Any utility services identified shall be brought to the attention of Senior Asset Protection Engineer (SAPE) in Network Rail if they belong to railway assets. The SAPE will ascertain and specify what measures, including possible re-location and cost, along with any other asset protection measures shall be implemented by the developer.
21. The operation cranes should comply with CPA Good Practice Guide 'Requirements for Mobile Cranes Alongside Railways Controlled by Network Rail' or the CPA Good Practice Guide 'Requirements for Tower Cranes Alongside Railways Controlled by Network Rail'. Use of piling rigs should comply with Network Rail standard 'NR/L3/INI/CP0063 - Piling adjacent to the running line'. Where the compound

collapse radius of a crane is within 3m of the Network Rail boundary or asset, consultation with Network Rail must take place and a possession and isolation of the railway may be required.

22. Where required, the developer should provide at their own expense and thereafter maintain, a fence erected on the developer' side of the existing boundary fence to a suitable minimum height and containment in accordance with Network Rail Standards. Adequate space must be provided for maintenance of both the existing Network Rail boundary measures and the developers own fence.
23. Any lighting which may originate from the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers' vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developer should obtain Network Rail's Asset Protection Engineer's approval of lighting proposals. Where glazing or reflective cladding is proposed a glare assessment must be completed to determine the impact on the railway.
24. Where there is any risk of road vehicle inclusion onto the railway, the risk must be mitigated with an effective road vehicle incursion barrier or structure designed for vehicular impact to prevent vehicles accidentally driving or rolling onto the railway or boundary fence.
25. The applicant shall provide all demolition and construction methodologies to Network Rail for acceptance prior to commencing the works relating to all works that may import risk onto the operational railway, potentially cause disruption to railway services or present risk to the infrastructure. A suitable designed hoarding must be erected near the boundary which will afford protection to the railway and railway assets.
26. The developer must determine the locations and extents of any invasive plant species which must be treated in accordance with the current codes of practice and regulations where it exists on site.
27. Contractors are expected to use the 'best practical means' for controlling pollution and environmental nuisance complying all current standards and regulations. The design and construction methodologies should consider mitigation measures to minimise the generation of airborne dust, noise and vibration in regard to the operational railway.