

**LONDON BOROUGH OF WALTHAM FOREST**

|                        |   |
|------------------------|---|
| Committee / Date:      | Planning – March 2022   |
| Application Reference: | 210801  |
| Applicant:             | (Providence Capital Securities Limited)   |
| Location:              | Barclays Bank, 278 - 280 Hoe Street, Walthamstow, London, E17 9QD   |
| Proposed Development:  | Demolition of the existing buildings and redevelopment of the site to provide a new building comprising basement and 18 storeys with rooftop plant for residential use (C3) [66 flats] with associated amenity space, reconfigured vehicular and pedestrian access, landscaping and works associated and ancillary to the proposed development. |
| Wards Affected:        | Markhouse, Hoe Street and High Street   |

**1. RECOMMENDATION**

- 1.1. That Planning Permission be **GRANTED** subject to conditions and informatives, Stage 2 Referral to the Greater London Authority (GLA) and completion of a Section 106 Legal Agreement (S106) with the following Heads of Terms:

**Affordable Housing Provision:**

- Viability Review Mechanism (both early and late stage review) to capture any surplus in profit generated from the development;
- Provision of Discount Market Rent (DMR) units, which would be the tenure of affordable housing provided;
- 17 (26%) of the BtR units to be provided as 100% DMR units in perpetuity;
- The DMR units to be delivered prior to occupation of more than 50% of the market BTR units;
- The DMR units must be let at a rent no more than 80% local market rent, be to those whose needs are not adequately served by the commercial rental market and be on assured short hold tenancy basis; and

**Build to Rent Provision:**

- 66 Build to Rent (BtR) units for a minimum of 15 years from the date of the planning permission, subject to a review mechanism if any of the Build to Rent units are sold within this period; and
- Submission and approval of BtR management and tenure scheme.

**Wheelchair Housing:**

- Wheelchair housing to be exclusively marketed to those who require wheelchair accessible housing in accordance with a Wheelchair Accessible Dwelling Marketing Strategy that sets out how the wheelchair units would be promoted

and advertised during the exclusivity period to be agreed prior to commencement of development of the relevant part of the development.

- LBWF to support the developer in the development and execution of the Wheelchair Accessible Dwelling Marketing Strategy.

**Car Free:**

- No residential unit would be eligible for a parking space unless registered blue badge holder.
- Each new residential occupier of the development must be informed prior to occupying any residential unit that they shall not be entitled to a residents parking permit unless they are a blue badge holder.
- Car club membership for two years with an accredited car club operator. This means 1 transferable membership per household, with a maximum of 2 years per dwelling in total, regardless of any changes in ownership or occupation of a dwelling during this period.
- Evidence of car club contract to be submitted prior to occupation.

**Employment and Training Strategy:**

- Construction Jobs - Procure that 30% of all jobs available for the construction or fit-out of the Development during the Construction Phase are fulfilled by Local Residents. Local Residents defined as residents of residents of Waltham Forest, Hackney and Newham.
- Local Labour – Apprenticeships - Provide a minimum of 9 Apprentice Posts in the construction trade during the Construction Phase of the Development with such posts being first offered to Local Residents through the Council's Employment, Business and Skills Service. Default Payments to be applied if fall short .
- Work Placements - To provide a minimum 3 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 through the Council's Employment, Business and Skills Service.
- Employment and Skills Plan - To be negotiated and prepared at least 6 weeks prior to implementation. Provide details of all new jobs created in the development to the Council in reasonable time.
- End Use - To procure that the end user is to liaise with the with the Employment, Business and Skills Service's lead contact to ensure efficient management and supply of local Council residents for employment and training opportunities post Implementation of the Development.
- To ensure that all of the jobs that are generated by the operator to go through the Council's Job brokerage service, Steps Into Work (SiW), in the End User Phase as local labour opportunities for Local Residents
- To use reasonable endeavours to ensure that 50% (fifty percent) of nontechnical jobs are taken up by Local People in the End-User Phase of the Development. If 50% is not achieved, then the Developer shall demonstrate such reasonable endeavours to the Council's satisfaction and agreed in writing by the Council. End Use employment anticipated to be limited - estate management staff
- Default Payments – as set out in LBWF's adopted Planning Obligations SPD if obligations above are not met

**Retail and Commercial Space Strategy:**

- A Retail and Commercial Space Strategy to be submitted to and approved in writing by the Local Planning Authority at least six months prior to occupation of any part of the commercial element that would seek to ensure diversity in the local offer.

**Highways:**

- A financial contribution of £31,000 towards station upgrade improvements.

**Travel Plans:**

- Travel Plan to identify opportunities for the effective promotion and delivery of sustainable transport initiatives.
- Monitoring contribution of £4,000 – one off payment

**Estate Management Plan:**

- To be agreed prior to first occupation. Details of Estate Management company

**Parks and Leisure - Children's Play Space:**

- A financial contribution of £100,000 towards the improvement of local play provision.

**Education:**

- A financial contribution of £94,190.48 to be made towards the cost of expanding local secondary provision.

**Air Quality:**

- A financial contribution of £6,600 towards implementation of the Air Quality Action Plan.

**Carbon Offset Fund:**

- A minimum financial contribution of up to £91,551 towards the Carbon Offset Fund to address the shortfall in carbon emission reductions.

**Decentralised Energy Network:**

- 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):**

- A financial contribution of £6,600 towards the Epping Forest Strategic Access Management and Monitoring Strategy (SAMMS).

### **Retention of Architect**

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

### **Legal Fees:**

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

### **Monitoring and Implementation:**

- Payment of 5% of the total amount of S106 contributions towards monitoring, implementation and compliance of the legal agreement or a monitoring fee to be agreed in writing by the LPA.

### **Minor Amendments**

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

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

- The application is classed as a largescale major application with a quantum of 66 residential units which is classed as a major application in planning terms and as the building would measure over 30m in height, it is referable to the Mayor of London (GLA).
- Major matters of planning policy are involved.
- In the public interest.

## **3. SITE AND ITS SURROUNDINGS**

### *The Site*

- 3.1. The application site measures approximately 0.08 hectares in area, is largely square in shape, representing a three sided plot. It is located on west side of Hoe Street between

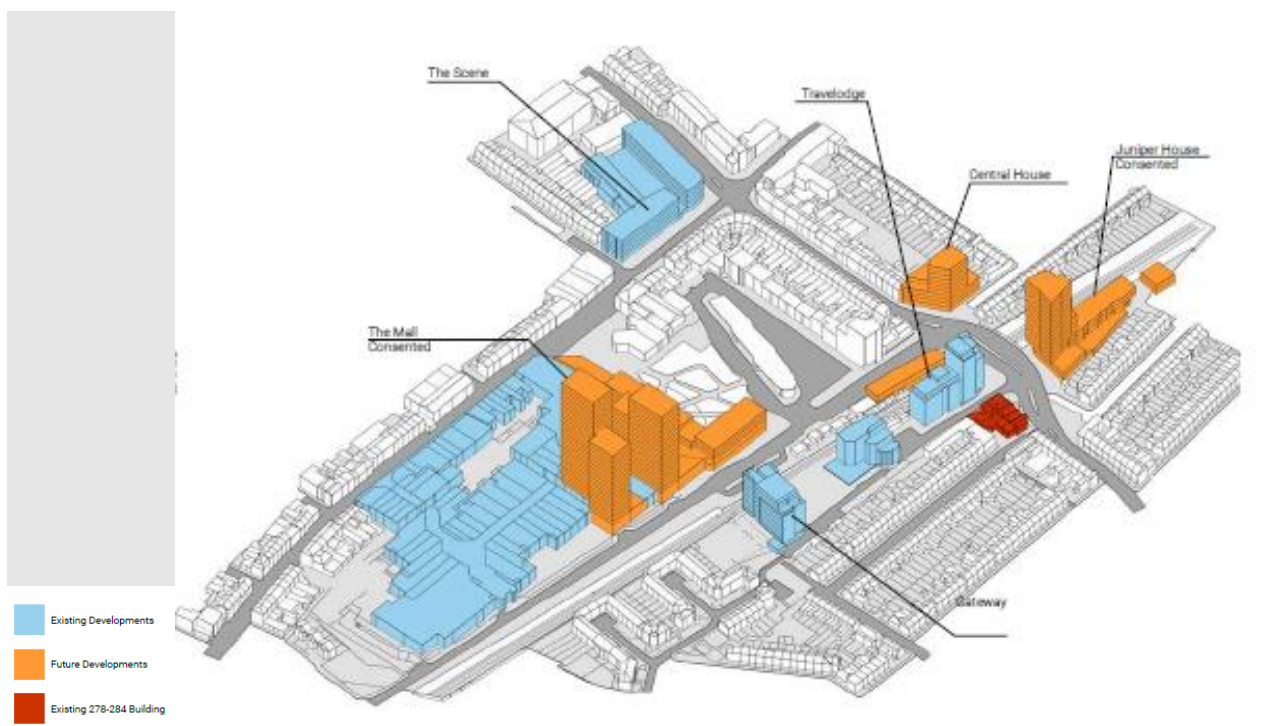
Priory Avenue to the south and Station Approach to the north, close to Walthamstow Central interchange station – London Underground and National Rail. The site comprises two, three storey brick built buildings forming a terrace and dropping two storey to the rear. They are occupied by Barclays Bank over the basement, ground and first floor with three residential units above and the building with front gable ends is occupied by a Solicitors offices over the ground and two upper floors. The buildings date back to the 1880s but have been significantly altered and extended since the 1970s. They are not statutorily listed or locally listed although they are identified as a non-designated heritage assets. There are a number of listed buildings within wider vicinity the site as well as two conservation areas (Walthamstow Village CA and Orford Road CA) some 500m from the application site.

- 3.2. The site is set back from the Hoe Street where topography of the land slopes down fairly steeply from north to south along the new gyratory which includes wider pavements, new cycle lanes and areas of planting.
- 3.3. The site is not located in a designated conservation area. The nearest conservation areas are some 500m (Walthamstow Village CA and Orford Road CA), though views of the surrounding area from within them are limited due to their tight urban grain. There are some listed and locally listed buildings in the area; the closest listed building is the Walthamstow Central Library, and the closest locally listed building to the site is the Walthamstow Central Station (main building).
- 3.4. The site benefits from a PTAL of 6b on a scale of 0 to 6b, where 6b is the highest, with Walthamstow Central Station within close proximity which is served by both London Overground services and the Victoria Line. Walthamstow Central has connections into central London as well as overground connections running between Liverpool Street and Chingford. Walthamstow Queen's Road station is a short walk and provides Overground services running between Gospel Oak and Barking. Walthamstow Bus Station is immediately to the north.
- 3.5. The site falls within the identified zone of influence of the Epping Forest Special Area of Conservation (EFSAC), under the EU Habitats Directive (92/43/EEC). Biodiversity features within, or associated with, a SAC enjoy a high level of protection under UK and EU Law.
- 3.6. The site falls within the Borough-wide Air Quality Management Area (AQMA) and Flood Zone 1 (1 in 1000) which is considered low risk according to Environment Agency records.
- 3.7. The site also falls within the Walthamstow Major Town Centre. The site does not fall within an Archaeological Priority Zone.

#### *The Surroundings*

- 3.8. The immediate area is mixed in both character and uses, including residential, commercial, a hotel, retail and a MOT testing centre and repairs. Opposite the site is a 14 storey Travelodge hotel and residential apartment blocks up to 8 storeys with ground floor retail. Behind these building is a railway line. Alongside the site on Station Approach are a series of small-scale garages. To the south and west of the site there are predominantly two and three storey Victorian residential terraced housing.

- 3.9. Owing to the site's town centre location, the surrounding area is mixed use in character and typologies, predominantly comprising retail uses at ground floor level with residential and commercial uses on the upper floors, particularly along Hoe Street to the north. The townscape is mixed with taller buildings including the ongoing regeneration development sites. The town centre and its surrounding are evidently undergoing significant transformation. The development of 'The Scene' on the former Arcade Site to the eastern end of the High Street has delivered high-quality, mixed-use development and public realm in the town centre. More recently, planning permission has been granted for the redevelopment of several key town centre sites, including Juniper House to the south-east (ref: 183989), now under construction, and Central House (ref: 183632) to the east. The Mall for some 538 residential units with 496 built to rent units was most recently approved (ref: 202491). These nearby consented schemes are depicted in the below:

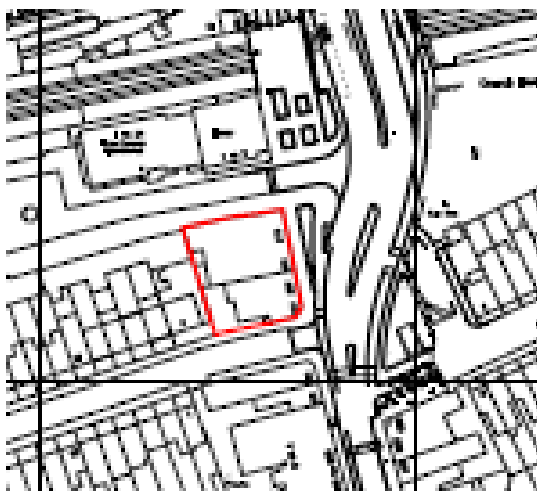


- 3.10. The site is between the green open spaces of Epping Forest to east and Lee Valley to the west and both are easily accessible by bicycle or walking. Smaller open spaces are within easier reach and include St Mary's Churchyard to the east. There are a mix of uses nearby including residential, commercial, hotel and retail typical of a town centre. Walthamstow High Street and Market are located to the north with shops running the extent of Hoe Street to the south.
- 3.11. There are a number of passageways that run north-south, parallel to Hoe Street, that serve the rear of the retail premises on Hoe Street. The Cobbled Street is an example that emerges onto Priory Avenue just to the south of the site.
- 3.12. The streets surrounding the town centre are largely lined by residential development, much of which is in the form of two storey terraced housing. 19th century development prevails, though there are pockets of later and post-war buildings, such as on Sylvan Road, Edison Close and West Avenue Road.

- 3.13. There are few large open spaces in the area around the site. The closest to the site is the Walthamstow (Queens Road) cemetery, which lies to the south-west of the site. The open nature of the cemetery and its location surrounded predominantly by two storey terraced housing, allows for views of taller buildings in the surroundings area.

#### 4. APPLICATION PROPOSAL

- 4.1. The application seeks planning permission for the '*Demolition of the existing buildings and redevelopment of the site to provide a new building comprising basement and 18 storeys with rooftop plant for residential use (C3) with associated amenity space, reconfigured vehicular and pedestrian access, landscaping and works associated and ancillary to the proposed development*'. The site is illustrated by the following location plan:



- 4.2. The scheme known provisionally as 'East Ridge' seeks to deliver a comprehensive mixed use, residential led development within tall landmark building in the town centre providing a total of 66 build to rent (BtR) homes comprising a mix of:

| Build to Rent |              |             |
|---------------|--------------|-------------|
| Unit Size     | No. of Units | Unit Mix    |
| 1-Bed / Suite | 4            | 6%          |
| 1-bed / 2 Per | 22           | 33%         |
| 2-bed / 4 Per | 38           | 58%         |
| 3-bed / 5 Per | 2            | 3%          |
| <b>Total</b>  | <b>66</b>    | <b>100%</b> |

- 4.3. The tables below sets out the residential and non-residential floorspace:

| Use                     | GIA (sqm)    | GEA (sqm)    |
|-------------------------|--------------|--------------|
| Residential             | 5,507        | 5,940        |
| Ancillary/Amenity/Plant | 1,053        | 1,165        |
| <b>Total</b>            | <b>6,560</b> | <b>7,105</b> |

- 4.4. The proposed block would rise up to 18 storeys to an overall height of 59.45m to the top of the brick parapet. The building would be defined by double height arched openings, occupied by amenity spaces for the residential units above and predominantly brick and glass on a simple grid configuration with a mixture of inset and protruding balconies. The proposed material palette seeks to emphasise the verticality of the tower, with brick piers running from top to bottom. There would be a clear distinction between base, middle and top and the site forms a partial island site, being surrounded on three sides by roads.
- 4.5. At basement level there would be plant space, at ground floor level refuse storage, amenity space including a lounge, workspace, and library, bicycles, post and concierge and a coffee and deli area. At first floor level there would be a gymnasium and associated changing rooms, plant and cycle storage. The upper floors (levels 02-18) provide residential apartments, and further plant and a residents only roof terrace are provided at roof level.
- 4.6. The building is located toward the eastern boundary of the site. To the west is a covered external area ('The Yard') of public realm that connects Priory Avenue to Station Approach from north to south and the existing cobble path to Cedars Avenue. There are a number of building entrances on the north, south and western elevations.
- 4.7. The residential component seeks to deliver 26% affordable housing by unit and 21% by habitable room at Discounted Market Rent (DMR).

#### Development Summary:

- Complete demolition of existing buildings;
  - Construction of a new 18 storey building;
  - Provision of a total of 66 Build to Rent (BtR) units in a range of sizes and tenures;
  - Provision of 26% (17 units) on-site affordable housing in the form of 100% DMR;
  - Provision of residential amenity, facilities and public space at ground floor to activate the frontages on all four sides of the building;
  - Introduction of a new pedestrian route alongside the site building on the historic routes found in the area and providing an alternative route to the to the station.
  - Provision of high-quality public realm;
- 4.8. 119 residential cycle parking spaces are proposed (119 long-stay and 12 short-stay), whereby residential provision is via a mixture of two tier racks and Sheffield stands including 6 large cargo stands provided at ground floor and mezzanine, accessed by a bicycle lift.

#### *Programme and Phasing*



- 4.9. The scheme proposes a relatively short build period of circa 1.5 years given the scale and nature of the development. It would be delivered as a single phase of development.

## 5. RELEVANT SITE HISTORY

### A. Planning

- 5.1. The following table provides a summary of relevant planning history for the application site:

| Reference | Description of Development   | Decision            |
|-----------|--|---------------------|
| 161766    | Installation of signage (including illuminated signage) to Hoe Street and Station Approach frontages.  | Approved on 1/8/16  |
| 162586    | Replacement of existing marble cladding with new white render to front and side elevations.  | Approved on 20/9/16 |
| 161758    | Alterations to front elevation to relocate existing ATM, installation of four condensing units to ground floor level, one mechanical ventilation and heat recovery unit and condensing unit at first floor level, and one mechanical ventilation and heat recovery unit at second floor level. | Approved on 15/8/16 |

### Pre-Application

- 5.2. The applicant has been involved in an extensive programme of pre-application discussions with officers. This has included engagement through a Planning Performance Agreement.
- 5.3. The applicant has also engaged with the GLA through its formal pre-planning application advice service.
- 5.4. In addition to the above, officers and the applicant organised a Design Review by Design Council. The virtual site visit and Review was held on the 10th June 2020 as well as follow-up workshop on 2nd December 2020. Each meeting was attended by members of the project team, officers and the Design Advice Panel. The response received was supportive as a matter of principle and in terms of design and massing. Concerns were fed back relating mainly to the arrangement at ground floor and the form and space within the Yard area. The scheme addressed these comments by re-designing the base level by removing the 'shoulder' elements and introducing a link through 'Yard' providing permeability and animation and reduced built form.

### B. Enforcement

5.5. None.

## 6. PUBLIC CONSULTATIONS

### *Pre-application stage*

- 6.1. At the outset of the consultation, the applicant made contact with and offered a briefing to the ward councillors for the Markhouse Ward. Two of the three councillors were briefed by telephone and a further written briefing was provided to them on Wednesday 18<sup>th</sup> November 2020.
- 6.2. A consultation website was designed which can be found at [www.eastridgewalthamstow.co.uk](http://www.eastridgewalthamstow.co.uk) was launched on Wednesday 18<sup>th</sup> November 2020. The website was intended to reproduce the effects of a standard, in-person public consultation. The website included sections on the site, the proposals, Build to Rent, design and sustainability, as well as forms to give feedback and make contact. In the month after its launch, the website generated 145 site sessions and 17 responses which are documented in appendix 2 of the Statement of Community Involvement documentation prepared by Development Intelligence, that accompanies the planning application.
- 6.3. Due to the ongoing COVID-19 pandemic and government social distancing requirements, consultation techniques employed a range of virtual consultation methods, in addition to a community newsletter. A Community newsletter was distributed to 986 neighbours in November 2020. A virtual presentation was held on Zoom at 6pm on Wednesday 2<sup>nd</sup> December 2020.

### *Planning application stage*

- 6.4. The planning application consultation to residents took place on 29<sup>th</sup> April 2021. Over 500 addresses were notified of this planning application. Some 10 site notices were displayed around the site and advertised in the press.
- 6.5. The initial consultation process resulted in a total of 38 representations being received; 37 of which were objections, with 1 in support of the planning application. Following changes to the submission documents namely the site plan outlined in red which resolved to include serving notice on Transport for London (TfL) as they own part of the site under assessment, reconsultation took place on 20<sup>th</sup> January 2022. 5 further objections were received.
- 6.6. The relevant objection comments are summarised in 'Table 6: Objections Received'. The objections received where street addresses could be confirmed are listed below in Table 5.

**Table 5: Objections from Identified Street Addresses:**

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| <ul style="list-style-type: none"><li>• Station Approach E17</li><li>• Priory Avenue E17</li><li>• Hoe Street E17</li><li>• First Avenue E17</li></ul> |
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- 6.7. The representations relating to the issues of concern raised are detailed in the Table below and are also matters which are addressed within Section 10 'Assessment' of this report.

**Table 6: Objections Received:**

| Objection Received   | Response  |
|--|---|
| <b><i>Financial Viability Assessment</i></b>   |   |
| <p>Accuracy of the Financial Viability Assessment.</p> <p>Working habits affecting the viability of the scheme and the profit over lack of affordable housing</p>  | <p>The FVA has been independently assessed by the Council's advisors and is considered to be robust, reliable and compliant. The Affordable housing offer is found to be the maximum viable for the scheme which is showing a deficit.</p>  |
| <b><i>Design</i></b>   |   |
| <p>Incongruous design approach, too tall and loss of attractive buildings.</p> <p>Proximity of towers means there is not an insignificant number of directly opposing flats.</p> <p>A town centre needs community space and amenities and how this proposal would seek to address this.</p> <p>It does not make a positive contribution to the existing and evolving townscape. Out of character.</p> <p>New buildings should be restricted to four or same as the Travel Lodge building of 14 storey to blend in with the surrounding area.</p> | <p>The proposed building would retain an acceptable separation distance from each other comparable with other sites in the town centre. Therefore, it is deemed not out of character with other tall buildings constructed and to be constructed in the immediate location. Physical urban relationships are considered acceptable.</p> <p>Flexible uses allow for a variety of town centre uses that could include community/health uses that reflect the changing nature of centre such as this.</p> <p>The proposed building would retain some 16m separation gap. This is considered an acceptable separation distance from neighbouring residential properties in a town centre location. The proposed building would be broadly behind any opposing residential blocks as it features mainly in front of Travel Lodge and Hoe Street with a walkway to act as a visual break.</p> <p>National, regional and local planning guidance seeks to optimise development opportunities such as this to meet ever</p> |

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|   | growing housing demand in sustainable locations.  |
| <b><i>Density and Massing</i></b>   |   |
| The proposed tower block create an atmosphere of overcrowding in an already crowded area and bear no relationship with their surroundings. Too many dense developments in this locality.  | There is no further density guidance in the London Plan. The proposed development should be assessed in terms of the emerging context of the site and the fact that it is positioned within a key Growth Area (Waltham Town Centre Area Action Plan - WTCAPP), where a further increase in density is in principle appropriate and the strategic aim to intensify the residential density is sought in a town centre location. The proposal therefore seeks to respond to the physical and environmental context of the surrounding area. |
| <b><i>Scale</i></b>   |   |
| Excessive scale. Tall buildings close to Station Approach will result in a loss of the view from the Town Square and reduce the impact and benefit of the opening up and greening of the area contrary to the London Plan policy. | The Local Plan identifies the site as being suitable for tall buildings.  |
| <b><i>Affordable Housing</i></b>  |   |
| The proposed affordable housing provision does not address the social housing needs of the borough.<br><br>Most people on low incomes would not be able to afford these properties.   | Further details are set out in the Assessment section of this report.   |
| <b><i>Housing Tenure and Mix</i></b>  |   |
| More family homes and less apartments to meet the Council's housing need.   | There is a level of flexibility in terms of the preferred housing mix for the site, in which a higher proportion of one and two-bedroom units would be acceptable, by reason that   |

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| <p>The BtR accommodation is likely to only attract certain intransient occupiers and will not contribute to creating a mixed and balanced community here.</p>   | <p>these units can increase levels of affordability. Whilst the percentage of family-sized units is not entirely consistent with policy requirements, the GLA's Housing SPG (2016) encourages flexibility in terms of housing mix on higher density developments.</p> <p>BtR is an attractive model for a wide range of the community including young families and workers who wish to remain in the area but are unable to enter the housing market.</p> |
| <p><b><i>Daylight and Sunlight</i></b></p>  |   |
| <p>Loss of light and overshadowing in the centre of Walthamstow</p> <p>Overlooking and loss of privacy.</p>   | <p>The Daylight, Sunlight and Overshadowing Report was submitted with the application. An assessment has been discussed later in this report.</p>   |
| <p><b><i>Impact on Public Transport</i></b></p>   |   |
| <p>The development would have an effect on the current transport network and could result in overcrowding at travel times.</p>  | <p>The development is conceived in a way that maximises sustainable modes of travel and would not materially affect the current transport network capacity for the site due to future demand.</p>   |
| <p><b><i>Car Parking</i></b></p>  |   |
| <p>Solutions to additional traffic and parking arising from the development.</p>  | <p>The development would be car-free and therefore aims to reduce vehicle traffic within the local road network and encourage the use of public transport, walking and cycling.</p>   |
| <p><b><i>Air Quality and Pollution</i></b></p>  |   |
| <p>Harmful impact due to additional traffic and noise generation. Proper consideration with reference to impact on pollution during the construction phase of the development should be reviewed.</p> | <p>Conditions to any planning permission requiring a Construction Method Statement and a Construction Logistics Plan are recommended in order to ensure that appropriate mitigation measures are taken</p>  |

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|   | <p>into consideration in order to safeguard residential amenity and safety.</p> <p>There would also be a Section 106 financial contribution of £6,600 towards implementation of the Air Quality Action Plan.</p> |
| <b>Fire Risk</b>  |  |
| High rise fire risk is a concern and access to the tower block from emergency services. Clarification on evacuation points also needed.                         | A Fire Statement has been provided. The development will comply with all relevant regulations and this is confirmed following consultation with the London Fire Brigade.   |
| <b>Tall Buildings</b>   |  |
| Tall buildings should not affect microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference. | These matters have all been assessed in the later in the report and have been considered to be acceptable.   |
| <b>Construction / Traffic</b>   |  |
| Restrictions on the construction traffic to ensure the Town Centre roads are not ground to a halt.  | This will be covered in detail in the CEMP that will be required by condition prior to commencement of the development.  |
| <b>Consultation / Engagement</b>  |  |
| Lack of engagement and to ensure this planning is widely known to members of the public.  | This application has been the subject of extensive pre-application consultation as set out in the Statement of Community Involvement and consultation during the process of the application.                     |
| <b>Children's Play Area</b>   |  |
| Located nearer to the bus station and enhancing pollution problems from the bus station.  | Enhanced public realm with £100,000 secured by s.106 legal agreement towards Parks and Open Space.   |
| <b>Lack of Infrastructure</b>   |  |

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|--|--|
| <p>Insufficient infrastructure to support the future increase in population.</p>             | <p>The Environmental Statement confirms suitable provision within the local area. CIL contributions could support local facilities and infrastructure.</p> <p>A contribution of £31,000 towards the station upgrade at Walthamstow Centre which is currently underfunded will be secured by s.106 legal agreement subject to planning approval.</p>  |
| <p><b>Materials</b></p>  |  |
| <p>Intensive use of concrete and against climate agenda and the environment.</p>             | <p>The proposed scheme seeks to ensure that material and resource use is minimised as far as possible, in line with the first principle of circular economy: Conserve resources and source ethically. Focus has been given to minimising the quantities of materials and other resources used, as well as ensuring materials would be sourced responsibly during construction.</p> <p>The proposed development would carefully manage demolition, construction, and municipal waste to maximise recycling and reuse and minimise waste sent to landfill.</p> |
| <p><b>Wind</b></p>   |  |
| <p>The proposal would create wind problems as a consequence of the proposed tower block.</p> | <p>This has been fully assessed later in the report which consider the future impacts are within acceptable limits in terms of microclimate and wind speeds.</p>   |
| <p><b>Servicing / Deliveries</b></p>   |  |
| <p>Impact on Station Approach</p>  | <p>This has been fully assessed in the submitted Transport and Framework Delivery and Servicing Plans.</p>   |
| <p><b>ASB</b></p>  |  |
| <p>Risk of overpopulation and associated increased in antisocial behaviour.</p>              | <p>The Metropolitan Police have been consulted on this planning application and raise no objection.</p>  |

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The resident's association, Waltham Forest Civic Society, have submitted objections on the following grounds as stated in the below table:

|                              |   |
|------------------------------|---|
| Waltham Forest Civic Society | <p>Inadequate community involvement and concerns on the economy and loss of Barclays bank. Further concerns are raised relating to:</p> <ul style="list-style-type: none"><li>• Construction management</li><li>• Too large a development for a small and congested site.</li><li>• Congestion with traffic accessing the car park and the cabs the station, and deliveries;</li><li>• Another tower block so close to Hoe Street is going to change the whole nature of the area and overwhelm the existing 2 storey Victorian Terraces in Priory and Cedars Avenue and the surrounding streets.</li><li>• Fire Precautions</li><li>• The Victoria Line is already at capacity with trains every minute.</li><li>• TfL can't afford to fund the second entrance to the station therefore it is vital no more passengers are encouraged onto the congested line until the second entrance has been built.</li><li>• People moved to Walthamstow because it was cheap, and it was easy to get into central London.</li><li>• Affordable Housing –26% affordable housing is being offered despite a target of between 35 and 50%.</li></ul> |
|------------------------------|---|

6.8. Support (in part) representations have been made following public consultation as summarised in the below table:

|   |
|---|
| Support this scheme but only if they can increase the percentage of affordable rent in the development. |
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## 7. OTHER CONSULTATIONS

### Internal and External Representations Received

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

#### **LBWF Consultation Responses (including Councillors)**

| <b>LBWF Consultees</b>                          | <b>Comments</b>   |
|---|---|
| Borough of Culture                              | No response received at the time of writing.  |
| CCTV  | No response received at the time of writing   |
| Design and Conservation (Design & Conservation) | Please refer to the assessment section of the report.   |
| Environmental (Air Quality) Health              | <p>S106 contribution of £6,600 towards implementation of the Council's Air Quality Action Plan.</p> <p>Conditions recommended regarding Air Quality Neutral Assessment. It is expected that the trips generated from this development would make the development air quality neutral.</p> <p>Other conditions and informatives also recommended relating to emissions from nonroad mobile machinery and air quality dust management</p> |
| Environmental Health (Contaminated Land)        | No objection subject to conditions involving asbestos and contamination.  |
| Environmental Health (Noise)                    | No objection subject to conditions.   |
| Families (Education)                            | No objection subject to conditions and a s.106 contribution towards of £94,190 towards providing additional secondary places.   |

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| Families & Homes<br>(Public Health)                                      | No response received at the time of writing. The proposal is expected to fall within standard noise parameters, which would be subject to separate legislation.   |
| Highway<br>Development   | Highways have raised no objection to the proposal and no s278 works are required.   |
| Housing  | GLA confirm the scheme would not meet fast track criteria at 21% affordable housing subject to Financial Viability Appraisal considered by the Council later in this report.  |
| Housing<br>(Accessibility)   | Officers consider the acceptability that 10% of the proposed units would be wheelchair adaptable as acceptable.   |
| Neighbourhood<br>and Commercial<br>Services<br>(Refuse and<br>Recycling) | No response received at the time of writing. A planning condition to any planning permission is recommended regarding further details of servicing, deliveries and waste management prior to first occupation of any part of the development to ensure this development would be appropriately managed. |
| Planning Policy  | The principle of development is supported in line with the encouraging optimum intensification of brownfield sites.<br><br>There is no reason for the application to be considered as a Departure against the relevant policy regulations.  |
| Planning Policy<br>(Transport Policy)                                    | Cycle provision and ratio of stands is considered very good and therefore acceptable.<br><br>A Travel Plan should be secured by s.106 Legal Agreement to identify opportunities for the effective promotion and delivery of sustainable transport initiatives.  |
| Regeneration and<br>Growth<br>Employment,<br>Business and<br>Skills)     | Employment and Skills Plan to be agreed with targets in place and financial contributions required and agreed if targets are not met.   |

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|---|--|
| Social Services<br>Children Services<br>(Early Years)       | There are no major gaps in the demand for childcare in this ward, with some surplus of spaces in neighbouring wards.             |
| Strategic<br>Regeneration<br>(Sustainability and<br>Energy) | No objection subject to securing the following Heads of Terms by s.106 legal agreement as headlined at the start of this report. |
| Trees – Nature<br>and Conservation                          | No objection subject to planning conditions.   |
| All Councillors of<br>All Wards                             | No response received at the time of writing.   |

7.2. LBWF Consultation Responses' lists the responses received from Waltham Forest Council consultees set out in the table below:

| <b>External and Statutory Consultees</b>     | <b>Comments</b>  |
|--|--|
| Epping Forest (Special Area of Conservation) | No response received at the time of writing. (In the absence of comments, Natural England's response is relevant).   |
| Environment Agency                           | No response received at the time of writing.   |
| Greater London Authority                     | <p>The proposal is supported in principle. The GLA provided the following comments summarised below:</p> <p><b>Land Use Principles:</b> The residential-led mixed use scheme is supported.</p> <p><b>Affordable Housing:</b> The development proposes 21 per cent affordable housing by habitable rooms. This does not accord with the 35% threshold for the Fast Track Route and therefore must follow the viability tested route. Further viability discussions are required to determine the maximum reasonable amount of affordable housing, and grant funding must be explored. Review mechanisms and the affordability of the units must be secured to ensure compliance with Policy H6.</p> <p><b>Play Space:</b> There is no children's play space provided on site or any justification or reference to</p> |

|  |  |
|--|--|
|  | <p>the potential of off-site provision. This does not comply with Policy S4 and is contrary to the London Plan</p> <p><b>Whole Life Carbon:</b> Although the applicant has submitted a WLC assessment, the file has been corrupted, therefore it is not possible to determine compliance with London Plan Policy SI 2 at this stage.</p> <p><b>Energy</b> – Further information is required in order to determine compliance with London Plan Policy SI 7.</p> <p><b>Circular Economy</b> – Further information is required in order to determine compliance with London Plan Policy SI 7.</p> <p><b>Digital Infrastructure</b> - No information has been provided in relation to digital infrastructure therefore it is not possible to determine compliance with London Plan Policy SI 6 at this stage.</p> <p>These elements have now been resolved following further information and now considered compliant with London Plan Policies. Further comments relating to Design and Housing were expressed as follows:</p> <p>Housing/affordable housing: Currently the affordable housing quantum is 21% by habitable room so is not eligible for the Fast Track route. The overall quantum, and the quantum of DMR units is subject to confirmation from the borough that they accept the tenure split which does not meet local policy, and confirmation of the affordability and eligibility of the affordable products.</p> <p>Urban design and heritage: The site is identified as suitable for tall buildings as part of the town centre action plan. The residential quality and architecture are considered acceptable. A Fire Strategy has been submitted that complies with Policy D12. The Council must secure compliance with this statement through appropriate planning conditions. There is no children’s play space provided on site or any justification or reference to the potential of off-site provision. This does not comply with Policy S4 and is contrary to the London Plan. Paragraphs 38 and 66.</p> |
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| Historic England   | No objection has been raised.  |
| Historic England<br>(Greater London<br>Archaeological Advisory<br>Service) | Recommend archaeological conditions and<br>informatives.   |
| London Fire Brigade  | Satisfied with the proposals in relation to the fire<br>precautionary arrangements set out in the<br>accompanying Fire Statement.  |
| London Wildlife Trust  | No response received at the time of writing.   |
| Metropolitan Police –<br>Design Out Crime<br>Prevention Officer            | No objection subject to the recommendation of a<br>condition to secure a Certificate of Compliance to<br>the relevant Secured by Design Guide(s) or<br>alternatively achieve Crime Prevention<br>Standards.                                    |
| Natural England  | Supportive of the propositions within the<br>application documentation that mitigation will be<br>provided in the form of SAMMS. This would be<br>secured by s.106 legal agreement and Natural<br>England welcome air quality neutral targets. |
| Conservators - City of<br>London   | No response received at the time of writing.   |
| North London Waste<br>Authority  | No response received at the time of writing.   |
| Network Rail   | No objection has been raised.  |
| Thames Water   | Waste and Water comments to be secured either<br>as conditions or informatives.  |
| Transport for London<br>(TfL)  | No objection in principle. TfL set out that the s.106<br>legal agreement should secure: <ul style="list-style-type: none"> <li>• A full Active Travel Zone Assessment produced in<br/>line with TfL guidance;</li> </ul>                       |

|  |   |
|--|---|
|  | <ul style="list-style-type: none"> <li>• 2 EVCP's provided to serve the two blue badge spaces requested;</li> <li>• London Underground and LO Infrastructure Protection conditions;</li> <li>• Long stay cycle parking compliant with LCDS guidance;</li> <li>• Financial contribution towards Walthamstow Station upgrade</li> <li>• Detailed Construction Logistics and Delivery and Servicing Plans</li> <li>• Travel Plan secured in the Section 106</li> <li>• Payment of the Mayor's Community Infrastructure Levy</li> </ul> <p>TfL also recommend a number of conditions relating to London Underground and Overground engineers satisfaction which will be imposed subject to planning approval.</p> <p>Stage 1 Road Safety Audit (RSA) is acceptable. Furthermore, no objection to the principle of the new layby and loading area on Station Approach is raised. They welcome the findings informing the final design to ensure compliance with London Plan policy T7 (Deliveries, servicing and construction</p> <p>The proposed loading bay lies within land owned by TfL. Operational property colleagues at TfL have indicated they have no objection to the provision of the loading bay on TfL land and discussions within TfL have taken place to facilitate the loading bay on our land.</p> |
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## 8. DEVELOPMENT PLAN

- 8.1. Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:
- a) the provisions of the development plan, so far as material to the application;
  - b) any local finance considerations, so far as material to the application; and
  - c) any other material considerations.
- 8.2. Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Waltham

Forest comprises the Core Strategy, the Development Management Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework (2021)

- 8.3. 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 at the heart of the framework.
- 8.4. For decision-taking the NPPF states that the presumption means "*approving development proposals that accord with an up-to-date development plan without delay*" and where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless "*...any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*".
- 8.5. 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'.
- 8.6. 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)

- 8.7. The new London Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital from 2019 to 2041.
- 8.8. The policies relevant to this application are considered to include and not limited to:
- D1 London's form, character and capacity for growth
  - D12 Infrastructure requirements for sustainable densities
  - D3 Optimising site capacity through the design-led approach
  - D4 Delivering good design
  - D5 Inclusive design
  - D6 Housing quality and standards
  - D7 Accessible housing
  - D8 Public realm
  - D9 Tall Buildings
  - D11 Safety, security and resilience to emergency
  - D12 Fire Safety
  - D14 Noise

- E1 Offices
- E2 Providing suitable business space
- E3 Affordable workspace
- E9 Retail, markets and hot food takeaways
- E11 Skills and opportunities for all
- G1 Green Infrastructure
- G4 Open Space
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- G9 Geodiversity
- GG1 Building strong and inclusive communities
- GG2 Making best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increase efficiency and resilience
- H1 Increasing housing supply
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- H10 Housing size mix
- HC1 Heritage conservation and growth
- HC3 Strategic and local views
- HC5 Supporting London's culture and creative industries
- HC6 Supporting the night-time economy
- SD1 Opportunity Areas
- SD3 Growth locations in the Wide South East and beyond
- SD10 Strategic and local regeneration
- S1 Developing London's social infrastructure
- S2 Health and social care facilities
- S3 Education and Childcare facilities
- S4 Play and informal recreation
- S5 Sports and recreation facilities
- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI3 Energy infrastructure
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI6 Digital connectivity infrastructure
- SI7 Reducing waste and supporting the circular economy
- 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 impacts
- T5 Cycling
- T6 Car Parking
- T6.1 Residential parking



- T6.3 Retail parking
- T6.5 Non-residential disabled persons parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivering of the Plan and Planning Obligations

8.9.

Waltham Forest Local Plan Walthamstow Town Centre Area Action Plan (2014)

8.10. The Walthamstow Town Centre Area Action Plan (AAP) is a comprehensive spatial strategy for coordinated development, regeneration and growth of the town centre. This AAP sets out the Council's vision for the centre together with objectives, policies and site proposals to shape and guide how the centre develops in the future over the next 15 years. The following policies are relevant in this case:

- WTC2: Housing Growth
- WTC9: Design and Place Making
- WTC10: High Quality Environment

8.11. Waltham Forest Local Plan Core Strategy (2012)

8.12. The Waltham Forest Core Strategy (2012) was adopted on 1<sup>st</sup> March 2012.

8.13. The Core Strategy contains 16 policies designed to deliver the Council's vision for the physical, economic, environmental and social development of the Borough. These policies will be used to direct and manage development and regeneration activity up to 2026.

8.14. The policies considered relevant to this application are as follows:

- CS1: Location and Management Growth
- CS2: Improving Housing Quality and Choice
- CS4: Climate Change
- CS5: Enhancing Green Infrastructure and Biodiversity
- CS6: Promoting Sustainable Waste Management and Recycling
- CS7: Developing Sustainable Transport
- CS8: Making Efficient Use of Employment Land
- CS10: Creating More Jobs and Reducing Worklessness
- CS13: Promoting Health and Well Being
- CS15: Well Designed Buildings, Places and Spaces
- CS16: Making Waltham Forest Safer
- 

Waltham Forest Local Plan Development Management Policies (2013)

8.15. The Local Plan Development Management Policies Document was adopted in November 2013. This sets out the borough-wide policies that implement the Core Strategy and delivering the long term spatial vision and strategic place shaping objectives. There is an emphasis on collaboration and a positive proactive approach to reaching a balance agreement that solves problems rather than a compromise that fails to meet objectives.

8.16. The following policies are relevant in this case:

- 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
- DM13 - Co-ordinating Land use and Transport
- DM14 – Sustainable Transport Network
- DM15 – Managing Private Motorised Transport
- DM16 – Parking
- DM17- Social and Physical Infrastructure
- DM18 – Strategic Industrial Locations
- DM19 – Borough Employment Areas
- DM21 – Improving Job Access and Training
- DM23 – Health and Well Being
- DM24 – Environmental Protection
- DM29 – Design Principles, Standards and Local Distinctiveness
- DM30 – Inclusive Design and the Built Environment
- DM31 – Tall Buildings
- DM32 – Managing Impact of Development on Occupiers and Neighbours
- DM33 – Improving Community Safety
- DM34 – Water
- DM35 – Biodiversity and Geodiversity
- DM36 – Working with Partners and Infrastructure

## 9. MATERIAL PLANNING CONSIDERATIONS

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

9.1. The regulations came into force on 16<sup>th</sup> May 2017. The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process.

The Town and Country Planning and Infrastructure (Environmental Impact Assessment) (Amendment) Regulations 2018.

9.2. Minor updates to the EIA Regulations 2017.

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

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

The London Plan Housing SPG (2016)

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

London Plan Affordable Housing and Viability SPG (2017)

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

Waltham Forest Local Plan Urban Design SPD (2010)

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

Inclusive Housing Design SPD (2011)

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

Waltham Forest Affordable Housing and Viability SPD 2018

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

Waltham Forest Planning Obligations SPD (2017)

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

Natural England – Epping Forest Special Area of Conservation

- 9.10. Natural England issued interim advice on 6<sup>th</sup> 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.

Shaping the Borough – London Borough Waltham Forest Draft Local Plan Part One (Proposed Submission Consultation Draft October 2020)

- 9.11. The draft Local Plan underwent Regulation 18 public consultation between July 2019 and September 2019 and consultation on the proposed Submission Version between 26<sup>th</sup>

October 2020 and 14<sup>th</sup> December 2020. This is an early stage of the plan making process and less weight will be given to its policies.

9.12. 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.

9.13. 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 46,000sqm of employment floorspace over the next plan period. The draft policies relating to housing type and mix are reflective of the London Plan (2021).

9.14.

#### Local Finance Considerations

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

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

## **10. ASSESSMENT**

10.1. The main issues which shall be addressed within this report are:

- A. Principle of Development
- B. Market and Affordable Housing and Viability
- C. Housing – tenure and mix
- D. Density of development
- E. Standard of residential accommodation
- F. Residential amenity
- G. Amenity
- H. Design of the development
- I. Impact on heritage assets
- J. Transport and highways
- K. Waste management
- L. Education and healthcare provision
- M. Trees, landscaping and ecology
- N. Sustainable design and energy efficiency
- O. Environmental impact
- P. Safety and security

### **A. PRINCIPLE OF DEVELOPMENT**

10.2. The National Planning Policy Framework (NPPF) (2021) places a presumption in favour of ‘sustainable development,’ which it states should be a “golden thread” running through plan

and decision making. These principles are reflected in Policy CS1 of the Waltham Forest Local Plan (WFLP) Core Strategy (2012) and Policy DM1 of the Waltham Forest Local Plan Development Management Policies (2013).

- 10.3. In the context of making effective use of land, the NPPF (2021) states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. It further states that planning policies and decisions should encourage multiple benefits from both urban and rural land (including through mixed use schemes), should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. The NPPF (2021) recognises it is important that needs for retail, leisure and other main town centre uses are met in full and are not compromised by limited site availability.
- 10.4. Policy SD1 of the London Plan (2021) related to Growth Corridors and Opportunity Areas and states that these areas should realise their growth and regeneration potential.
- 10.5. Policy SD6 of the London Plan (2021) states that the vitality and viability of London's varied town centres should be promoted and enhanced by ensuring town centres are the primary locations for commercial activity beyond the CAZ and important contributors to the local as well as London-wide economy.
- 10.6. Policy E9 of the London Plan (2021) supports the development of additional convenience shopping facilities to serve existing or new residential communities, provided that this is in line with London Plan Policy SD7 on town centres. Alongside Paragraph 86 of the NPPF, London Plan Policy SD7 requires that significant retail, office and leisure and other main town centre uses should be located within town centres.
- 10.7. The London Borough of Waltham Forest's housing target as set out in the new London Plan, Waltham Forest has a revised ten year target of 12,640 new homes between 2019/20-2028/29. The scheme would provide 66 new residential homes on the site which will contribute positively to Waltham Forest's housing targets.
- 10.8. Policy H1 of the London Plan (2021) states that housing targets optimise the potential for housing delivery on all suitable and available brownfield sites. Criterion b) states that Council should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially the following sources of capacity; mixed-use redevelopment of car parks and low-density retail parks and supermarkets.
- 10.9. Policy H11 of the London Plan (2021) states development that meet the criteria set out in Part B, the affordable housing offer can be solely Discounted Market Rent (DMR) at a genuinely affordable rent, preferably London Living Rent level. Boroughs should take a positive approach to the Build to Rent sector to enable it to better contribute to the delivery of new homes.
- 10.10. Policy of 30 of the emerging Local Plan states that other forms of housing will be supported where they meet the definition of Build to Rent (at least 50 units), contribute towards mixed, balanced and inclusive neighbourhoods and communities; located in areas of good transport accessibility and well connected to local services; and are of high quality design including size of units and accessibility.

- 10.11. Policy 12 of the emerging Local Plan confirms the Council's commitment to delivering 27,000 new homes by 2035, focusing delivery on strategic locations, opportunity locations and accessible locations around transport hubs. This includes maximizing opportunities to increase the supply of homes on all suitable, appropriate and available sites including developing brownfield land, surplus public sector land and encouraging residential intensification.
- 10.12. Policy 13 of the emerging LBWF Local Plan (2020) identifies Walthamstow Town Centre Strategic Location as a key priority area for delivering regeneration and good growth and identifies 3,150 new homes.
- 10.13. Policy 4 of the emerging Local Plan states that proposal should ensure good growth and make efficient use of land through intensification and mixed use development. This is dovetailed at Policy 5 of the emerging Local plan which encourages mixed use development and intensification.
- 10.14. Policy CS1 of the Waltham Forest Local Plan Core Strategy (2012) states that growth will be distributed and managed within the borough by focusing regeneration activities within the key Growth Areas (including Walthamstow Town Centre). Policy CS1 further states that, within these areas, the Council will seek to accommodate growth in housing and jobs, especially for local people. The policy also seeks to maximise residential opportunities in town centres and identifies Walthamstow Town Centre for up to 2,000 new homes in the current Plan period. This proposal would assist in meeting these objectives.
- 10.15. Policy CS2 of the Waltham Forest Local Plan Core Strategy (2012) states the Council will facilitate sustainable housing growth by prioritising development on previously developed land, particularly unused or underused land, where appropriate, incorporating new homes into mixed use development and making effective and efficient use of land by seeking to optimise housing densities;
- 10.16. Policy CS8 of the Waltham Forest Local Plan Core Strategy (2012) states that the Council will facilitate sustainable economic growth and taking a pragmatic approach to non-designated employment land and premises that can clearly be demonstrated to be surplus to requirements and no longer fit for purpose, so that it can be released for more productive uses. Priority will be given to mixed use developments, especially those that incorporate social infrastructure.
- 10.17. Policy CS10 of the Waltham Forest Local Plan Core Strategy (2012) includes the Council's intention to seek to maximise employment opportunities for residents by supporting infrastructure improvements that enhance residents' access to employment areas via public transport, foot and bicycle.
- 10.18. Policy CS14 of the Waltham Forest Local Plan Core Strategy (2012) relates to attractive and vibrant town centres. In relation to Walthamstow Town Centre, specifically the policy confirms that the town centre is the main destination for comparison goods shopping, and states that the majority of additional growth in retail and other town centres uses should be located here. The policy confirms the support for housing in Walthamstow Town Centre.
- 10.19. Policy DM26 of the Waltham Forest Local Plan Development Management Policies (2013) states that *'the Council will encourage the development of new town centre uses that support and enhance the viability, vitality and function of the Borough's designated centres and parades'* with the aim of Strategic Objective 14 being to ensure that Walthamstow

Town Centre continues to develop as a vibrant, attractive, distinctive, safe and welcoming place.

- 10.20. Emerging Local Plan Policy 18 (2020) supports other forms of Housing and will be supported if they meet the definition of Built to Rent housing and contributed to the mixed and balanced and inclusive neighbourhoods and communities.
- 10.21. In accordance with the Policies Map, the site is subject to the following:
- Walthamstow Major Centre;
  - Lea Valley Regeneration Area;
  - Strategic Road; and
  - Walthamstow Town Centre Area Action Plan Area.
- 10.22. The WTCAAP's (2014) vision for Walthamstow Town Centre is to create a vibrant social, economic and environmentally sustainable urban town centre, providing a range of quality retail and commercial opportunities and a good mix of residential tenures supported with robust physical and social infrastructure. WTCAAP (2014) Walthamstow Town Centre Objective 04 setting an objective to create and establish a sustainable neighbourhood by providing a range of quality new homes in terms of tenure, size and affordability to meet the housing needs of the local community. Walthamstow Town Centre Objective 04 reiterates the Core Strategy (2012) target of delivering approximately 2,000 homes within the AAP area, which would represent 18% of the borough's total housing capacity.
- 10.23. Within the WTCAAP (2014), there is a desire and encouragement for larger retail units (400sqm and above) within the 'shopping precinct' particularly within any extension of the shopping centre. Active commercial frontages should be fronting the Hoe Street and Station Approach. This would result in an enhancement in the relationship / linkages to the Town Square from Priory Avenue. A mix of uses will activate this space throughout the day and evening and create a critical mass and add to the vitality of the town centre.
- 10.24. Five Golden Threads set out in the Emerging Local Plan and are:
1. Increasing housing delivery, creating liveable places
  2. Ensuring growth is sustainable and supported by infrastructure
  3. Building on the unique strengths of the borough and carrying forward its cultural legacy
  4. Ensuring land optimisation and driving investment
  5. Promoting the economy to improve the life chances for all residents, students and workers

*Loss of Residential & Employment Uses*

- 10.25. In terms of the loss of existing residential accommodation, Policy CS2 of the Core Strategy (2012) states that the Council will resist the unjustified net loss of residential accommodation. The existing residential accommodation amount to just three units (one and two bedroom flats and no affordable housing) and are of poor quality when judged against contemporary standards. The three residential flats are above two commercial units (at 278-280 and 282-284) which have no access to private amenity space and have limited outlook. The loss of these units is required to better utilise the site and suitably intensify and optimise the delivery of significant net increase of new dwellings, new non-residential floorspace and newly created open space in a sustainable way which meets modern standards and makes this part of Walthamstow Town Centre a more attractive place to live, shop and visit.

- 10.26. The application would deliver a net uplift of 63 units (of which 26% would be affordable rent (DMR)) demonstrating suitable intensification in this highly urban, sustainable location. This represents a public benefit in providing affordable housing provision and new homes which the loss of existing residential units is essential to deliver a comprehensive proposal which achieves the objectives of the WTCAAP (2014).
- 10.27. In terms of the loss employment floorspace, Barclays Bank is currently vacant and has a floor area of some 442sqm and the adjoining solicitors practice measuring some 263sqm equating to 706sqm in total. Employment floorspace would be reprovided and increased with 1053sqm of high quality non-residential floorspace that would include a gym and workspace.
- 10.28. As such, there would be not net loss of residential unit and employment floorspace, and therefore is no objection in policy terms.

*Residential – Build to Rent (BtR)*

- 10.29. The proposal seeks to develop previously developed land (brownfield) which the Council consider is underutilised and presents an excellent opportunity to regenerate and make better use of the land and increase the supply of homes. Although, regeneration does require needs to be balanced to make the most effective use of the land in line with adopted and emerging policies. The applicant's offer of providing 66 professionally managed BtR homes would help broaden the choice of tenures in the borough, provide high quality rental homes in a very highly sustainable location, and provide a sufficiently high number of units (more than 50 units) as supported in policy terms. BtR developments have been proven across London to make a positive contribution to increasing housing supply and are beneficial in a number of ways. The London Plan (2021) sets out a number of benefits of the BtR model, which have been listed below:
- attract investment into London's housing market that otherwise would not exist;
  - accelerate delivery on individual sites as they are less prone to 'absorption constraints' on build-out rates;
  - deliver more readily across the housing market cycle as they are less impacted by house price downturns;
  - provide a more consistent and at-scale demand for off-site manufacture;
  - offer longer-term tenancies and more certainty over long-term availability;
  - ensure a commitment to, and investment in, place-making through single ownership;
  - provide better management standards and better-quality homes than much of the mainstream private rented sector.
- 10.30. The site falls within the Walthamstow Central which is a major town centre and is subject to a key policy framework as set out in the adopted Waltham Town Centre Area Action Plan (WTCAAP); adopted and local plan policies and the key tenets of sustainable development laid out in the NPPF. A key objective of the WTCAAP is STC04 which encourages the creation of sustainable neighbourhood by providing a range of quality new homes in terms of tenure, size and affordability to meet the housing needs of the local community. Officers therefore consider that the BtR model would successfully contribute to other housing types and towards the current and future housing needs of the local community consistent with local, regional and national aspirations. As such, BtR is supported and would deliver a significant public benefit which should be afforded considerable weight in the planning balance in this regard.



*Flexible Use Class, Gymnasium and ancillary residential workspace*

- 10.31. The proposed mixed use scheme aims to continue the comprehensive regeneration of the major town centre and spurred on by nearby consents for The Mall and The Scene (the latter of which has been implemented). This has delivered high quality public realm with a mix of restaurants, cinema and residential uses. The proposed scheme seeks similar regeneration with an effective redevelopment of an unusual three-sided brownfield site. The principle of intensification to deliver an optimal mixed use development to coincide with the wider regeneration priorities is supported in WTCAPP and the need to promote growth and investment is strongly welcomed by officers. The proposed non-residential component would not lead to a net loss of non-residential floorspace. It would be replaced with a modern, fit for purpose ancillary workspace to be used by future and existing residents of the local community. This would improve the quality and facilities of the land use, activate the streetscene and stimulate further growth and investment in this part of the town centre location. Officers support ancillary workspace at ground and first floor level as it would contribute to the activity and economic hub during the day and night which has been lacking in this location. The provision of a new gym is a great asset for existing and future residents of the community to use and improve their health and wellbeing. As shown in the table below, there would be no net loss of floorspace:

| Use Class           | Existing gross internal floor area (square metres) | Gross internal floor area lost (including by change of use) (square metres) | Gross internal floor area gained (including change of use) (square metres) |
|---------------------|--|---|--|
| Other - Bank        | 442  | 442   | 0  |
| Other – Office      | 264  | 264   | 0  |
| C3 – Dwellinghouses | 140  | 140   | 5,367  |
| Other – Gym/Amenity | 0  | 0   | 1,053  |
| TOTAL               | 846  | 846   | 6,420  |

- 10.32. To ensure the flexible non-residential floorspace is apposite and suitably contributes to the vitality of the town centre, the applicant will need to submit a retail and commercial strategy within six months prior to occupation of any part of the non-residential components secured by s.106 legal agreement. This will ensure diversity in the local offer and continue to extend the economy in a highly sustainable location. The applicant has taken steps prior to submission of its planning application to identify and secure occupiers for the non-residential space in the proposed development. This has involved engaging with the Council's Regeneration and Property teams and interested investors/occupiers.
- 10.33. The non-residential floorspace on the ground floor would be a modern and open plan for future users to enjoy, bringing about exciting new street frontage and animation that is lacking currently. The proposal would deliver a high quality mixed use, residential-led development and provide significant public benefits. There would be no resultant net loss of employment. Instead, employment would be augmented, and land use reimaged more effectively. This complies with the objectives of the WTCAAP (2014) having regard to the encouragement of a mix of uses in the town centre and making more effective use of land through intensification.
- 10.34. The GLA advised in their stage 1 report that the principle of the land use for residential-led mixed use in this highly sustainable location is strongly supported. As such, the scheme is

considered acceptable in principle, subject to other material considerations discussed later in the report, consistent with objectives of the WTCAAP (2014) and in accordance with Policies GG2, SD1 and SD6 of the London Plan (2021), Policies CS1, CS2, CS3 and CS10 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM1, DM2 and DM26 of the Waltham Forest Local Plan Development Management Policies (2013).

## **B. MARKET AND AFFORDABLE HOUSING AND VIABILITY**

- 10.35. The residential component of this proposal is a Build to Rent scheme (BtR). The NPPF (2021) states that affordable housing on Build to Rent schemes should be provided by default in the form of affordable private rent, a class of affordable housing specifically designed for build to rent. Affordable private rent and private market rent units within a development should be managed collectively by a single Build to Rent landlord.
- 10.36. The Gov.uk website states that 20% is generally a suitable benchmark for the level of affordable private rent homes to be provided (and maintained in perpetuity) in any BtR scheme. If LPAs wish to set a different proportion, they should justify this using the evidence emerging from their local housing need assessment and set the policy out in their local plan. Similarly, the guidance on viability permits developers, in exception, the opportunity to make a case seeking to differ from this benchmark.
- 10.37. National affordable housing policy also requires a minimum rent discount of 20% for affordable private rent homes relative to local market rents. The discount should be calculated when a discounted home is rented out, or when the tenancy is renewed. The rent on the discounted homes should increase on the same basis as rent increases for longer-term (market) tenancies within the development.
- 10.38. The Mayor is committed to promoting a real choice of homes for Londoners as provided by Policy H11 of the London Plan (2021). Central to this is encouraging a range of tenures, including different types of affordable housing and providing for groups with distinct housing requirements. The Mayor's Housing SPG (2016) provides guidance on the overall approach to estimating needs of different sorts; on the role of planning in facilitating private rented housing; and addressing the requirements of distinct groups. The London Plan (2021) further states that positive support should be given for purpose-built private rented homes through the land use planning system at the local as well as the strategic level.
- 10.39. Policy H4 of the London Plan (2021) seeks to maximise affordable housing provision to ensure an average of at least 43,500 additional affordable homes per year across London. The Mayor of London supports Build to Rent as the private rented sector (PRS) is the only housing tenure in London to have seen growth in recent years. This sector is essential in supporting labour market mobility, with a high proportion of those coming to London finding their first home in the PRS.
- 10.40. Policy CS2 of the Waltham Forest Local Plan (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.
- 10.41. Furthermore, Policy CS2 provides flexibility in assessing the level of affordable housing on a site-by-site basis to achieve the maximum available. In addition, as the land is publicly owned, the maximum reasonable level of affordable housing should be considered on-site.

- 10.42. Objective 4 of the WTCAAP (2014) states affordable housing should be provided in accordance with Policies CS2 and DM6. It further states that as higher density housing development is appropriate, living within the town centre is likely to be a more intense experience. The nature of housing development coming forward within the centre is likely to be flatted. As such, not all social groups may wish to live in such an environment. In general, young couples or single people generally prefer to live in smaller flatted homes, while families prefer larger homes with more space. However, to ensure that Walthamstow develops as a mixed and balanced community, where practical, the Council will seek to ensure that all housing developments within the centre do provide larger family homes (3 bed plus) on site in accordance with Policy DM5 of the Waltham Forest Local Plan Development Management Policies (2013).
- 10.43. As stated in the Waltham Forest Local Plan Affordable Housing and Viability SPD (2018), the Council expects there to be a covenant in the S106 Agreement to ensure that homes are retained as professionally managed private rented accommodation, in single ownership, individual homes cannot be sold, and overall ownership of the scheme can only change if the scheme stays as BtR. The covenant is expected to be at least 15 years for market homes and in perpetuity for the affordable housing element.
- 10.44. A Financial Viability Assessment (FVA) was submitted by the applicant as part of the application that offers 26% affordable housing by unit and 21% by habitable room. Officers (through the Council's independent assessor) consider this acceptable by reason of the maximum reasonable amount based on a resultant deficit of 8.06% against a hurdle rate of 12%. On this basis, it is deemed that that the scheme is not capable of delivering any additional affordable housing contribution over what was offered at the outset. This is also highlighted in the Mayor's Stage 1 report, but they have not yet qualified the FVA themselves. To this end, it is noted that the GLA, subject to approval and subsequent Stage 2 referral procedure, would need to agree FVA and the level of deficit. This would then feed into the early and late stage review mechanisms that will be secured by s.106 in order to ensure that affordable housing contributions are increased if viability improves over time.
- 10.45. As part of securing BtR units, by way of s.106 and clauses, as set out in the London Affordable Housing SPG (2017) it must include:
- Clawback mechanism;
  - hold its constituent homes as Build to Rent under a covenant for at least 15 years;
  - provide units that are all self-contained and let separately
  - operate under unified ownership and management;
  - offer longer tenancies (three years or more) to all tenants, with break clauses that allow the tenant to end the tenancy with a month's notice any time after the first six months;
  - offer rent certainty for the period of the tenancy, the basis of which should be made clear to the tenant before a tenancy agreement is signed, including any annual increases which should always be formula-linked; • include on-site management, which does not necessarily mean full-time dedicated on-site staff, but must offer systems for prompt resolution of issues and some daily on-site presence;
  - be operated by providers who have a complaints procedure in place and are a member of a recognised ombudsman scheme; and
  - not charge up-front fees of any kind to ten

- 10.46. Overall, the affordable housing offer is considered justified following FVA scrutiny by the Council independent assessors. The applicant has made this offer on the understanding that the current day viability position may change as a result of growth and inflationary measures, which would be captured in the viability review mechanisms. In addition, the applicant is continuing discussions with officers as to how to optimise the scheme deliverability.

Detailed Affordable Housing Offer:

- 10.47. The affordable housing offer comprises 21% on-site affordable housing provision by habitable rooms and 26% by unit provided as 100% Discounted Market Rent (DMR) eligible to household incomes of up to £60,000. The 17 DMR units are stated to each reflect the following rents, which are also reflected as a percentage of market rent:

| Unit Type | Number | Weekly Rent | Monthly rent | % of Market Rent |
|-----------|--------|-------------|--------------|------------------|
| Studio    | 3      | £215        | £931.67      | 78%              |
| 1 Bedroom | 10     | £295        | £1,278.33    | 79%              |
| 2 bedroom | 4      | £322        | £1,395.33    | 65%              |

- 10.48. The remaining 49 units would reflect the following open market rents:

| Unit Type    | Units     | Total HbRm | Total Area sqft | Avg Area sqft | £pcm          | £ per sqft pa |
|--------------|-----------|------------|-----------------|---------------|---------------|---------------|
| Studio       | 1         | 1          | 1,592           | 398           | £1,202        | £36.06        |
| 1 Bedroom    | 12        | 24         | 12,444          | 566           | £1,615        | £34.52        |
| 2 Bedroom    | 34        | 102        | 30,003          | 789           | £2,138        | £32.42        |
| 3 Bedroom    | 2         | 8          | 1,916           | 958           | £2,375        | £29.75        |
| <b>Total</b> | <b>49</b> | <b>135</b> | <b>45,955</b>   | <b>678</b>    | <b>£1,833</b> | <b>£32.67</b> |

- 10.49. In this regard, the affordability of the units is deemed to be further satisfied in that they meet the £60,000 income threshold under the London Living Rent (LLR). It is therefore considered satisfactory that the units would be affordable.
- 10.50. As such, given the level of affordable housing being offered a FVA has been independently assessed and tested in affordable housing terms at 26% by unit terms, and is considered the maximum reasonable amount.
- 10.51. A key benefit to any BtR scheme with DMR as an affordable product is that units can more easily be tenure blind and “pepper-potted” through the development. In essence, it would not be obvious, which units would be which, ensuring one would be unable to establish one form of tenure from another. More importantly, providing a mixed form of tenure development, would create more diverse, socially cohesive and integrated communities and would help to improve social mobility. This would thereby promote mixed and balanced communities within the scheme.
- 10.52. All affordable housing secured through planning as DMR, must be affordable in perpetuity, in line with the requirements of the NPPF (2021). As such, this Build to Rent scheme is

designed to enable the 17 affordable units to be retained as affordable units in perpetuity secured by s.106 and associated covenants as outline above.

- 10.53. Considering the London Strategic Housing Market Assessment and the Mayor's Affordable Housing and Viability SPG (2017), there is a general recognition that affordable housing has been historically under-delivered and that currently, affordable housing makes up 65% of London's current housing need. Subject to a Section 106 Agreement that ensures the delivery of affordable housing and given the context of the borough's London Plan housing targets, the scheme is acceptable regarding the maximum and reasonable provision of affordable housing this proposal could provide that would make a significant contribution to affordable housing delivery in the Borough.
- 10.54. In para. 002 (Reference ID: 60-002-20180913) of the National Planning Practice Guidance (NPPG) it states that 20% is generally a suitable benchmark for the level of affordable private rent homes to be provided (and maintained in perpetuity) in any build to rent scheme. In addition, national affordable housing policy also requires a minimum rent discount of 20% for affordable private rent homes relative to local market rents. The discount should be calculated when a discounted home is rented out, or when the tenancy is renewed. The rent on the discounted homes should increase on the same basis as rent increases for longer-term (market) tenancies within the development.
- 10.55. As such, following FVA scrutiny, officer considers that the provision of affordable housing offered by the applicant for BtR is acceptable and accords with the Mayor's Affordable Housing and Viability SPG (2017), National Planning Practice Guidance (2021), the Waltham Forest Local Plan Affordable Housing and Viability SPD (2018), Policy DM3 of the Waltham Forest Local Plan Development Management Policies (2013 and Policies H4, H5 and H6 of the London Plan (2021).

### **C. HOUSING – TENURE AND MIX**

- 10.56. The NPPF (2021) 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 (2021) recognises that in order to create sustainable, inclusive and diverse communities, a mix of housing types, which is based on demographic trends, market trends and the needs of different groups, should be provided.
- 10.57. It should be noted that the Secretary of State in his letter to the Mayor dated 13<sup>th</sup> March 2020 directed an amendment to the wording of the London Plan (2021) Policy H10 (A9) to state: "*The need for additional family housing and the role of one and two bed units in freeing up existing family housing.*"
- 10.58. London Plan Policy H10 requires schemes to generally consist of a range of unit sizes, having regard to robust local evidence of need and the nature and location of the site.
- 10.59. Policy CS2 of the Waltham Forest Local Plan Core Strategy (2012) requires mixed and balanced communities and sets out the Council's priority for larger homes (3 bedrooms or more) in new developments. Policy DM5 of the Waltham Forest Local Plan Development Management Policies (2013) sets out the Council's preferred housing mix for mainstream market housing schemes which states that, '*there should be a varied mix of units across the development*'. Policy DM5 reiterates Policy CS2 and sets out the Council's preferred housing mix with the preferred percentage being as follows: 20% one bed units, 30% two-bed units, 40% three-bed units and 10% four-bed units.

10.60. WFLP DM Policy DM5 sets out the Council's preferred mix as follows:

|   | 1 bed | 2 bed | 3 bed | 4 bed |
|---|-------|-------|-------|-------|
| <b>Market</b>                           | 20%   | 30%   | 40%   | 10%   |
| <b>Intermediate</b>                     | 20%   | 40%   | 30%   | 10%   |
| <b>Social/Affordable Rented Housing</b> | 20%   | 30%   | 40%   | 10%   |

10.61. The proposal including 66 residential units (including 17 Affordable Units at DMR) would provide the following combined housing mix:

- 4 studios (6%);
- 22 one-bedroom units (33%);
- 38 two-bedroom units (58%); and
- three-bedroom units (3%).

10.62. The housing mix for the BtR and the DMR are set out in the table below:

|              | Studio   | 1 Bed     | 2 Bed     | 3 Bed    | Total     | %           |
|--------------|----------|-----------|-----------|----------|-----------|-------------|
| BtR          | 1        | 12        | 34        | 2        | 49        | 74%         |
| DMR          | 3        | 10        | 4         | 0        | 17        | 26%         |
| <b>TOTAL</b> | <b>4</b> | <b>22</b> | <b>38</b> | <b>2</b> | <b>66</b> | <b>100%</b> |

10.63. 66 new homes would be provided across a range of sizes and tenures although, in terms of the traditional family accommodation, the scheme only provides 2x3 bed units which falls below targets. Whilst this is conventionally against policy for traditional home builders and housing products, this scheme would provide 38x2 bed units which equate to 58% of the overall total to be delivered within the BtR product. These are considered units that are considered more suitable for family accommodation especially in the rental market in current and future markets. They would provide suitable accommodation for small/young families and given the location and rental nature of the scheme; these units are likely to not be 'permanent' homes such that it allows families to live in the area whilst potentially looking for larger homes in their ownership. The BtR is an attractive housing product for a wide range of the community including young families who wish to remain in the area but are unable to enter the housing market. A town centre location, moments away from a busy train/tube station is perhaps not the most suitable location for more traditional 'family' accommodation especially when the site is fully developed and there is a lack of opportunities for outdoor amenity and play space due to site constraints.

10.64. The GLA in their Stage 1 Report confirmed that the BtR approach is acceptable due to the site's town centre location and particular demographics of BtR tenants, and the scheme exceeds all of the relevant residential design standards such that the units would be delivered with the highest quality of accommodation for all future occupiers. The scheme provides for over 61% as family suitable accommodation (58% 2bed and 3% 3bed) and this is considered acceptable in this instance. Strategically, the GLA accept this residential mix.

10.65. It is noteworthy that the recently approved Mall development nearby in the town centre provided no three bed units as part of the BtR element. Although the provision of family units is not consistent with the mix under Policy DM5 of the Waltham Forest Local Plan Development Management Policies (2013), the Mayor's Housing SPG (2016) encourages flexibility in terms of housing mix [including Build to Rent schemes] on high density,

accessible locations, such as this. The WTCAAP (2014) also acknowledges that the high density flatted living would be a more intense experience that will not necessarily be attractive to families. Given that the proposed units would meet the minimum internal space standards and would have access to acceptable levels of internal and external amenity spaces, the provision of an increased number of smaller units would be acceptable in this instance.

- 10.66. In addition, the proposed dwelling mix follows a detailed assessment of the local characteristics of the site, affordability levels, market trends and demographics and the desire to optimise the development potential of this brownfield site. The distinct nature of BtR scheme has also been taken into consideration which is likely to attract (but not exclusively) young couples or smaller families. Officers consider a level of flexibility in which a higher proportion of one and two bedroom units would be acceptable based on that a higher provision of small units can increase levels of affordability.
- 10.67. As such, the proposed mix provides a range of BtR and DMR unit types and sizes across the development that is considered appropriate in this instance. The variety of units proposed would assist in creating a mixed and balanced community whilst meeting identified local needs in accordance with the objectives of Policy CS2 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM5 of the Waltham Forest Local Plan Development Management Policies (2013) and London Plan (2021) Policy H11.

#### **D. DENSITY OF DEVELOPMENT**

- 10.68. Whilst the NPPF (2021) does not set out any prescriptive guidance with regards to residential density, it encourages new proposals for residential development, which optimises the capacity of sites in a manner that is compatible with the use, intensity, scale, and character, the surrounding area and the size of the site.
- 10.69. Policy GG2 of the London Plan (2021) sets out that to make the best use of the land, development must enable to development of brownfield land, particularly in Opportunity Areas and on surplus public sector land. It goes on to state that development must proactively explore the potential to intensify the use of land, to support additional homes and workspaces and promote higher density development, particularly in locations that are well connected by public transport, walking and cycling.
- 10.70. The Walthamstow Town Centre AAP (2014) in accordance with Policy CS2, states the Council will seek to make the most efficient and effective use of land in the centre. This means seeking to optimise housing densities in accordance with the London Plan (2016) density matrix. Given the centre's excellent transport links, Walthamstow is a location where higher housing densities are considered to be acceptable. Housing densities should be appropriate to the character and context of the Walthamstow area and should protect the amenity of occupiers and surrounding properties. As a rule, higher density development should be focused around the Walthamstow Central transport hub.
- 10.71. Policy CS2 of the adopted Core Strategy (2013), states the Council will seek to make the most efficient and effective use of land in the centre. This means seeking to optimise housing densities in accordance with the London Plan SPG. Given the centres excellent transport links, Walthamstow is a location where higher housing densities are considered to be acceptable. Housing densities should be appropriate to the character and context of the Walthamstow area and should protect the amenity of occupiers and surrounding properties.

- 10.72. In addition to the above policy considerations, Policy D3 of the London Plan (2021) encourages the optimisation of site capacity through the design-led approach and sets policy guidance to shape the form and layout, quality and character of new development.
- 10.73. The key considerations when determining appropriate densities are the PTAL levels of the site, planned improvements in the provision of services and infrastructure, and the quality of the design in terms of the size of rooms, storage space, and amenity spaces. The minimum requirements set out in Policy DM7 of the Waltham Forest Local Plan Development Management Policies (2013) should be met, which requires proposals to meet the minimum internal space standards and external amenity space standards.
- 10.74. The site is situated in an excellent publicly accessible location given its PTAL rating of 6a. The site is moments away from public transport connections and this is aligned with suitable density levels of intensification. The proposed development would result in a residential density of approximately 2,125hrh based on a site area of 0.08ha and 170 habitable rooms. The proposed density values are summarised in the table below:

| Type                                  | Density  | Total |
|---------------------------------------|----------|-------|
| Number of units per hectare           | 66u/ha   | 825   |
| Number of habitable rooms per hectare | 170hr/ha | 2,125 |
| Number of bedrooms per hectare        | 106bs/ha | 1325  |
| Number of bedspace per hectare        | 110bs/ha | 1375  |

- 10.75. Given that the proposed development is considered of a high quality design and would provide a high quality standard of living accommodation in the town centre, the development would not present concerns in terms of being perceived as overdevelopment as the density befits its highly sustainable location.
- 10.76. Aligned with the intensification approach of the site and making the most effective use of the land, Floor Area Ratio (FAR) as set out in the emerging Local Plan is encouraged. In this respect, the existing site provides 846sqm and the proposed development would deliver 6420sqm of mixed use floorspace. This represents a 7.5 FAR which is considered an appropriate high density for this town centre development.
- 10.77. In view of the above, the proposed development is considered to successfully respond to its favourable location in accessibility terms by delivering a density of development that optimises housing delivery and workspaces/facilities. As such, the proposal is considered consistent with the aims of delivering transformational regeneration in line with Policy CS2 of the Core Strategy (2013), Policy D3 of the London Plan (2021) and the NPPF.

## **E. STANDARD OF RESIDENTIAL ACCOMMODATION**

### *Internal Space Standards*

- 10.78. The 'Technical Housing Standards – nationally described space standard' (2015) stipulate the minimum gross internal floor space required for residential units based on the level of occupancy that could be reasonably expected for the proposed units. The policy seeks for high quality internal and external design, which should consider the sense of 'arrival' at the building and the 'home as a place of retreat', with acceptable rooms sizes and functional room layouts, that meet the minimum spatial requirements.



- 10.79. Policy D6 of the London Plan (2021) sets out the housing quality and standard design specifications for new developments. Including internal rooms sizes, dual aspect, built in storage.
- 10.80. Policy CS2 of the WFLP Core Strategy (2012) requires high quality design for new housing development that can adapt to changing needs of residents and therefore aims to create healthy and sustainable communities with appropriate spatial standards and adequate levels of residential amenity.
- 10.81. Policy DM7 of the Waltham Forest Local Plan Development Management Policies (2013) requires all new residential development to meet minimum internal and external amenity spaces outlined in Tables 8.1, 8.2 and 8.3 within the of the adopted local plan and the GLA's Housing SPG (2016).
- 10.82. All the proposed residential units would either meet or exceed the minimum space standards contain within the 'Technical Housing Standards - nationally described space standard' (2015) in accordance with DM7 of the Waltham Forest Local Plan Development Management Policies (2013).

*Dual Aspect/units*

- 10.83. Policy D6 of the London Plan (2021) advises that dual aspect dwellings with opening windows on at least two sides have better daylight, a greater chance of direct sunlight, natural cross-ventilation, a greater capacity to address overheating, pollution mitigation, improved aspect and outlook, greater flexibility in choice of rooms and greater chance of accessing quiet rooms.
- 10.84. The application proposes seeks to avoid north facing single aspect units with 94% (62 units) provided as dual aspect throughout the scheme. The proposed building maintains adequate separation gaps (16 to surrounding established residential dwellinghouses and mixed use, and hotel buildings to ensure privacy for residential units facing inwards. Nearly all of the units are dual aspect to minimise the risk of air quality and noise issues. The GLA stage 1 report confirms that the scheme would provide a good proportion of dual aspect overall and all units would have a minimum of 2-.6m floor to ceiling which is supported.
- 10.85. As such, it is considered that the quality of the environment of future homes is accepted as there are a substantial number of one bedroom and two bedroom units which make most efficient use of the block layouts. There are no single aspect north facing units, which is welcomed, and all two-bed and every three-bed unit are dual aspect.
- 10.86. The tower block would not exceed the maximum eight units per floor with three to five units proposed and is therefore considered acceptable in accordance with the London Plan's Housing SPG (2016).

*Accessible Units*

- 10.87. Policy D5 of the London Plan (2021) state that 10% of new housing must meet Building Regulation requirement Part M4 (3) 'wheelchair user dwellings', i.e., is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. Policy D5 of the London Plan (2021) requires an inclusive design statement be submitted as part of the Design and Access Statement.

- 10.88. Policy CS2 of the Waltham Forest Local Plan Core Strategy (2012) requires high quality design from new housing development. Policy CS2 further states that new homes should be accessible to all members of the community and be able to adapt to the changing needs of residents throughout their lives. Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012) sets out that the Council aims to create and develop healthy and sustainable places and communities. New developments are required to meet appropriate standards that ensuring satisfactory amenity is provided for future occupiers.
- 10.89. Policy DM7 of the Waltham Forest Local Plan Development Management Policies (2013) seeks for proposals to meet the minimum internal space standards. These reflect the requirements of the London Plan (2016) and are also subject to change in light of the National Technical Standards which came into force in October 2015.
- 10.90. The proposed development would result in 60 units (90%), which would be designed to Building Regulations requirement M4(2) and 7 units (10%), which would be designed to Building Regulations requirement M4(3). The table below sets out the mix of the wheelchair accessible/adaptable units and the plan below illustrates where the wheelchair units (WCH) units would be typically within the building, with 3x1 beds and 4x2 beds located on levels 02-06:

| Beds         | Cat M4(2) | Cat M4(3) | Total     |
|--------------|-----------|-----------|-----------|
| Studio       | 4         | 0         | 4         |
| 1Bed         | 19        | 3         | 22        |
| 2Bed         | 34        | 4         | 38        |
| 3Bed         | 2         | 0         | 2         |
| <b>TOTAL</b> | <b>59</b> | <b>7</b>  | <b>66</b> |



- 10.91. In line with National Planning Practice Guidance (NPPG) the accessible DMR units should be delivered as wheelchair adaptable. The specific housing mix of the proposed wheelchair accessible units will be secured by condition subject to planning approval.
- 10.92. The remaining 90% of flats have been designed to be accessible, adaptable, and fully meet Building Regulations Part M4(2). The specification of the wheelchair units will be controlled by condition subject to planning approval.
- 10.93. The applicant has confirmed their commitment that the wheelchair units will be exclusively marketed to those in need of wheelchair accessible housing for a period of 12 months from launch of the units which is expected approximately three months prior to practical completion. A Wheelchair Accessible Dwelling Marketing Strategy is recommended as an obligation to any S106 Agreement to help secure the marketing strategy of these units.
- 10.94. The proposed wheelchair units would be specifically designed for wheelchair accessibility being located in close proximity to two lift cores for ease of access and distributed throughout the development to provide a range of aspects, floor level locations, views and unit sizes (1 and 2 beds). Amenities would be wheelchair accessible and include disabled WCs and entrances and circulation areas will be fully compliant with the relevant sections of Approved Document M. These details will be secured by condition subject to planning approval.
- 10.95. The proposed layouts of the wheelchair accessible (M4 Cat 3) and adaptable (M4 Cat 2) units have been independently assessed by the Centre for Accessible Environments (CAE) and have been confirmed as acceptable subject to detailed assessment of the units secured by condition subject to planning approval.
- 10.96. As such, it is considered that the proposed development would provide acceptable levels of wheelchairs units within the development in accordance with Policies CS2 and CS13 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM7 of the Waltham Forest Local Plan Development Management Policies (2013).

#### **F. RESIDENTIAL AMENITY**

- 10.97. Standard 26 of the GLA's Housing SPG (2016) requires a minimum of 5sqm of private outdoor space for 1-2 person units and an extra 1sqm for each additional occupant. Standard 27 requires the minimum depth and width for all balconies and other private external spaces to be 1.5m.
- 10.98. Policy DM7 of the Waltham Forest Local Plan Development Management Policies (2013) requires proposals to meet the minimum external space standards set in the document. For flatted developments, the document states a requirement for a minimum of 10sqm of amenity space per bedroom. It states that each flat should provide an element of private amenity space, however, the overall provision can be provided in the form of both private amenity space and communal amenity space.
- 10.99. Residential amenity space is to be provided in a communal roof garden and in the form of external private amenity space in the form of recessed and projecting balconies. The following table sets out the provision:

| Type         | Location                      | Total (sqm)  |
|--------------|-------------------------------|--------------|
| Communal     | Ground Level Forecourt / Yard | 110          |
|              | Ground - Internal             | 230          |
|              | Gym                           | 159          |
|              | Roof Terrace                  | 72           |
|              | <b>Total</b>                  | <b>571</b>   |
| Private      | Built to Rent Balconies       | 563          |
|              | <b>Total</b>                  | <b>563</b>   |
| <b>Total</b> |                               | <b>1,134</b> |

### *Amenity Space*

10.100. All units would comply with the following minimum private amenity space as set out in Standard 26 of the GLA's Housing SPG (2016):

- 1B1/2P - minimum 5sqm
- 2B3P - minimum 6sqm
- 2B4P - minimum 7sqm
- 3B5P - minimum 8sqm

10.101. Based on the proposed housing mix, the scheme would provide 108 bedrooms. Therefore, the proposed development is required to provide 1080sqm of amenity space to accord with Policy DM7 of the Waltham Forest Local Plan Development Management Policies (2013).

10.102. The proposal would deliver 1,134sqm of general amenity space including a 72sqm roof terrace. However, the actual external amenity space is limited to 635sqm which represents a shortfall of circa 50% against standards. It is accepted that the size of the units over and above nationally described space standards can offset some of this shortfall when site constraints are relevant. On this basis, officers consider that it is not achievable to provide the full complement on this constrained site and as set out in Policy DM7 criterion (v) of the adopted Local Plan (2013) that a payment in lieu can be accepted towards enhancing or upgrading the provision of local open spaces in the vicinity of the development. As such, the applicant has agreed a meaningful contribution which is described in the next section of this report.

### *Private Amenity*

10.103. All the new flats would not have policy compliant sized private amenity space for reasons described above with some 563sqm of private balcony space which amounts to an average of 8.5sqm for each flat contrary to London Plan Housing SPG and Policy DM7 of the WFLP Development Management Policies (2013).

### *Communal Amenity and Children's Play Space*

10.104. In terms of children's play space, most relevant is London Plan (2021) Policy S4 which seeks to ensure that development proposals include suitable provision for play and recreation and incorporate good-quality accessible play provision for all ages, of at least 10sqm per child.

- 10.105. Taking the above into account within a highly urban, town centre location, the scheme would provide high quality public realm, adequate private amenity provision without dedicated playspace due to site constraints. The future residents of the development would however have good access to suitable private amenity and communal space at roof level, which would help promote healthy and sustainable lifestyles. Within the public realm of the proposed development, there would amenity areas onsite and new pocket park. In terms of playspace provision within easy reach, Walthamstow Town Square Gardens is located some 200m away and there are also three open spaces and six play spaces within 800m of the site. Notably, the consented Mall development will replace the existing playspace in Walthamstow Town Square Gardens with a 400sqm playground suitable for children under 7 years. An additional 150sqm of dedicated informal playspace and 550sqm of incidental playspace for children of all ages will also be provided within Walthamstow Town Square Gardens.
- 10.106. From a prescribed standpoint, the GLA population yield calculator estimates a total of 12 children would be expected within the proposed development which requires 120sqm. There would be a shortfall in the overall amenity space, and the scheme would not meet the quantum of playspace on-site and therefore does not comply with London Policy S4 as acknowledged in the GLA stage 1 report. However, access to communal roof top gardens measuring some 72sqm area on the 18<sup>th</sup> floor of the building for future residents only which would provide an area of play above the noise and intensity of the city street scene. As stated in para. 5.3.6 of the London Plan (2021), “*off-site provision, including the creation of new facilities or improvements to existing provision, secured by an appropriate financial contribution, may be acceptable where it can be demonstrated that it addresses the needs of the development whilst continuing to meet the needs of existing residents.*” On this basis, the applicant has agreed that a payment in lieu of the shortfall in playspace provision is necessary to make the development acceptable in planning terms and in line with the CIL Regulation 122.
- 10.107. As such, given the site’s town centre location and land constraints, officers are satisfied a payment in lieu is deemed appropriate to secure contributions towards nearby greenspaces and parks in this instance. Through extensive negotiations with the applicant and the Council’s Parks Team, a proportionate contribution of **£100,000** towards enhancements or improvements to nearby play areas will be secured by s.106, subject to planning approval. The following parks have been identified within a 1km/15min walk journey and where improvements and replacing older equipment (including ground works, fencing, gates, safer surfacing, new play equipment, seats, bins etc) can be implemented that offer greater play value:
- Wingfield Park
  - Lloyd Park
  - Vestry Road play area
  - Thomas Gamuel Park
  - Queens Road play area
  - Greenleaf Road play area
- 10.108. As such, subject to contributions, the proposals are considered in accordance with the guidelines contained within the Mayor’s Housing SPG (2016) and Policy DM7 of the Waltham Forest Local Plan Development Management Policies (2013), Policy S4 of the London Plan (2021) and the Mayor’s Play and Informal Recreation SPG (2012).

## **G. IMPACT ON NEIGHBOURING AMENITY**

- 10.109. Policy DM32 of the WFLP DM Policies (2013) states that when considering the impact of a new development on residential amenity the Council will have regards to impacts on daylight and sunlight, outlook and privacy of surrounding properties.
- 10.110. In terms of impact on neighbouring properties, the development would be near to residents along Station Approach, Prior Way and Hoe Street. The northern and southern boundaries of the site present the most sensitive receptors to the proposed development in the form of the residential neighbours and to a lesser degree, those residents along Hoe Street with regard to the recently consented scheme at Juniper House and those properties on First Avenue.
- 10.111. The proposed building would be mainly positioned opposite the Travel Lodge Hotel and marginally oversail the southern elevation of East Central Apartment building along Station Approach by circa 1m.

### *Daylight, Sunlight and Overshadowing*

- 10.112. The potential impacts on neighbouring amenity should be considered in the context of Paragraph 125 of the NPPF (2021). This paragraph states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. In these circumstances Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).
- 10.113. Policy D4 of the London Plan (2021) sets out that the design of the development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 10.114. The Mayor's Housing SPG (2016) paragraph 1.3.45 states *"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 within 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 take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time."*
- 10.115. Policy DM33 of the Waltham Forest Local Plan Development Management Policies (2013) states that *'when considering the impact of a new development on neighbouring amenity, the Council will have regards to (among other aspects) access to daylight and sunlight and will only find development acceptable where it would not cause an unacceptable loss of amenity to adjoining or future occupiers of the development'*.
- 10.116. The application is accompanied by a Daylight and Sunlight report prepared by Waldrams. An independent assessment has been carried out by GL Hearn and their conclusions are expressed in the following sections.

*Internal Daylight Assessment – future occupiers*

10.117. The habitable rooms in the proposed dwellings have been assessed using the Average Daylight Factor (ADF) metric. An Internal Daylight and Sunlight report has been prepared by Waldrams and an independent assessment has been carried out by GL Hearn on behalf of the Council. Their conclusions are as follows:

- 170 rooms have been assessed using the Average Daylight Factor (ADF). All 170 rooms meet the levels recommended in the BRE. This equates to 100% pass rate.
- It is noted that some of the rooms will be subject to overheating.
- Sunlight has been assessed to 66 Living Rooms using Annual Probable Sunlight Hours (APSH). All 66 Living rooms meet the recommendations made in the BRE annually and in winter months.

10.118. To this end, given the optimal intensification of the site and comparable impacts within a town centre, urban context, the proposed development performs exemplary with regard to internal daylight for future occupiers, with no deficiencies resulting in 100% pass rate for BRE based on ADF and APSH. The scheme would deliver new housing with high quality standard of living accommodation. However, it is considered necessary that as some occupants could experience overheating due to favourably south orientation, fixed blinds will be secured by condition subject to planning approval.

*Internal Daylight and Overshadowing Assessment – neighbouring properties*

10.119. The following properties have been identified within the assessment as potentially affected by the proposed development are as follows:

| Address            | Room Reference | Existing NSL | Proposed NSL | % Change Existing -v- Proposed |
|--------------------|----------------|--------------|--------------|--------------------------------|
| 3 Station Approach | First R1       | 97.99        | 49.31        | - 50%                          |
| 3 Station Approach | First R2       | 98.26        | 51.11        | - 48%                          |
| 3 Station Approach | First R3       | 97.55        | 60.5         | - 38%                          |
| 3 Station Approach | Seventh R1     | 97.98        | 48.18        | - 50%                          |
| 3 Station Approach | Seventh R2     | 98.25        | 50.99        | - 48%                          |
| 3 Station Approach | Seventh R3     | 97.54        | 60.42        | - 38%                          |
| 2 Priory Avenue    | First R4       | 81.16        | 14.28        | - 80%                          |
| 286 Hoe Street     | Second R1      | 93.32        | 59.41        | - 36%                          |

10.120. In summary, GL Hearn, the Council's independent daylight, sunlight and overshadowing consultants, report that:

- The development achieves an overall pass rate of 88% based on No Skyline (NSL).
- The development achieves an overall pass rate of 58% based on Virtual Sky Component (VSC).
- The daylighting to the windows has been assessed to 168 windows using the VSL 148 rooms. The baseline line conditions demonstrated that 110 met the recommended levels detailed in the BRE before the proposed development was tested. The results detail that 99 windows achieve compliance following the development.
- Internal daylighting has been assessed to 168 rooms. 149 rooms meet the BRE Guidelines, and 11 rooms are subject to minor deviations from the BRE. 8 rooms will

be subject to noticeable transgressions. 7 of the 8 serve commercial buildings with a requirement for natural daylight. These should be looked on practically, as it is unlikely to damage occupier enjoyment. 1 room will be subject to transgression although daylight to the property as a whole should be considered reasonable.

- Sunlighting results demonstrate a strong compliance level both annually and in winter months.
- Amenity will not be subject to any change.
- Overall, the proposed development will have a minor adverse impact on the neighbouring daylight and sunlight amenity. A practical approach should be applied when reviewing the impact of this development. In addition to this, exceptionally high baseline conditions create an additional burden for the development to follow in terms of meeting BRE recommendations.

- 10.121. Expressed concerns were received by occupiers of the nearby East Central Apartments in terms of reduced light levels. As a result, to ensure thoroughness, the scheme has been scrutinised and independently assessed by the Council's daylight and sunlight experts at GL Hearn. Their report reveals certain transgressions against BRE guidelines would occur using the VSC test following the proposed development. 56 windows were assessed in total and 32 met the BRE guidelines. 6 windows would be subject to a 20-29.9% reduction and 18 windows subject to a 30-39.9% reduction. The Waldrams report refers to representations given by the GLA as stated in a Hearing report D&P/3067/03 – Appendix 1 (18 November 2013), in which alternative targets (relaxed) are considered and implemented. The Hearing report explains that where there is an undeveloped site, neighbouring properties will likely experience high levels of change beyond the recommendations of BRE standards and alternative percentage reductions should be apply. Similar principles should apply when considering the level of effect of the proposed development on East Central Apartments.
- 10.122. In highly sustainable town centre locations such as these, the proposed development site needs to balance the level of impact with the expectations of Policy SD6 of the London Plan (2021), Policy 5 of the emerging Local Plan (2020) which encourages good growth through intensification with mixed use residential led development and the objectives of WTCAPP. Currently, the existing properties on site are three-storeys high, therefore the amount of obstruction on East Central Apartments is unusually low for such a central, town centre location. Such that, the existing VSC figures are similar to what you find in a low density suburban housing arrangement. When considering inner city areas, the level of change is reflective on the proposed density of the area. As reported in the Hearing report:
- 10.123. *With respect to the reduction factor, it should also be noted that whilst BRE guidelines state that a 20% reduction is the threshold for a materially noticeable change, the independent daylight and sunlight review sets out that given the underdeveloped nature of the site relative to its context, this percentage reduction should be increased to 30%, with an upper threshold of 40%.*
- 10.124. BRE Guidance recognises that *“in an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable...”* and *“...to ensure that new developments match the height and proportions of existing buildings, the VSC...targets for these windows could be set to those for a ‘mirror-image’ building of the same height and size and equal distance on the other side of the boundary.”* (BRE 1.6 & F5).
- 10.125. Whilst there would be some transgressions, the daylight within a property is assessed using two tests as recommended in the BRE. These are the VSC and the Daylight Distribution (No Sky Line) which should be read in conjunction, as they assess the sunlight and daylight



directly hitting a window and the diffusion of daylight into a room. The table below taken from the Waldrams report summarises the performance rates of VSC, NSL and APSH (Annual Probable Sunlight Hour) tests:

| Property                            | Vertical Sky Component |                                 |   |          |      | No Sky Line  |                               |   |          |      | Annual Probable Sunlight Hours |                                 |
|-------------------------------------|------------------------|---------------------------------|---|----------|------|--------------|-------------------------------|---|----------|------|--------------------------------|---------------------------------|
|                                     | Windows tested         | Windows satisfying BRE criteria | Windows not satisfying BRE criteria (reduction) |          |      | Rooms tested | Rooms satisfying BRE criteria | Rooms not satisfying BRE criteria (reduction) |          |      | South facing windows tested    | Windows satisfying BRE criteria |
|                                     |                        |                                 | 20-29.9%  | 30-39.9% | >40% |              |                               | 20-29.9%                                      | 30-39.9% | >40% |                                |                                 |
| 286 Hoe Street                      | 3                      |                                 |   | 3        |      | 3            | 1                             | 1   | 1        |      | 0                              | N/A                             |
| 290-292 Hoe St                      | 3                      |                                 | 3   |          |      | 3            | 2                             | 1   |          |      | 0                              | N/A                             |
| 1 Priory Avenue                     | 7                      | 5                               | 2   |          |      | 3            | 3                             |   |          |      | 0                              | N/A                             |
| 1B Priory Avenue                    | 18                     |                                 | 11  | 7        |      | 18           | 10                            | 8   |          |      | 0                              | N/A                             |
| 2 Priory Avenue                     | 8                      | 7                               |   |          | 1    | 7            | 6                             |   |          | 1    | 0                              | N/A                             |
| Juniper House                       | 24                     | 24                              |   |          |      | 12           | 12                            |   |          |      | 24                             | 18                              |
| East Central Apts, Station Approach | 56                     | 32                              | 6   | 18       |      | 49           | 49                            |   |          |      | 56                             | 50                              |
| Gateway Apts, Station Approach      | 43                     | 43                              |   |          |      | 38           | 38                            |   |          |      | 2                              | 2                               |

10.126. Whilst the results show that there would be 24 windows subject to transgressions in the East Central Apartments, all 49 rooms assessed using NSL would meet the BRE standards, which allows for the room area to be reduced to 0.8 of its former value. In terms of daylight distribution all the rooms assessed within East Central Apartments would achieve similar results to the pre-existing levels. In terms of transgression along Priory Avenue, 1 and 1b Priory Avenue affected windows are north facing and secondary habitable windows, and 2 Priory Avenue relates to a non-residential day care centre where BRE standards do not apply.

10.127. It is noted that private balconies are not considered amenity spaces in the determination of BRE Guidelines so in terms of impact on private amenity and outlook from this vantage point should be given no weight.

10.128. Officers acknowledge that GL Hearn support the scheme overall performance and that advise broad compliance with the BRE guidance. The Waldrams consultants acting for the applicant have reviewed the data following concerns from neighbouring occupiers and the overall conclusions do not change the acceptability of the daylight and sunlight results.

10.129. With regard to overshadowing and Sun Hours on Ground (SHOG), the neighbouring sensitive receptors gardens perform very well. The proposed development would result in all neighbouring amenity areas receiving at least 2hr of direct sunlight and therefore

surrounding gardens continue to enjoy high levels of sunlight all year round, with overshadowing being predominantly transient and negligible in nature.

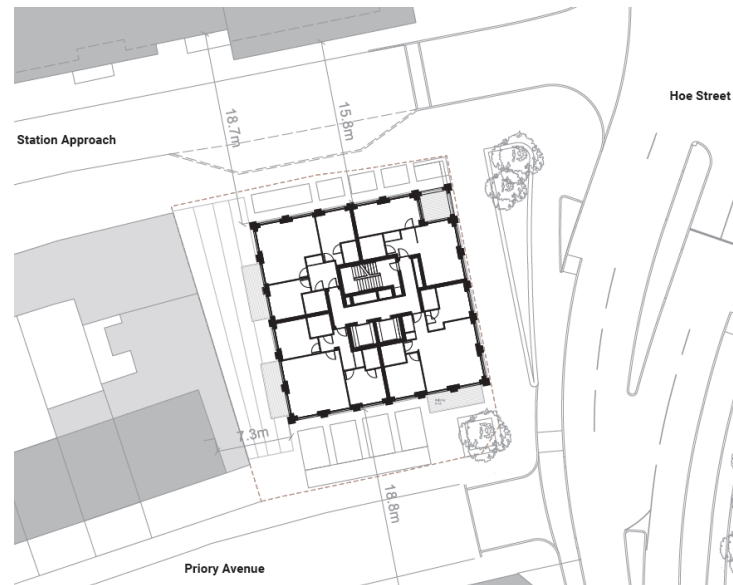
- 10.130. As such, the impact on nearest neighbouring properties in terms of loss of daylight and sunlight are acceptable in this instance and there would be no significant overshadowing compliant with BRE guidelines.

#### *Conclusions*

- 10.131. Overall, it is considered that the proposed development would deliver an excellent level of daylight and sunlight within the proposed development with 100% compliance rate. In terms of the impact neighbouring amenity, compliance would be at 88% for NSL which is not uncommon for a modern urban residential accommodation and is therefore considered acceptable by officers as advised by daylight and sunlight experts. The policy aspirations to optimise densities requires a flexible approach to daylight and sunlight where they would otherwise inhibit making better use of land. This is considered especially true given the BRE guide itself advocates a flexible application of its criteria. This is echoed in the policy directive to make efficient use of inefficient brownfield sites and the flexible approach afforded by the para. 125 (c) of the NPPF (2021) and the Mayor's Housing SPG (2016) to policies and guidance relating to daylight and sunlight. The proposal is therefore considered to accord with Policy DM33 of the Waltham Forest Local Plan Development Management Policies (2013).

#### *Privacy and Overlooking*

- 10.132. Policy 29 of the Mayoral Housing SPG (2016) states that development should maintain a distance of about 18m to 21m between habitable windows. The SPG adds how there should be adequate levels of privacy in relation to neighbouring properties, the street scene and other public places.
- 10.133. Waltham Forest Urban Design SPG states that the following minimum clearance separation distances between windows of habitable rooms and kitchens in opposing dwellings:
- 20 m between two-storey dwellings;
  - 30 m between dwellings with a maximum height of three storeys; and
  - 40 m between dwellings with a maximum height of four storeys;
- 10.134. However, the Urban Design SPG is not considered appropriate for high density schemes, therefore the Mayor's Housing SPG is applicable in this regard.
- 10.135. The scheme has been designed to mitigate and protect privacy and overlooking to new and existing residents. Officers have carefully considered the separation distances between the new development and the existing properties along Station Approach and Priory Avenue which are illustrated below:



- 10.136. The GLA's guidelines states that 18-21m between facing homes should be afforded. The proposed development would be slightly short of these guidelines being 15.8m and 18.8m to the north and south, respectively. To the north is the Travelodge Hotel where guests do not have the level of amenity protection as residents. To the south, there would be sufficient space to ensure no significant loss of privacy would occur to existing and future residents. These separation distances relate to the prevailing urban grain of the town centre environment.
- 10.137. As such, it is considered that due to respecting the established urban context, the scheme would sufficiently preserve acceptable levels of privacy by overlooking to existing neighbouring occupiers in accordance with DM32 of the WFLP DM Policies (2013).

#### *Outlook*

- 10.138. Policy DM32 of the Waltham Forest Local Plan Development Management Policies (2013) defines outlook as the visual amenity afforded by a dwelling's immediate surroundings. It is expected that new developments should fit in within existing developments in functional terms, without creating an overbearing and dominating effect on adjoining occupiers.
- 10.139. Officers have to consider the merits of the scheme in terms of meeting the transformational and strategic policy context for the town centre and the loss of outlook for existing residential occupiers. Outlook, qualitatively, is difficult to apply standards to ensure acceptability but good separation distances as expressed in the previous section normally ensures outlook is not significantly affected. It is also relevant that any meaningful development that suitably optimises sites especially in a town centre would be likely to affect outlook to some degree. In this case, the proposed development would be set well within its boundaries and retains sufficient separation gaps to ensure any impact would not be significant. It is duly acknowledged that concerns raised by occupiers of East Central Apartments relating to loss of outlook have been carefully considered and whilst some would be affected by the development when looking east out of windows or from projecting balconies, this would not be the case looking south and west. Neighbouring occupiers would still have favourable outlook for such a town centre location where the concentration of development is more intense and integrated.

10.140. For these reasons, the proposal is considered to suitably mitigate any impact on neighbouring amenity and would not lead to a significantly loss of light, privacy and outlook in accordance with DM32 of the Waltham Forest Local Plan Development Management Policies (2013).

## **H. DESIGN OF THE DEVELOPMENT**

- 10.141. 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 of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 10.142. Policies D4 and D6 of the London Plan (2021) states that development should be of a high quality of design and placemaking.
- 10.143. Policies CS2 and CS15 of the Waltham Forest Local Plan Core Strategy (2012) require development to be of a high standard and design quality that responds to the local context and the character of the surrounding area, while improving the way places function by promoting local distinctiveness and a strong sense of place.
- 10.144. Policies DM29 and DM30 of the Waltham Forest Local Plan Development Management Policies (2013) seeks for high standard of urban and architectural design principles for all new forms of development.
- 10.145. Policy DM31 of the Waltham Forest Local Plan Development Management Policies (2013) relates to Tall Buildings and considers a number of factors including relating to quality and architecture, local and strategic views, impact on heritage assets and relationship to topography and landform.
- 10.146. The proposed development comprises an 18 storey high mixed use building which sits within close proximity to tall buildings most notably a 14 storey Travelodge Hotel at the junction of Hoe Street and Station Approach. Whilst the site is generally considered constrained due to its highly urbanised characteristics in the town centre and limited area for access, this site does represent an excellent opportunity for a sustainable mixed use, residential led development - an opportunity to animate the street frontage and following the pattern of tall buildings that is emerging in the town centre
- 10.147. The scheme has benefitted from two Design Review Panel (DRP) sessions (10 June 2020 and 2 December 2020) and officers agree that the scheme has developed positively as a result of these reviews.

### *Building Layout and Spatial Configuration:*

- 10.148. The proposed spatial layout seeks to deliver a contemporary, high quality, residential-led mixed use development that adheres to good urban design principles in terms of responding well to the existing urban structure, urban grain and spatial constraints. The site is characteristically constrained due to its town centre location and so, is particularly challenging to achieve a development that sits conformably within its surroundings. Officers are of the view that the layout has been designed conservatively to enhance connectivity and permeability of the site and deliver placemaking. The building lines follow Hoe Street which is consistent with the existing urban form where there is an expanse off pavement and active travel improvements. The building would be set back over 3m from the highway along Station Approach and over 9m from Priory Avenue together with the creation of a

'The Yard' passageway through the length of site (north:south axis) on its western boundary. This passageway would activate and provide communal space, and act as a pedestrian gateway. Whilst concerns were raised regarding attracting antisocial behaviour the space will be managed by the concierge staff and access open to the public between the hours of 08:00hrs and 20:00hrs daily. These hours will be secured by condition and obligations set out in the Estate Management Plan secured by s.106 legal agreement.

- 10.149. The DRP and Council Design Officers particularly welcome 'The Yard' as it would provide a generous relief and sky gap between housing on Priory Avenue and the proposed building and enhance connectivity. This has created a clear front door signalled from 'The Yard' and a separate cyclist entrance to a dedicated cycle store is located to the north, off Station Approach. Since first iterations of the scheme, the proposed building line is now set further away from the Travelodge Hotel, and the separation distance has now increased to 16m, which is considered acceptable as circa half of the facing elevation of Travelodge is blank and fenestration to the remainder serve hotel bedrooms. The proposed units would have their primary aspects facing east and west, rather than north to improve the outlook and quality of accommodation for future occupiers.
- 10.150. The proposal has evolved positively throughout the design process and presents a carefully considered approach to the site and its town centre urban context. It presents an improvement on the existing conditions and provides a number of townscape and urban design benefits. It would create a new character along this stretch of Hoe Street, enhance the sense of place and improve the townscape in the area. The animated frontages would activate this part of Hoe Street, increasing the sense of safety on the street and providing visual permeability. Whilst greater in scale than the existing buildings on site, the proposal responds positively to the scale of existing and emerging development in the area. Its height is appropriate for the site, on a main street and close to Walthamstow Central Station, an area identified in the WTCAAP as an area suitable for taller buildings. The height would enhance the emerging character of the town centre which includes a number of taller buildings as previously mentioned as part of the Mall redevelopment.
- 10.151. 'The Yard' passageway and the amenity spaces provide areas of publicly accessible space, set away from the busy main route of Hoe Street. Both areas of public realm would be overlooked by the building's northern, eastern and southern frontages, providing a visual connection with the ground floor uses, increasing the sense of safety and enhancing the character of these areas. The passageway would be covered by a simple steel structure with a double pitched roof (at second floor level). Bicycle storage would be provided within this element. At the southern side of the site, the building and 'The Yard' open up onto a new pocket park.
- 10.152. As such, it is considered that the proposed layout is considered acceptable as the building would integrate well into the existing urban environment and provide high quality placemaking and permeability through the site consistent with Policies DM29 and DM30 of the Development Management Policies (2013) and Policies D4 and D6 of the London Plan (2021) and the NPPF.

#### *Tall Buildings*

- 10.153. The London Plan (2021) recognises that tall and large buildings can form part of a strategic approach to meeting the regeneration and economic development goals laid out in the London Plan, particularly to make optimal use of the capacity of sites with high levels of public transport accessibility. Policy D9 states that tall buildings should only be developed

in locations identified as suitable in local plans and identifies a range of visual, functional, environmental, and cumulative impacts that should be assessed.

- 10.154. Policy CS15 of the WFLP Core Strategy (2012) directs tall buildings (10+ storeys) to key growth areas such as Blackhorse Lane, Northern Olympic Fringe, Walthamstow Town Centre and Wood Street.
- 10.155. Policy DM31 of the WFLP DM Policies (2013) states that tall buildings maximise the use of land and create sustainable buildings at locations well-served by public transport and local services.
- 10.156. Policy 57 of the emerging Local Plan (2020) states in some locations, such as growth areas and public transport interchanges identified, subject to contextual analysis, and when included as part of a robust place making strategy, taller and tall buildings may be supported.
- 10.157. As stated above, Policy CS15 of the WFLP Core Strategy (2012) directs tall buildings to key growth areas such as Wood Street states that the following criteria are relevant for the siting of taller buildings:
- i. 'Gateway' sites or key entrance points to the borough;
  - ii. "Landmark" locations at key junctions along principal routes;
  - iii. Central areas or key junctions within designated centres
  - iv. Sites fronting large areas of open space, subject to there being no harmful impact on openness and visual or physical amenity.
- 10.158. With reference to the LBWF Character and Intensification Study 2019, a holistic approach to redevelopment gives much greater scope for intensification and transformation of character than smaller sites with greater flexibility for the arrangement of taller elements and creation of new urban grain. This holistic approach to intensification allows a positive response to character and the placemaking agenda whilst having special regard to its local town centre context. Its siting and relationship to the context and local character would align with the higher density urban development completed and undergoing redevelopment in and around the application site.
- 10.159. The increased height on site is appropriate to mark the key junction and location of both the Walthamstow Central Station and the town centre which is consistent with the Urban Design SPD which recommends that storey heights can be increased along key routes. The proposed building would respond well to existing and emerging taller buildings in its immediate context and being located close to Walthamstow Central Station, this land is specifically identified as suitable for taller buildings in WTCAPP. The CGIs below form part of the TVIHA, and clearly show how the proposed building sits comfortably and complementary alongside the Travelodge Hotel and East Central Apartments buildings and the wider townscape:



10.160. The height for the building has been justified through an iterative process that balances the wider impacts against the proposals and the contextual studies, such as townscape and heritage assessments. These have been described in the Townscape and Visual Impact and Heritage Assessment (TVIHA) and in DRP sessions that the town centre is in transformation (18+ storeys) guided by Policy 57 of the emerging Local Plan (2020) as set out below:

| Agreed response to surrounding character | Typical shoulder heights | Recommended range of heights for Taller Buildings  | Recommended range of heights for Tall Buildings  |
|--|--------------------------|--|--|
| Transformation                           | 4-9 storeys              | Depending on the context and character of the site and its surroundings, either;<br>a. 10 – 13 storeys; or<br>b. 14 - 17 storeys   | 18+ storeys  |
| Transition                               | 3-5 storeys              | 6-9 storeys  | Depending on the context and character of the site and its surroundings, either;<br>a. 10 – 13 storeys; or<br>b. 14 - 17 storeys |
| Reinforcement                            | 2-5 storeys              | Not appropriate, other than in exceptional circumstances where the site context and proposed land uses would be enhanced by taller buildings. In such circumstances, 6-9 storeys may be considered | Not appropriate  |

10.161. In concert with any tall building applications, microclimates (temperature) and wind studies need to be taken into account when considering the acceptability of such development. Accordingly, a Wind Study accompanies the application, which was prepared by Windtech, and concludes that there would be no areas that would generate wind speeds unsafe to the public with the inclusion of the proposed scheme and cumulative developments. The proposed development would be well shielded from prevailing south-westerly winds and no areas in the immediate area are predicted to be unsuitable for their associated pedestrian activities and therefore no mitigations measures would be required. Trafficable areas located at ground level would see varied comfort conditions between the strolling and

business walking comfort conditions. This is particularly noticeable across Station Approach to the north of the development and Priory Avenue to the south of the development. Notwithstanding this, the resultant impact would not be significant with conditions not within the strong breeze and uncomfortable criteria in line with Beauford Scale and Lawson Scale respectively.

- 10.162. In light of the above and taking into consideration the contextual and future appraisal which has been prepared in the submitted TVIHA, it is considered that there is a strong and robust justification for introducing another high quality tall building in this location and allowing appropriate urban intensification to be delivered. As such, it is considered that the proposed tall building would successfully respond to the character and constraints of the site and would achieve an acceptable perception from the nearby and the wider townscape. As such, the proposed height and massing of the taller elements is justified and considered consistent with Policy D9 of the London Plan (2021) and Policy CS15 of the WFLP Core Strategy (2012) and Policy 57 of the emerging Local Plan (2020).

*Scale and Massing:*

- 10.163. Policy 8 of the of the emerging LBWF Local Plan (2020) sets out the Council's approach to character-led intensification. The draft policy sets out 3 key approaches towards identifying opportunities for intensification of development;
- A. *Reinforcement: applicable to sites/areas with robust and desirable character where opportunities for redevelopment will involve a modest increase in intensification;*
  - B. *Transition: applicable to sites/areas where a considerable increase in intensification would be justified in local areas including Designated Centres, Major Routes, Borough Arrival Points and Strategic Locations; and*
  - C. *Transformation: applicable to sites/areas with a fragmented urban grain, where a transformative approach to intensification of existing character can be justified to deliver substantially more development.*
- 10.164. The proposed building responds to the datum of similarly tall buildings in its immediate context. The Travelodge Hotel and Juniper House buildings act as markers to continue the transformation of the town centre in line with the objectives of the WCTAPP and emerging Local Plan policies. This design and character-led intensification follows acceptable ranges of height as set out in Policy 57, criterion D in the emerging Local Plan (2020)
- 10.165. The proposed footprint would be square in shape (approx. 20m<sup>2</sup>) and its scale and massing would be broken down by the proposed passageway, cutting through the site, creating a visual sky gap to the rear. This would make a positive contribution to the existing and emerging skyline and local townscape and this is exemplified by high quality design which evokes an elegance in its overall appearance. The proposed building would have a clear base, middle and top, with the base consisting of a two storey podium with distinctive round headed arched openings at first floor level, separate by vertical glazed brick piers and the use of horizontal spandrel panels of glazed ceramic. The middle section would have floor to ceiling windows, set within a slightly recessed bay and separated by glazed ceramic spandrel panels between each floor. It would have projecting balconies of steel and stone tiling to the south and west sides, and inset balconies at the north-eastern corner. Tall, vertical stock brick piers run through from the 2nd to 18th floor levels between each bay. The top two floors of the building would be of a similar design to the middle, but with inset balconies. At roof level, the plant area is centrally located on the building and is set back from all sides, surrounded by a residents' roof terrace (enclosed with metal balustrading) and clad in dark coloured cladding. The elevations are regular, ordered, and



well-articulated, with smart crisp detailing and subtle variations which hint at the changes within. The limited palette of materials used are high quality and will enhance the simplicity and crisp lines of the facades. This can be realised in the following CGI:



- 10.166. In providing visual interest and articulation at the lower elements of the building, architecturally, the design of the scheme is strongly supported particularly as it is where it would be mostly experienced by residents and visitors. The ground floor frontages would provide active elements on the key frontages of the scheme, and whilst there would be no entrances onto Hoe Street the incorporation of full height glazing is considered a smart and positive feature. In addition to the positive inclusion of the small “pocket park” adjacent to the southern elevation which can be used by both future residents and the public and would help in providing activity at this key face of the development.
- 10.167. The Council’s Design Officer and the Design Review Panel (DRP) advised on the iterative process of the scheme during the pre-planning stage. This advice has been taken on board and duly informs the final design of the scheme as submitted. The Panel’s overriding remarks were that *“the visions for the site works well and the principle of the design, which creates a clear base, middle and top is successful. The verticality of the facades works well, and we welcome the project team’s aspirations for such high quality in the building’s design... We welcome the incorporation of the yard and think it can play a vital role as a public route and recommend ensuring that this character and function is not compromised in delivery. However, we are concerned that the different uses proposed, including the refuse collection, bicycle storage and public entrance to the gym, will cause tension and issues with flow, which will undermine its character as a communal space for residents to linger. Combining this number of uses presents a challenge and we think there is scope to simplify the uses here to create a more delightful space that will enable social cohesion and be used as intended. We recommend continuing to develop the layout of this space and suggest options such as moving the refuse collection on to Station Road (sic), moving the staircase located here to the north of the yard and even moving the entrance to the building to this location, which could give the space an entirely different feel.”*
- 10.168. Following these DRP sessions and subsequent advice, the applicant took these comments on board, for instance revising the location of refuse store onto Station Approach and

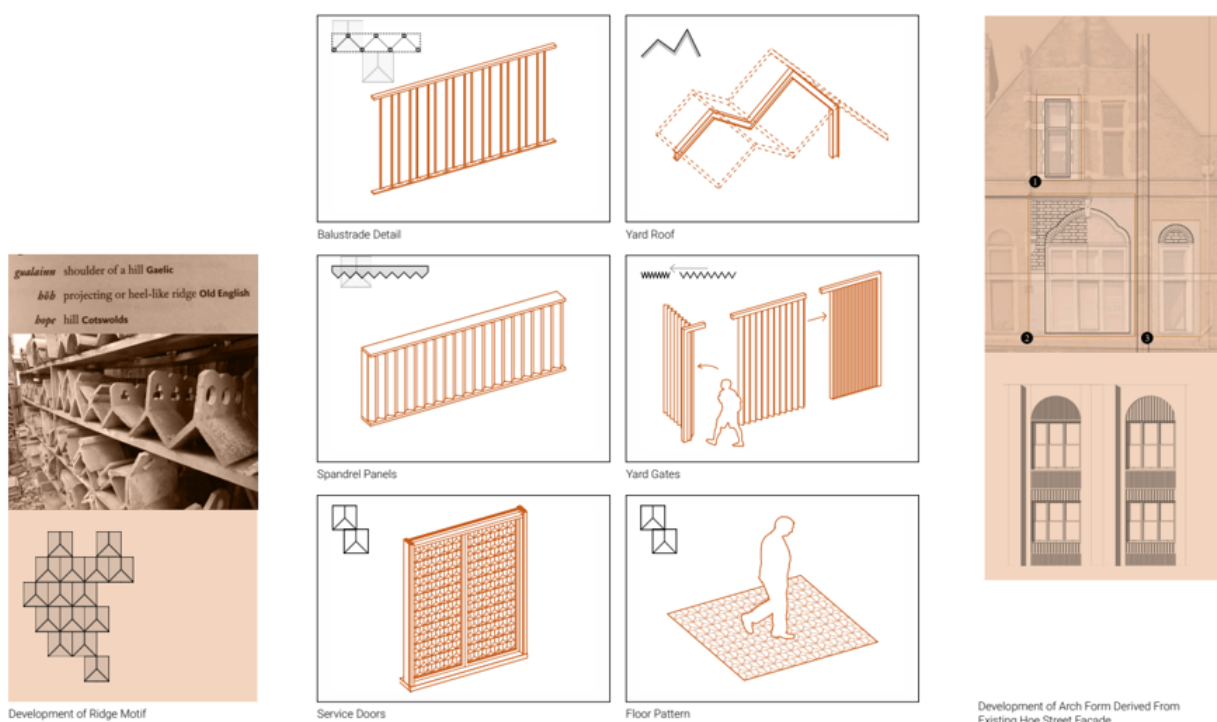
moving the entrance to the corner of the building so it would be double fronted and create more animation and better layout. Continuing this coordinated approach, the Council's Design Officer advises that *"This scheme has developed positively since the first meeting back in November 2019 and has been subject to significant design discussions over the last 18 months, including two (DRP) design review sessions... This is a central town centre site and the overall design of the scheme, both in terms of its architecture and materials, and in its approach to the public realm around the building, are positive and supported."*

10.169. As such, subject to conditions and obligations, the overall massing and building articulation of the scheme is considered acceptable and appropriate for a site identified for transformation consistent with Policies DM29 and DM30 of the WFLP Development Management Policies (2013), and Policies 8 and 9 of the emerging WFLP Local Plan (2020) and the NPPF.

### Architectural quality and Materiality

10.170. London Plan 2021 Policies D1 and D2 seek to ensure that new developments are well-designed and fit into the local character of an area. New buildings and spaces should respond in terms of their form, style and appearance to successfully integrate into the local character of an area, with a positive relationship with the natural environment and respect and enhancement of the historic environment.

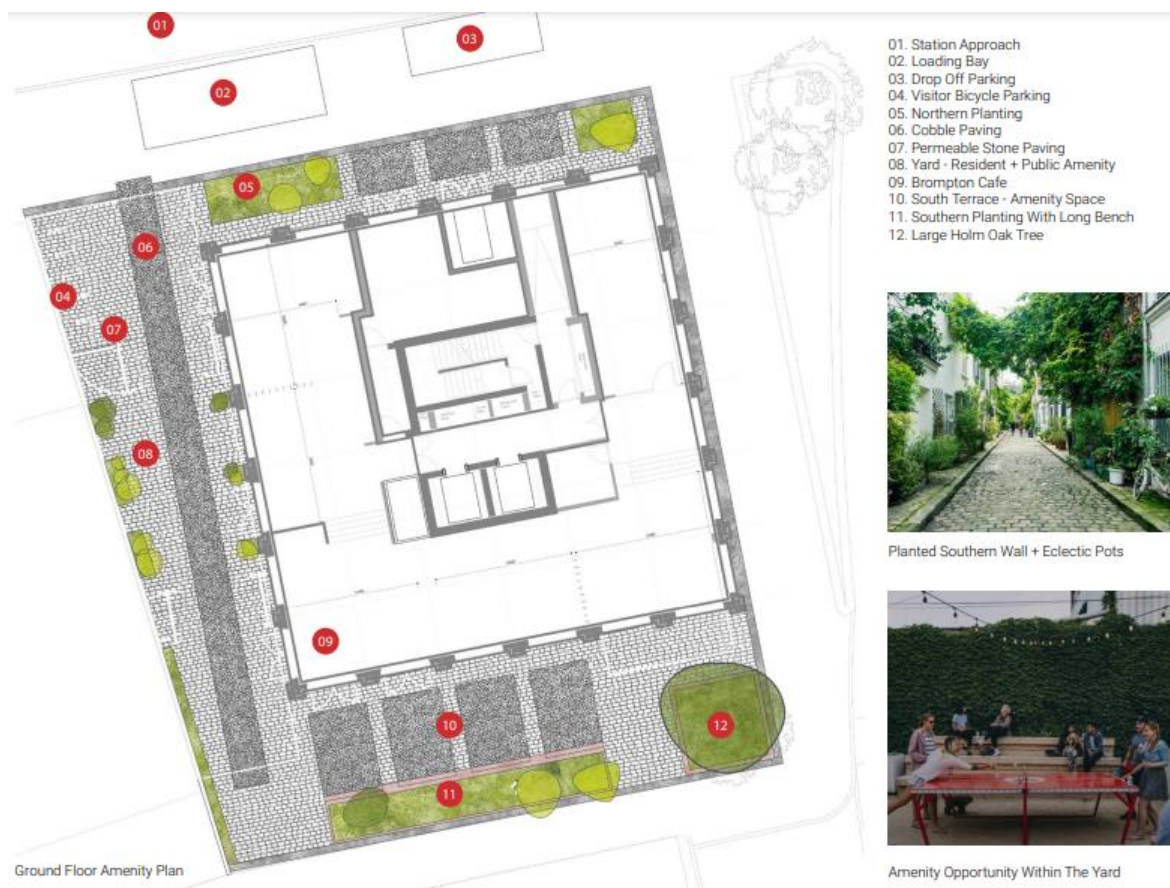
10.171. The contemporary approach to architecture is supported and the choice of materiality responds well to the urban context given the high quality material palette. As described in the DAS prepared by HAL Architects, the material strategy and its rationale is considered well thought out and befits such contemporary style buildings with glazed brickwork, finished glazed ceramic spandrels, and contrasting hard landscaping tones and traditional cobblestones. Below are specific details that helped to develop the architectural composition of the scheme:



- 10.172. The proposed architectural approach is robust and high quality through detailed analysis of the surrounding area and the appearance has been tested, refined and interrogated throughout the design process. Robust, natural and hard-wearing materials have been selected to create a high-quality material palette and create enlivened visual interest.
- 10.173. A combination of steelwork and stone tiling projecting, recessed, and Juliet balconies provide depth and articulation to the facades which articulate the crown of the building. The spandrel panels provide further visual interest, and the use of materials is carefully considered and responds well to the context of the site. The subtle difference in the design of the base of the building identifies the different uses within and the roof to 'The Yard' made of corrugated tin would be artistic in form and its geometry provides simplicity in approach where the cycle storage would be contained.
- 10.174. The Design Officer advises that the material palette is strongly supported; however, materials should be conditioned to ensure acceptability on the quality of materials and finishes across the entire scheme are of the highest quality on such a prominent town centre site, and to guard against any potential "value-engineering" at the implementation stage. Also advised is that the Architect (HAL Architects) will be retained during the build phase until completion by way of s.106 legal agreement to ensure design quality post-permission.
- 10.175. As such, subject to conditions and architects clause, it is considered that the proposal would be visually integrated and varied with an acceptable visual consistency through different tones and material features. The brick colour, the ordering of the façade a, brick detail and balconies would create visual interest and reduce a sense of massing and bulk.

#### *Public Realm*

- 10.176. Policy D8 of the Plan (2021) sets out robust criteria to ensure that new public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable. This policy D8 also promotes the provision of drinking water fountains in the public realm.
- 10.177. The proposed development would make positive improvements to placemaking, reflecting the historic urban grain of the local context and creating more public accessibility between buildings. The introduction of a new cobbled passageway known as 'The Yard' that extends from a historic alleyway to the south running between Cedars Avenue and Priory Avenue towards Station Approach would deliver enhanced public realm for existing and future residents to use and enjoy. This would reinforce and promote a new pedestrian route and enhanced journey for pedestrians between Station Approach and Priory Avenue. As part of the enhancements, a new large Oak Tree would be planted at the corner of Hoe Street and Priory Avenue with extended planting on the southern terrace area creating a new pocket park that would soften and enclose the natural space. This would create enhanced streetscene, help improve air quality and contribute to biodiversity. Further enhancements to the public realm are depicted below:



10.178. Overall, officers consider that the proposed development suitably recognises the opportunity to improve the quality of the public realm by introducing a new linkage to enhance permeability and connectedness along activated frontages. New dedicated planting and amenity spaces with a nod to the historical references with key features such as cobble paving within the proposed development. The proposed spaces would promote social interaction and be integrated with historic key features that would harmonise with the existing buildings and create enhanced active frontages and improved placemaking linked in with the wider agenda.

#### *Basement*

10.179. Policy D10 of the London Plan (2021) states that basement development state that negative impacts of large-scale basement development beneath existing buildings must be controlled and addressed. Basement extensions should be avoided if they are likely to cause unacceptable harm and supported where they contribute to efficient use of land and would be appropriately designed.

10.180. The proposed basement would extend under the footprint of the new building and measure approximately 753sqm in an area containing plant and machinery. This would be an apt location for containing such utilities where their visual prominence and noise can be mitigated. The accompanying Basement Impact Assessment prepared by Elliotwood Partnership Ltd have provided structural and engineering input to support the application which includes matters related to ground level water, ground conditions; limiting impact on adjoining buildings; limited ground movement, and Victoria Line tunnel. The assessment concludes that the proposals can be built safely without significant impact to the stability of the building or adjoining properties.

- 10.181. In consultation with the London Underground Limited (LUL), no objection was raised to the principle of the development including a basement extension. In terms of other important considerations regarding, flood risk, impact on neighbouring buildings, dust noise, and vibration, a construction method statement and construction sequence will be secured by condition and reviewed prior to commencement of development.
- 10.182. As such, subject to conditions, the proposed basement is considered to be implemented safely impact and disturbances mitigated in accordance with Policy D10 of the London Plan (2021).

### *Conclusions*

- 10.183. Overall, the proposed development represents a significant opportunity to meet the borough's housing targets and make more effective use of the site. Officers recognise this opportunity to suitably intensify the land with a suitably strong architectural approach and harness the excellent transport links. As such, it is considered that the proposed development is acceptable in design, visual, and massing terms as it would suitably respond to the forms of transformational development that are considered appropriate within the WTCAAP boundary. The principle of a tall building on this site is considered justified and encouraged in the adopted local plan. The proposal would therefore be consistent with the objectives of Policies CS2 and CS15 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM29, DM31, DM32 of the Waltham Forest Local Plan Development Management Policies (2013) and policy D9 of the London Plan (2021) and the NPPF.

## **I. IMPACT ON HERITAGE ASSETS**

- 10.184. The NPPF (2021) states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the assets' conservation and the more important the asset, the greater the weight should be. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 10.185. Policy HC1 of the London Plan (2021) 'Heritage conservation and growth,' states that development should conserve heritage assets and avoid harm, which also applies to non-designated heritage assets. Any harm must be given considerable importance and weight.
- 10.186. 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 settings.
- 10.187. Policy DM28 of the WFLP DM Policies (2013) supports Policy CS12 stating that development proposals which may affect the significance of heritage assets in Waltham Forest (both designated and undesignated) or their setting should demonstrate how these assets will be protected, conserved and where appropriate enhanced.
- 10.188. A Heritage Statement prepared by HCUK accompanies the application which provides an assessment of the impact on heritage assets and designated areas. Coupled with this, a Townscape, Visual Impact and Heritage Assessment (TVIHA) prepared by Peter Stewart Consultancy assess a range of viewpoints and distances from the development site and what would be visible from various townscape areas during winter and summer months. The TVIA also identifies key heritage receptors and assesses the impact of the proposal in

the context of the cumulative impact of emerging schemes: Central House, Juniper House (opposite the site), South Grove and The Mall. The TVIA identifies that the immediate area around the site has seen developed in recent years, including the Travelodge Hotel opposite. In summary, the report concludes that there is an opportunity to animate the street frontage and follow the pattern of tall buildings that is emerging in the town centre. Several views in the TVIA would have no heritage impact and need to be assessed in terms of townscape impact and visual amenity. The view taken is that there is an opportunity to add townscape value and contribute to a sense of place here, impact on heritage assets is outweighed by clear planning benefits. The Conservation Officer reaffirmed the findings of the TVIA and shared the opinion that several views no heritage impact and those with some impact would be outweighed by clear planning benefits.

- 10.189. Turning to the application site buildings, these date from the late 19th century and are typical of the period having elements of surviving historic fabric; but these have been heavily altered at ground floor level such that the elevations are now disjointed. The existing buildings are neither listed nor locally listed and whilst there is some heritage merit neither building is considered to be of such interest that development should be resisted. No.278 Hoe Street is of the least architectural interest but holds a very limited level of local historic interest due to its banking use. No. 280-284 Hoe Street has more visual interest in its front elevation but due to the loss of the ground floor the three gabled elements are not grounded and offer only a limited contribution to the town centre location in comparison to other buildings on Hoe Street.
- 10.190. The height of the proposed block has the potential for it to impact on views out of the Village (St Mary's) and Orford Road Conservation Areas, both located to the east of the site. Previous proposals within this general area, including the Juniper House site opposite, were judged to have caused less than substantial harm to these two conservation areas (Walthamstow Village and Oxford Road), by introducing taller and modern building elements into their 'village' character. However, as a result of the Juniper House scheme, it is likely that any views towards the application site will be screened, and as such it is considered the impact of the proposed building on the conservation area views to be limited.
- 10.191. There are a number of Grade II and Grade II\* Listed Buildings with circa 500m radius of the application site described as follows:
- The ABC Cinema, no. 186 Hoe Street is listed grade II\*. This cinema was built in 1929-30 and was designed by Cecil Masey. It has a stone frontage, with brick retaining walls to a steel frame. The two storey façade is in a Spanish Baroque style.
  - Chestnuts House, no. 398 Hoe Street is listed grade II\*. This substantial detached house dates from 1745-7 and is two storeys high. It is of stock brick with red brick dressings and has a stucco pedimented doorcase dating from the early 19th century with Doric pilasters.
  - The pair of forecourt piers to Chestnuts House, no. 398 Hoe Street are listed grade II. These are rendered gate piers dating from the 18th century
  - Walthamstow Central Library, High Street is listed grade II. This library dates from 1907-9 and is by J W Dunford. It is of red brick with ashlar dressings.

- Central Parade, on the corner of Hoe Street and Church Hill is listed grade II. This is a commercial building with a parade of shops, a bank and a public hall, with offices and flats over. It was designed under borough surveyor F G Southgate in 1954 and opened in 1958. It is of brick, with some Portland stone, polished stone and tile facings. It has a distinctive serpentine reinforced concrete canopy.
- Walthamstow High School for Girls, Church Hill is listed grade II. This school dates from 1913 and is of red brick with some stone and rubbed brick dressings. It has a symmetrical neo-Georgian composition.
- The gates, gate piers and railings to Walthamstow High School, Church Hill are listed grade II. 3.24 Squires Almshouses, nos. 1-6 Church End are listed grade II. These Almshouses are of stock brick with some red dressings. They are dated 1795 and are one storey high.
- Walthamstow Museum (Vestry House), Vestry Road is listed grade II. This former parish workhouse is dated 1730, with an addition to the north which dates from 1756. It is of plum brick with red dressings.
- The Old Town Hall, Orford Road is listed grade II. This former town hall, now college, dates from 1866. It is of brick with stucco dressings, in an Italianate style.
- Orford House Social Club, no. 73 Orford Road is listed grade II. This large detached villa dates from the early 19th century. It is stuccoed and is in a neo-Classical manner.
- Cleveland's, no. 285 Hoe Street is listed grade II. This large detached houses dates from the early 18th century but was altered in the mid 19th century. It is three storeys high and is of brick with stucco dressings

10.192. There are also a number of Locally Listed Buildings with circa 500m radius of the application site described as follows:

- Former Job Centre, nos. 263-265, Hoe Street.
- Electric House (showroom and flats), no. 29 Church Hill.
- Hillside, Vestry Road.
- Former Post Office sorting office, no. 7 Vestry Road.
- National Spiritualist Church, Vestry Road.
- Frank Ison's Shop, no. 47 Orford Road.
- Marsh Street & Trinity United Reformed Church, Orford Road. • Queens Arms public house, Orford Road.
- Former St Mary's National School (now the Asian Centre), no. 18a Orford Road.
- No. 27 and no. 29, Wingfield Road.
- Nos. 9-18, Eden Road.
- Nos. 23, 25, 63, 65 & 73, Grosvenor Park Road.
- Nos. 34, 36, 46-52, 68, 70, 76 & 78, Grosvenor Park Road.
- The Windmill, Grosvenor Park Road.

10.193. Officers are of the view that the site would enhance the townscape and provide a number of urban design benefits in line with meeting the objectives of the WTCAAP (2014) where it is suitable for tall buildings to contribute to the distinct character of the town centre. The

views as illustrated in the accompanying TVIHA, when seen from or in conjunction with nearby heritage assets, the proposed building would appear as a distinct background layer, alongside other existing and emerging taller buildings in the area. These views illustrate the positive effect the proposed development and bricked elevation and acting as a marker, would have on the townscape character of the area. It would appear as a high quality addition to the views and would sit comfortably within its immediate surroundings.

- 10.194. The Council Design and Conservation Officer has carefully considered the proposals, and the cumulative developments in and around the site and raises no objection to the proposals on heritage grounds. Notwithstanding, the existing building are considered to be non-designated heritage assets dated from 1885-1889 and therefore must be identified in the planning process as advised in paragraph 40 of the Planning Practice Guidance. As such, in the consideration of the planning assessment, careful weight needs to be afforded. Whilst the buildings have some interest, evidencing the urban change of Walthamstow in the late nineteenth century, and by making a positive contribution to the townscape of the area, this interest is somewhat limited; and undermined by the loss of original detailing. As such, the Conservation and Design Officer advises that there would be some minor harm caused by their proposed demolition, and suggest that a balanced judgment is taken, considering other factors including the wider public benefits of the proposal which should weigh considerably.
- 10.195. As such, overall, it is considered that there would be low to minor harm in many respects and any harm caused would be less than substantial as result of the proposed development which be outweighed by the wider public benefits in the planning balance engaging NPPF Paragraphs 194 – 202 and in accordance with the London Plan (2021) Policy HC1 and WFLP Core Strategy (2012) CS12 and WFLP Development Management Policies (2013) Policy DM28.

## **J. TRANSPORT AND HIGHWAYS**

- 10.196. The NPPF (2021) states that development should take opportunities to promote walking, cycling and public transport use.
- 10.197. Policy T1 of the London Plan (2021) states that proposals should support the delivery of the Mayor's strategic target of 80% of all trips in London to be made by foot, cycle or public transport by 2041 and requires development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future transport, walking and cycling routes and ensure that any impacts on London's transport networks and supporting infrastructure is mitigated.
- 10.198. Policy T5 of the London Plan (2021) seeks proposals to help remove barriers to cycling and create a healthy environment in which people choose to cycle by securing the provision of appropriate levels of cycle parking, which should be fit for purpose, secure and well located. Policy T6 of the London Plan (2021) states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity and requires appropriate disabled persons parking for Blue Badge holders to be provided as set out in Policy T6.1 of the London Plan (2021).
- 10.199. Policy CS7 of the Waltham Forest Local Plan Core Strategy (2012) sets out that the Council will promote sustainable travel by guiding development to accessible locations, including town centres, to reduce the need to travel by car and to encourage walking, cycling and the use of public transport.



- 10.200. Policy DM13 of the Waltham Forest Local Plan Development Management Policies (2013) states that the Council will ensure that development is properly integrated with the transport network and is supported by appropriate walking, cycling and public transport links.
- 10.201. Policy DM14 of the Waltham Forest Local Plan Development Management Policies (2013) encourages sustainable travel.
- 10.202. Policy DM16 of the Waltham Forest Local Plan Development Management Policies (2013) seeks to effectively manage parking and to ensure the provision of safe and attractive parking facilities by encouraging car-free and car-capped development in locations that are highly accessible by public transport and require proposals to provide for well designed, high quality facilities in accordance with the Council's maximum car parking standards and minimum cycle parking standards.

*Healthy Streets Assessment*

- 10.203. Policy T2 of the London Plan (2021) requires development proposals to deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. Development proposals should demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance, reduce the dominance of vehicles on London's streets whether stationary or moving, and be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport
- 10.204. In accordance with the Mayor's Healthy Streets framework, the applicant has undertaken an Active Travel Zone assessment which assess key routes against ten healthy streets indicators.
- 10.205. TfL supports Waltham Forest Council in delivering walking and cycling improvements across the borough as part of the Mini-Holland scheme and notes the Council's plans to improve cycling and the high priority given to travel by active and sustainable modes. TfL advise that a travel plan as submitted should be secured by condition.
- 10.206. The development proposes some public realm improvements and designed with the Healthy Streets Approach as a fundamental part of the design process with the proposed building set back to create wider footways. This includes a new pedestrian link from Prior Avenue and Station Approach and no parking would be provided on site (except disabled spaces) and future residents will not be able to obtain parking permits for the surrounding area which will be a clause in the s.106 agreement. Generous cycle parking is provided coupled with the pedestrian passage between Station Approach and Priory Avenue, which improves pedestrian permeability and increases pedestrian and cyclist connectivity. TfL strongly support this scheme in line with policies T2 (Healthy Streets) and D8 (Public realm) of the London Plan and Mayor's Transport Strategy for at least 80% to be undertaken by walking, cycling, and public transport by 2041.

*Vision Zero*

- 10.207. The new layby for delivery and servicing vehicles improves the existing arrangement and is supported in line with policy T7 (Deliveries, servicing and construction) of the London Plan. The Mayor's Transport Strategy (MTS) is committed to Vision Zero, a goal to eliminate all deaths and serious injury from London's transport networks by 2041.

10.208. A Stage 1 Road Safety Audit (RSA) prepared by Allen Transport Consultancy set out the Designer's Response which has been undertaken and corroborated in which TfL raise no objection as it will ensure the proposed servicing bay is safe and does not threaten pedestrians or cyclists using the Quietway along Station Approach.

*Active Travel Zone*

10.209. An Active Travel Zone (ATZ) assessment has been submitted as part of the Transport Assessment (TA) prepared by Pulsar shows routes to key locations that have been assessed are acceptable and appropriate. The ATZ assessment shows collision data for the area of which there have been five killed or seriously injured (KSI) cluster areas identified mainly along Hoe Street. TfL advised that the Stage 1 Road Safety Audit (RSA) is acceptable and in compliance with London Plan policy T4 part F, which requires new development in London not to increase road danger.

10.210. As such, the ATZ audit has identified 9 key routes and it is accepted that the surrounding areas have benefitted from public realm and pedestrian/cycle infrastructure improvements in recent times. Consequently, all the ATZ routes were of a good standard for instance there were no locations along the ATZ routes that did not meet the Healthy Streets indicators. As a result, no potential improvements are required as part of the accompanying TA. This has been supported by TfL.

10.211. Officers will secure a contribution of **£31,000** for the station upgrade at Walthamstow Central which is currently underfunded. This will be secured by s.106 legal agreement subject to planning approval.

*Trip Generation*

10.212. The submitted TA prepared by Pulsar sets out the person trip generation to the site. The residential trip generation has been calculated which identifies a person trip rate of 0.569 between the hours of 08:00 – 09:00, 0.379 between the hours of 17:00-18:00 and an overall trip rate of 1.947 between the hours of 07:00-19:00 for the future occupiers. These trip rates are considered to be within the expected range with some 33 London Underground trips combined AM and PM peak.

10.213. A trip generation assessment shows that the net impact of the proposed development is expected to be low. Given the car-free nature of the scheme the only vehicle trips anticipated to be associated with the scheme are those involving delivery and servicing. As such the site is expected to have a minimal impact on the public highway network and from a transport perspective meets the tests of the NPPF namely to ensure:

- Opportunities for sustainable transport modes have been taken up;
- Safe and suitable access to the site can be achieved by all people; and
- The impact of the development is not severe.

TfL comment that the trip generation assessment is acceptable, and the proposed development is unlikely to have a significant negative impact on the capacity of London's strategic walking, cycling and highways networks.

As such, the proposed trip generation would not be significant and is therefore considered acceptable in accordance with Policies T2 and T3 of the London Plan (2021).

*Car Parking*

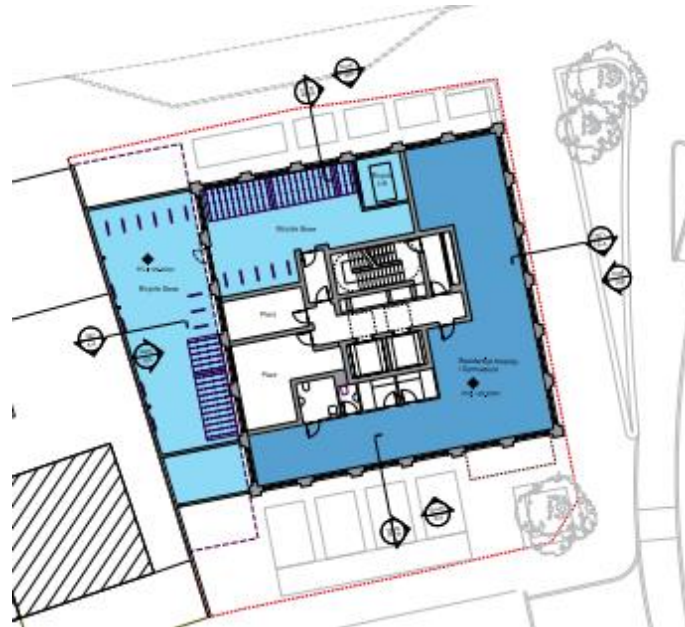
- 10.214. Policy T6.1 of the London Plan (2021) states 3% disabled parking should be provided from the outset, and provision for remaining 7% marked out on a plan. Paragraph 10.6.10 of the London Plan also states that these spaces should not at any point be used for general parking.
- 10.215. Policy DM17 of the Waltham Forest Local Plan Development Management Policies (2013) states that one disabled parking space should be provided for each wheelchair unit within a development (10% of units). The proposed provision of wheelchair accessible bays would meet this policy requirement. The wheelchair bays would be located close to the residential lift cores.
- 10.216. Emerging Waltham Forest Local Plan (2020) Appendix 1 Table 1.3 sets out the Council's preferred car parking standards. As a general principle, the Council will seek to encourage parking provision below the maximum figures stated. In addition, as set out in the emerging local plan para. 1.36 at Appendix 1, the minimum number of off-street disabled parking spaces expected to be provided at 5% of the total number of dwellings in the development with a 2% passive provision to be made, making it 7% in total to be brought into use at such time as the additional spaces are required in the future.
- 10.217. Given the site constraints and location circumstances, no vehicular or disabled parking is proposed at the site. This follows a similar path to the nearby implemented scheme, known as the 'The Scene', on Hoe Street. As the site benefits greatly from a highly sustainable town centre location where there are excellent public transport interchanges only some 60m from Walthamstow Central Underground Station, 150m from Walthamstow Bus Station and 450m from Queens Road Station Overland Station the scheme, a wholly car-free scheme is considered appropriate. On this basis, officers agreed that it is considered an unnecessary provision to have any level of car ownership and that there are several car club vehicles stationed in the immediate vicinity and other more flexible car club and cycle hubs opportunities available. There are two car club vehicles approximately 80m to the south of the site and many more in close distance car club membership and details of car club spaces are to be made available to all future occupiers and membership secured for 2 years by s.106 legal agreement subject to planning approval.
- 10.218. For the above reasons, subject to conditions and obligations, a wholly car free development is considered acceptable in accordance with Policy T6.1 of the London Plan (2021), Policy CS7 of the WFLP Core Strategy (2012) and Policy DM14 of the WFLP DM Policies (2013).

*Cycle Parking*

- 10.219. London Plan (2021) Policy T5 and Table 10.2 set out the minimum standards for new development cycle parking provision.
- 10.220. Appendix 4 of the WFLP Development Management Policies (2013) sets out the Council's cycle parking standards. The minimum cycle parking provision for the residential element is 119 long stay cycles spaces. According to the emerging plan Local Plan in Appendix 1, the provision would be 119 long stay spaces and 2 short stay with a ratio is 65% two-tier, and 30% Sheffield and 5% cargo). There would be a ratio of 74 two-tier (62%), 45 Sheffield (38%), of which 6 can accommodate cargo bicycles (5%) With additional 12 spaces on-street where further details would be secured as a condition to any planning permission.

10.221. To achieve adequate ratio in accordance with the London Plan (2021), where the types of stands should seek a maximum of 65% two-tier, minimum of 30% Sheffield stands, minimum of 5% accessible (cargo/adapted) cycles and 2% recommended secure lockers should be sought.

10.222. The cycle parking would be located at first floor level in secure cycle store that would be well-lit and accessible via a dedicated bike lift. This is show in the illustration below:



10.223. In total, the proposed cycle parking provision and details will be secured by way of condition subject to planning approval. This level of provision accords with London Plan standards and is welcomed by the Council's Transportation Officer.

10.224. As such, the level of cycle provision and stand type ratios are acceptable subject to conditions requiring details as to how the scheme meets the LCDS guidance as far as reasonably possible.

#### *Travel Plan*

10.225. A Framework Travel Plan has been prepared by Pulsar to accompany the planning application. This has been reviewed by TfL and the Council's Highways and Transportation teams and considered broadly acceptable which endorses and encourages Active Travel Behaviour Change Initiatives for the new residents, employees, visitors, and families visiting and utilising the new development. This is to ensure a legacy of significant behavioural change is implemented and sustained bespoke training for families and staff should be offered due to the car free nature of residential development and aspirations for the ancillary workplaces. These includes residents pack, provision of cycle racks, Information and promoting the benefits of walking and cycling.

10.226. As such, subject to approval, a Travel Plan will be secured, implemented and monitored by way of a s.106 legal agreement which will include the appointment of a Travel Plan Coordinator for the site to be responsible for overseeing the implementation of the Travel Plan Action Plan for a period of 5 years with yearly reviews.

### *Servicing and Access*

10.227. The submitted Delivery and Servicing Management Plan prepared by Pulsar confirms that the delivery and servicing requirements of the proposed development have been considered and integrated into the design. A new layby along the northern frontage of the site on Station Approach would be created. To ensure delivery and servicing vehicles can access the site a service/drop-off parking spaces are proposed to accommodate small to medium delivery and servicing vehicles, and larger delivery and servicing vehicles would be able to park at appropriate on-street locations. The location of the new layby is illustrated below:



10.228. This lay-by and loading bay would replace a low number of perpendicular parking on land owned by TfL. This is designed to accommodate HGVs that need access to the site and a swept path analysis demonstrates the ability of a 9.25m length articulated vehicle to access and exit this bay safely in forward gear. Notwithstanding this, a detailed Delivery and Servicing Management Plan will be secured by condition subject to planning approval to include the detailed design and waste collection arrangements for both residential and private waste collection associated with the other uses. This document will also provide detail on the management of the layby, necessary enforcement measures, and how the delivery and servicing arrangements will adhere to the Mayor's Vision Zero approach.

10.229. As such, subject to conditions, it is considered that the proposal is in accordance with Policy DM32 of the WFLP DM Policies (2013) and Policy T7 of the London Plan (2021).

### *Construction Logistics Plan*

10.230. Policy T7 of the London Plan (2021) set out the policy for assessing the effects of development on transport capacity.

10.231. Policy DM13 of the WFLP DM Policies (2013) states that the Council will ensure that development is properly integrated with the transport network by requiring development proposals to submit Construction Logistics Plans, Delivery and Servicing Plans and the uptake of the Freight Operators Recognition Scheme where appropriate in accordance with the London Freight Plan and coordinated with travel plans.

10.232. Policy DM15 of the WFLP DM Policies (2013) states that the Council will ensure the most efficient use of the borough's available highway network by requiring development to connect to the highway network in a way that encourages road users to use the most

appropriate road in accordance with Waltham Forest's road hierarchy and discouraging through-traffic from using local roads and avoiding individual access direct to the Transport for London Road Network, Strategic Road Network and district distributor roads.

- 10.233. The Council's Highways Development Team requested a number of changes and clarifications to the submitted Outline Construction Logistics Plan (OCLP) dated February 2021 prepared by Pulsar Transport Planning in line with Policy T7 of the London Plan (2021), a full Construction Logistics Plan (CLP) will be secured by way of condition, subject to planning approval.

## **K. WASTE MANAGEMENT**

- 10.234. Policy SI7 of the London Plan (2021) seeks to reduce waste and support the circular economy.
- 10.235. WFLP Core Strategy Policy CS6 promotes the prevention and reduction of waste and requires new developments to provide adequate and well-designed internal and external storage facilities for residual waste and recycling.
- 10.236. Policy DM32 of the WFLP DM Policies (2013) states that new developments should ensure that the provision of adequate facilities for the storage, collection and disposal of refuse is well secured.
- 10.237. The applicant has adhered to the Council's 'Waste and Recycling Guidance for Developers, Storage and Collection Requirements' (2017). The Council does not have specific guidance for non-residential uses, so generation rates have been taken from guidance used by other London Boroughs. This ensures a robust assessment of the expected waste generation.
- 10.238. The application is accompanied by a Delivery and Servicing Plan prepared by Pulsar Transport Planning. The proposed building is to be set back from Station Approach and Priory Avenue frontages to ensure enhanced environment along these routes and pedestrian comfort. This will relate well with the servicing and the new proposed loading bay measuring 12m long by 2.3m wide along Station Approach immediately opposite the site. This would replace an existing car parking area where vehicles associated with the current occupier park at 90 degrees to the carriageway. The new layby would be designed flush with the footway to allow pedestrian to use this space when the layby is not in use. A minimum of 2m wide footway is proposed between the layby and the building. Accordingly, the refuse store would be located on the northern side at ground floor so is easily accessible for collections. There would be an additional refuse store at basement level which would be moved by the management on refuse collection days. This should be secured by condition as part of the Delivery and Servicing Plan to ensure efficient operations of servicing and delivery activity on a daily basis.
- 10.239. All vehicles entering and exiting the site, including waste collection and servicing would be able to do so in forward gear and utilising the roundabout on Station Approach. This is demonstrated on drawing ref: TR05 which shows swept paths and vehicle movements. These has been assessed and TfL as part landowners have reviewed the Stage 1 Road Safety Audit (RSA) prepared by Allen Transport Consultancy and raise no objection have accepted this principal of the new layby and the Road Safety Audit has been deemed acceptable subject to a land agreement with TfL and the applicant which would be secured as an obligation to a s.106 Agreement.

- 10.240. All residential waste for the proposed units would be collected by LBWF on a weekly basis via the new loading bay which is to be located within acceptable drag distances of the bin stores and suitably sized to accommodate:
- 12no x 1240litre bins with additional space for residential food waste for the 66no dwellings (26no 1Bed/Studio and 40no 2Bed+)
  - An area for bulk waste storage
- 10.241. These would meet the following requirements:
- Studio / 1 bed units – 100 litres for waste and 100 litres for dry recyclables per property of this type
  - 2 or more bed units – 120 litres for waste and 120 litres for dry recyclables per property of this type
  - 1no x 1240litre bin for management / amenity use.
- 10.242. For the non-residential components in line with LBWF Waste & Recycling Guidance for Developers, Storage and Collection Requirements' (2017). The Council does not have specific guidance for non-residential uses, so generation rates have been taken from guidance used by other London Boroughs. This ensures a robust assessment of the expected waste generation.
- 10.243. It is noted that commercial waste is a private matter, and the operators may need to arrange more than one collection per week.
- 10.244. Officers consider that any waste management / servicing could be achieved through an updated Waste Management Strategy secured by condition subject to planning permission.
- 10.245. As such, it is considered that any waste management/servicing could be achieved through an updated Waste Management Strategy secured by condition in accordance with Policy DM32 of the Waltham Forest Local Plan Development Management Policies (2013).

## L. EDUCATION AND HEALTHCARE PROVISION

- 10.246. Policy CS3 of the Waltham Forest Local Plan Core Strategy (2012) seeks to ensure that appropriate infrastructure is provided to cater for the needs of existing and future populations.
- 10.247. Policy DM17 of the Waltham Forest Local Plan Development Management Policies (2013) also seeks to ensure appropriate social infrastructure is provided on development sites, where there is a need.
- 10.248. With regards to Early Years provision, officers state there are no major gaps in the demand for childcare in Markhouse ward, with some surplus of spaces in neighbouring wards. Therefore, currently there is no demand for additional early year spaces from this proposed development. For primary and secondary school provision, officers have evaluated the proposed number of units and mix based on the delivery of the scheme and the outcome suggests that the development would yield approximately 1FE (a class of 30) in secondary. There is noted capacity in Holy Family School due to recent expansion of this school to meet some of the projected needs but not all. Accordingly, no objection is raised by the Council's Education Department subject to a contribution to expanding local secondary provision to meet predicted residential growth in this area. As such, a contribution of **£94,190.48** will be secured for additional places by way of s.106 legal agreement.

10.249. Regarding healthcare and health impact assessment, contributions are only sought on schemes 100 units or more, therefore is below the required threshold.

10.250. As such, subject to securing contributions via s.106 legal agreement, it is considered that the proposal complies with Policy CS3 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM17 of the Waltham Forest Local Plan Development Management Policies (2013).

#### **M. TREES, LANDSCAPING AND ECOLOGY**

10.251. Policy CS5 of the WFLP Core Strategy (2012) seeks to protect existing healthy trees and encouraging the planting of new trees as well as protecting and enhancing biodiversity.

10.252. Policy D8 of the London Plan (2021) requires development proposals to encourage and explore opportunities to create new public realm where appropriate. Proposals should ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable. Lighting, including for advertisements, should be carefully considered and well-designed in order to minimise intrusive lighting infrastructure and reduce light pollution.

10.253. 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 space. 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.

10.254. Policy DM35 of the WFLP DM Policies (2013) states that the loss or damage of trees should be avoided where possible; and where this cannot be achieved mitigation and compensation measures should be outlined and implemented.

10.255. The 2021 NPPF highlights the important contribution that trees make to the character and quality of urban environments as well as mitigating and adapting to climate change. The Framework seeks to ensure that new streets are treelined and opportunities are taken to incorporate trees elsewhere in developments and that existing trees are retained.

#### *Trees and Landscaping*

10.256. There are no protected trees protected by TPOs exist within and along the site boundary.

10.257. The proposed landscaping strategy forming part of the Design and Access Statement seeks to respond to the context of the site and respond to an opportunity to create a relationship between the urban areas surrounding the site along Hoe Street frontage and the "First Avenue Pocket Park" which is currently under refurbishment. This is part of wider improvements and the 'Mini-Holland' initiatives in the nearby area.

10.258. The scheme has been designed to provide wider landscaping enhancements along the southern edge of the building that would include planting and a single large Oak tree that would complement the recent public realm works undertaken by the Council across the gyratory on Hoe Street. The introduction of the new public route as part of the 'Yard' as well as the enhanced landscaping around the perimeter of the site would benefit the local



context together with high-quality, durable paving, planting, and street furniture which would contribute positively to the site and the wider town centre. This image illustrates this:

- 10.259. Notwithstanding the details shown in the Design and Access Statement, conditions requiring a detailed Soft and Hard Landscaping Plan, and Landscaping Management Plan is recommended to ensure that the biodiversity of the site is enhanced, in accordance with Policies CS5 and CS15 of the WFLP Core Strategy (2012) and policy DM35 of the WFLP Development Management Policies (2013) and Policy G7 of the London Plan (2021).

#### *Ecology*

- 10.260. Policy G6 of the London Plan (2021) states '*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.*'
- 10.261. Policy CS5 of the Waltham Forest Local Plan Core Strategy (2012) seeks to enhance green infrastructure and biodiversity and protect existing habitats, species and recognised sites. The Council aims to promote public access and improved contact with nature.
- 10.262. Policy DM35 of the Waltham Forest Local Plan Development Management Policies (2013) seeks the avoidance of effects on designated sites of ecological importance. The policy goes on to state that development proposals should provide measures to support species and habitats using soft landscaping on or adjacent to buildings.
- 10.263. The nearest statutory site is the Epping Forest SAC and SSSI located approximately over 4km to the east of the application site.
- 10.264. The Council's Tree Preservation and Nature Conservation officer advises that the use of a proportion of the podium part of the roof top (18<sup>th</sup> floor) proposes part of it to be an ecological extensive roof terrace which is limited by way of accessible green or amenity space for the proposed new homes. Whilst an ecological extensive roof is considered good for biodiversity, typically containing species such as Sedums, herbs and some grasses, this type of green roof is the least expensive to implement and maintain. It is recommended that biodiverse roofs as opposed to low diversity sedum based systems would be used. By designing a green roof specifically with invertebrates in mind, it is possible to increase the overall ecological value of a roof, offering a wide range of sustainability benefits, from water attenuation to climate change adaptation. Therefore, it is recommended that a condition be imposed requiring such detail subject to planning approval.
- 10.265. Habitat provision for wildlife should demonstrate that robust habitat boxes, a number incorporated within the built element of the scheme, would be included as part of the proposal. This should include suitable, high quality habitat boxes/bricks for bats, birds and invertebrates (such as insect hotels). It is advised that this is also secured by condition. Furthermore, the Council's Tree Preservation and Nature Conservation officer has recommended a Habitat Creation Management Plan to ensure that the proposed trees and plants have sufficient space to grow without overcrowding or the need for excessive maintenance and enhance habitats. The scheme would be a marked improvement on the current landscaping of the site which would be likely to be sufficient to achieve net gain in biodiversity.
- 10.266. As such, subject to conditions, the proposal is considered acceptable in accordance with Policy G6 of the London Plan (2021), Policy CS5 of the Waltham Forest Local Plan Core

Strategy (2012) and Policy DM35 of the Waltham Forest Local Plan Development Management Policies (2013).

*Epping Forest Special Area of Conservation*

- 10.267. Natural England has issued an Interim Advice Letter dated 6<sup>th</sup> March 2019, in relation to the Epping Forest SAC (Special Area of Conservation), which is based on updated research on the impacts on the SAC and proposed measures to mitigate those impacts with particular reference to those understood to arise from the recreational impact generated by occupiers of new development. The Local Planning Authority is a “competent authority” under the Habitat Regulations and is legally obliged to take Natural England’s advice into account in decision making and attach great weight to it.
- 10.268. A Habitat Regulations Assessment has been prepared by Waterman Infrastructure and Environment Ltd which confirms that SAMMS contributions are appropriate for the impact of the development on the integrity of any European designated sites, such as the Epping Forest SAC and SSSI either considered alone or in combination with other plans or projects.
- 10.269. A number of ecological designations are present within the surrounds of the site, with the nearest being Epping Forest SSSI and SAC, located approximately 4km due east of the site. The site is dominated by buildings and hardstanding in town centre environs. The habitats within the site are not considered to be of elevated ecological value (and limited) and as such are not considered to form important ecological features
- 10.270. Waltham Forest shares a boundary with the Epping Forest Special Area of Conservation and following research in the form of a visitor survey by Footprint Ecology, has been found to fall within a wider ZOI based on the distance most visitors will travel to visit Epping Forest SAC. This report identified that 75% of visitors travelled up to 6.2Km to the SAC and as a result of the whole of the London Borough of Waltham Forest falls within this ZOI for recreational pressure. It is anticipated that new residential development within this ZOI constitutes an LSE (Likely Significant Effect) on the sensitive interest features of the SAC through increased recreational pressure, either when considered ‘alone’ or ‘in combination’. The Council as Local Planning Authority is obliged to ensure that any grant of planning permission would have sufficient mitigation measures in place so as to ensure that there would be no harmful impact on the Epping Forest SAC arising from LSE.
- 10.271. A Habitat Regulations Assessment has been prepared by Waterman Infrastructure and Environment Ltd which confirms that SAMMS contributions are appropriate mitigations for the impact of the development on the integrity of any European designated sites, such as the Epping Forest SAC and SSSI either considered alone or in combination with other plans or projects. Accompanying this, an Ecological Assessment prepared by Stantec has been submitted with the application which includes a desktop study and site survey on the 3<sup>rd</sup> of September 2020 based around extended Phase 1 as recommended by Natural England. A general appraisal of faunal species has also been undertaken to record the potential presence of any protected, rare or notable species, with specific survey work conducted in respect of bats and badgers.
- 10.272. A number of ecological designations are present within the surrounds of the site, with the nearest being Epping Forest SSSI and SAC, located approximately 4km to the east of the site at the nearest point. The site is dominated by buildings and hardstanding. The habitats within the site are not considered to be of elevated ecological value (and limited) and as such are not considered to form important ecological features

- 10.273. Natural England's Interim Guidance assumes that all new residential development within Waltham Forest will create an impact on the Epping Forest SAC which will need to be mitigated. The Interim Guidance suggests that mitigation measures should take a threshold approach whereby development of 100 dwellings or more is treated differently to schemes of 99 dwellings or less.
- 10.274. An initial draft of costed Strategic Access Management Measures has been prepared by the City of London Conservators of Epping Forest. This package of measures is to be used in the interim period until the full Mitigation Strategy has been agreed and adopted. However, as an indication under the interim Strategic Access Management Measures, Waltham Forest is expected to contribute circa £1m towards the mitigation works which equates to 37% of the total.
- 10.275. For applications received after 1<sup>st</sup> April 2019 a SAMM levy should be secured for all new residential developments of 10 units or more to contribute towards management and monitoring and Epping Forest mitigation. This is calculated at £100 per unit, so a contribution of **£6,600** should be secured by s.106 legal agreement.
- 10.276. For schemes of 100 or more units, a Suitable Alternative Natural Green Space assessment (SANG) is also required. This scheme is less than 100 units so no SANG strategy is required. This is confirmed by Natural England during the pre-application and planning stage and agreed approach.

*Urban Greening Factor*

- 10.277. Policies GG1, G1 and G5 of the London Plan (2021) require new development to incorporate urban greening features such as street trees, green roofs, green walls, raingardens and nature-based sustainable drainage.
- 10.278. As set out in the GLA Stage 1 report, the proposed development takes a very well-considered approach to integrating green infrastructure within the proposed development, and designing for biodiversity, which is strongly supported.
- 10.279. The proposed development would deliver a greening factor of 0.26 which is below the target of 0.4 set by the London Plan. Whilst this is quite a bit below the target, it is a target and therefore is flexibility on a site-by-site basis. The applicant stresses that the site cannot achieve this level of provision due to the constraints of the site in a town centre location balanced with viability pressures that arise when delivering developments in a highly urban context. Officers recognise the pressures and constraints and given that contributions towards SAMMS and Parks and Open Space have been agreed to be secured by s106 legal agreement, on balance, it is considered acceptable in this instance and a relaxation be afforded.
- 10.280. As such, subject to contributions, it is considered that the proposals accord with Policies GG1, G1 and G5 of the London Plan (2021) and is therefore considered acceptable.

**N. SUSTAINABLE DESIGN AND ENERGY EFFICIENCY**

- 10.281. The NPPF (2021) establishes a presumption in favour of sustainable development. It encourages proposals, which support renewable and low carbon energy and associated infrastructure. It further states that, in determining planning applications, LPAs should expect new development to comply with any development plan policies on local

requirements for decentralised energy supply unless it can be demonstrated that it is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. The NPPF (2021) also encourages LPAs to adopt proactive strategies to mitigate and adapt to climate change.

- 10.282. Policy SI2 of the London Plan (2021) sets out a carbon dioxide reduction target for regulated emissions only of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. This policy also requires major developments to 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.
- 10.283. Policy SI3 of the London Plan (2021) states *'where a heat network is planned but not yet in existence the development should be designed to allow for the cost-effective connection at a later date'*.
- 10.284. Policy CS4 of the Waltham Forest Local Plan Core Strategy (2012) requires new developments to minimise carbon emissions in accordance with the London Plan (2016) energy hierarchy and requires developers to investigate opportunities for linking into existing or proposed decentralised energy networks. The policy also requires developments to be designed in a manner that minimises the use of water.
- 10.285. Policy DM7 of the Waltham Forest Local Plan Development Management Policies (2013) states that all major developments are required to be designed to be able to connect to a Decentralised Energy Network (DEN)'.
- 10.286. Policy DM10 of the Waltham Forest Local Plan Development Management Policies (2013) seeks to secure sustainable management and high environmental standards by requiring development to be designed to achieve the Council's stepped targets towards zero-carbon, in accordance with the London Plan (2016).
- 10.287. Policy DM11(A) of the Waltham Forest Local Plan Development Management Policies (2013) states 'Requiring development of one or more units or greater than 100sqm located in the proximity of an existing or committed future Decentralised Energy Network to assess opportunities for, and to implement links into, existing or future committed decentralised energy networks, unless it can be demonstrated that an efficient connection is not feasible in accordance with the following thresholds;
- Development of one or more units or greater than 100sqm located within 200m of an existing or committed future Decentralised Energy Network,
  - Major development located within 500m of an existing or committed future Decentralised Energy Network, and
  - Development of more than 50 units located within 1000m of an existing or committed future Decentralised Energy Network.

- 10.288. Policy DM34 of the Waltham Forest Local Plan Development Management Policies (2013) states that residential development proposals should implement water efficiency measures to achieve usage of less than or equal to 105 litres per person per day.
- 10.289. The application is accompanied by an Energy Statement and Sustainability Statement prepared by Twin Earth. The Council's Energy and Sustainability Officer (ESO) advised that the proposal would deliver buildings using SAP10 carbon factors a reduction exceeding the target in regulated emissions, site wide, against Part L 2013 baseline. The development is expected to achieve 55.2% reduction overall

#### *Carbon Emissions*

- 10.290. The London Plan (2021) sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations. The development is predicted to achieve a reduction of 61% in regulated emissions, site-wide, against a Part L baseline. This well exceeds the London Plan (2021) target of 35% for major development.
- 10.291. At the local level and in more detail, Waltham Forest currently require an on-site emissions reduction of 35% for non-residential developments. The non-residential element of the proposal would achieve BREEAM Very Good standard whilst the residential element achieves 55.2% using SAP10 factors.
- 10.292. The Energy and Sustainability Strategy indicates a total carbon offset contribution of **£91,551** to achieve 100% reduction for the proposed development to be secured by s.106 legal agreement.

#### *Sustainable design*

- 10.293. GLA Sustainable Design and Construction SPG sets out the sustainable design principles are integral to proposals including construction and operation and must be incorporated from the beginning of the design process.
- 10.294. WFLP Development Management Policies (2013) Policy DM10 requires non-residential development greater than 100sqm to achieve BREEAM 'very good' or equivalent standards and encouraging major non-residential developments to achieve BREEAM 'excellent' or equivalent.
- 10.295. A BREEAM pre-assessment (new Construction 2018, Shell & Core) has been carried out for the non-residential element of the development. This is predicted to achieve a BREEAM 'Very Good' rating, with an anticipated score of 55.2%, based on targeted credits alone. This is a small margin of comfort over the 55% threshold for a 'Very Good' rating. Other potential credits are also identified. It is recommended that these credits are targeted wherever possible in order to ensure a 'Very Good' rating is achieved. It is noted that the non-residential elements have not been assessed for BREEAM and it is understood the fit-out of these spaces will be undertaken by the future operators. Details of compliance will be secured by condition subject to planning approval.

#### *Energy – Demand Reduction (Be Lean) and Overheating*

- 10.296. Policy SI4 of the London Plan (2021) seeks all developments to reduce the urban heat island effect and encourage the design of places to avoid overheating and excessive heat generation. Policy SI4 of the London Plan (2021) requires development proposals to minimise adverse impact on the urban heat island through design, layout, orientation,

materials and the incorporation of green infrastructure. WFLP Development Management Policies (2013) Policy DM10 requires new developments to be designed with regard to sustainable principles.

- 10.297. The Energy and Sustainability Statement confirms that the demand reduction measures deliver a 11.2% saving against the baseline for the development which meets the GLA target of 10% reduction at the Be Lean stage. with a 10.4% saving for the residential element and a saving of 16.4% for the non-residential element, as indicated by the submitted SAP10 figures. As such, the non-residential element achieves the GLA's target of 15% energy efficiency savings and the residential elements also exceeds the 10% target.
- 10.298. With regards to air permeability, the development proposes 3.0m<sup>3</sup>/m<sup>2</sup>/hr for the residential element and 5.0m<sup>3</sup>/m<sup>2</sup>/hr for non-residential areas. As advised by the Council's Energy and Sustainability Consultant, the air permeability values are accepted. In addition, the proposed U-values are considered of a relatively good standard and the proposed approach to 100% LED lighting and lighting controls is acceptable.
- 10.299. The proposed approach to the cooling hierarchy includes minimisation of avoidable heat gains from lighting and equipment, building fabric and thermal mass, external shading and glazing, and removal of heat via natural and mechanical ventilation. TM52 and TM59 thermal modelling has been undertaken for both the residential and non-residential elements. All the assumptions underlying this modelling are considered to be reasonable, and all of the areas assessed under TM59 pass the overheating criteria under DSY1 conditions – moderately warm summer, with a return period of seven years. The Council's ESO is broadly satisfied the strategy although recommends a planning condition to ensure some identified areas within the building seek to comply DSY 2 and DSY 3 and further minimise overheating. Officers agree with this approach.
- 10.300. As such, subject to conditions, the proposed development is consistent with Policies SI4 of the London Plan (2021) and Policy DM10 of the WFLP Development Management Policies (2013).

#### *Energy - Low Carbon Supply (Be Clean)*

- 10.301. Policy SI3 of the London Plan (2021) states that major development proposals should select energy systems in accordance with the following hierarchy:
- Connection to existing heating or cooling networks;
  - Site wide CHP network; and
  - Communal heating and cooling.
- 10.302. The accompanying Energy Statement states that a communal Air Source Heat Pump system has been specified for the development. this is considered accepted. As such, the proposal is considered in accordance with the requirements of the Policy SI3 of the London Plan (2021).

#### *District Heating and Cooling Networks*

- 10.303. Policy SI3 of the London Plan (2021) set out the policy for decentralised energy within development proposals. This policy also requires district heating systems are designed to meet relevant criteria. The development has been designed with regard to the London Plan London Heat Network Manual (2014).

- 10.304. WFLP DM (2013) Policy DM11 states .“A) *Requiring development of one or more units or greater than 100sqm located in the proximity of an existing or committed future Decentralised Energy Network to assess opportunities for, and to implement links into, existing or future committed decentralised energy networks, unless it can be demonstrated that an efficient connection is not feasible in accordance with the following thresholds;*
- *development of one or more units or greater than 100sqm located within*
  - *200m of an existing or committed future Decentralised Energy Network,*
  - *major development located within 500m of an existing or committed future Decentralised Energy Network,*
  - *and development of more than 50 units located within 1000m of an existing or committed future Decentralised Energy Network;*
- 10.305. The accompanying Energy Statement states that they have consulted the London Heat Map and there no existing heating networks in the vicinity of the proposed development. Waltham Forest have confirmed that they are not aware of any planned DENs within 500m of the site but that there are planned DENs just outside of the 500m.
- 10.306. The Energy Statement shows that that a single point of connection has been allowed for at basement level and space provision for the necessary plant has been identified. A protected route to the site boundary has also been identified.
- 10.307. The energy statement does not assess the possibility of forming a shared heat network. The applicant has responded to this position and states that *‘given the small development footprint and the associated spatial constraints, the plant room can only accommodate the systems required to serve the development, with no possibility to supply the other buildings’* This has not considered whether there are neighbouring buildings which have communal systems with spare capacity that could serve this development. Therefore, officers are satisfied that a condition should be imposed to secure further investigations relating to communal heating possibilities
- 10.308. The ESO has confirmed that the on-site CHP is not proposed for the development, and this is acceptable.
- 10.309. As such, subject to condition to secure further investigations relating to communal heating possibilities, the proposal is considered in accordance with the requirements of the Policy SI3 of the London Plan (2021).

*Energy - Renewable Energy (Be Green)*

- 10.310. Policy SI2 of the London Plan (2021) and Policy DM11 of the WFLP Development Management Policies (2013) states that major 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 significantly adversely affect the development, or local amenity of neighbourhoods, and the environment, including air quality.
- 10.311. The primary source of the proposed energy supply is from Air Source Heat Pump (ASHP) which are a renewable source of energy and are expected to deliver high percentage of the site’s energy needs.
- 10.312. The applicant has confirmed a range of renewable technologies have been reviewed and a Solar PV installation of 7.5kWp/55sq is proposed which covers a large area of the roof is supported. Given the development is exceeding its carbon targets, this can be accepted.

*Whole Life-Cycle Carbon Emissions*

- 10.313. Policy SI2(F) of the London Plan (2021) states that “Development proposals preferable to the Mayor should calculate whole lifecycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.
- 10.314. A Whole Life Carbon Assessment as part of the Circular Economy Statement prepared by Twin and Earth have been submitted with the application. This is based on an assumed 60 year lifespan for the development, and estimates whole life emissions as 10,865tCO<sub>2</sub>e based on SAP10.1 carbon factors. The Council’s ESO recommends that this is acceptable subject to a condition to ensure whole life-cycle carbon is calculated and reduced and to demonstrate compliance with Policy SI2 of the London Plan.

*Circular Economy*

- 10.315. London Plan Policy SI7 requires development applications that are referable to the Mayor to submit a Circular Economy Statement whilst Policy D3 requires development proposals to integrate circular economy principles as part of the design process.
- 10.316. The applicant has provided a Circular Economy Statement prepared by Twin and Earth which was supplemented by an Addendum following requests for further information made by the GLA. The Strategy proposed seeks to address the policy requirements and confirm the circular approach for existing development for instance targets for minimising demolition waste, new development for instance targets for minimising excavation and construction waste and designing for future recoverability of building materials; the development in use for instance targets for minimising municipal waste and end of life strategy. The GLA have accepted the Circular Economy Strategy subject to condition to ensure that excavation and demolition waste estimates for the Waste Reporting template and the pre-demolition audit/ Site Waste Management Plan/cut and fill calculations are provided at a later date and that the Pre-Demolition audit is carried out prior to demolition and any breaking of ground.

*Water Efficiency*

- 10.317. Policy SI5 of the London Plan (2021) require new developments to demonstrate how it will achieve a water consumption of less than 105l/person/day. The non-residential components should achieve the equivalent of an ‘Very Good’ rating on the water elements for BREEAM. Water reuse should be considered for inclusion in the development to meet both water efficiency and sustainable drainage requirements.
- 10.318. WFLP Development Management Policies (2013) DM34(c) states that development proposals should:
- Implement water efficiency measures to achieve usage of less than or equal to 105 litres/person/day for residential developments.
  - Incorporate water saving measures and equipment for any new development of greater than 100sqm.
- 10.319. The applicant has provided water calculations to demonstrate that the domestic properties would achieve a water usage below the Waltham Forest policy target of 105 l / person / day and information on the water specification has been provided; and the non-residential units would consume 50% less potable water than a conventional scheme in line with the recommendation of BREEAM ‘Very Good’ Standard.



10.320. A condition requiring details of how water consumption will be restricted would be imposed subject to planning approval approved.

10.321. As such, subject to condition, the proposal is considered to accord with Policy DM34 WFLP Development Management and Policy S15 of the London Plan (2021).

## **O. ENVIRONMENTAL IMPACT**

10.322. Policy DM24 seeks to control and mitigate pollution in all its forms including noise (and vibration), light, smell as well as land, water and air based. The Council's Environmental Health team have assessed the proposed development and their conclusions and recommended conditions are set out below.

### *Noise and Vibration*

10.323. Policies D1 and D1B of the London Plan (2021) expect new developments to design out exposure to poor air quality and noise from both internal and external sources.

10.324. Policy D13 of the London Plan (2021) states development proposals should manage noise and other potential nuisances by:

- 1) 1) ensuring good design mitigates and minimises existing and potential nuisances generated by existing uses and activities located in the area
- 2) 2) exploring mitigation measures early in the design stage, with necessary and appropriate provisions including ongoing and future management of mitigation measures secured through planning obligations
- 3) 3) separating new noise-sensitive development where possible from existing noise-generating businesses and uses through distance, screening, internal layout, sound-proofing, insulation and other acoustic design measures.

10.325. Policy D14 of the London Plan (2021) states that noise impacts should be reduced, managed and mitigated. In particular, it notes that developments should use distance and layout, as well as other design measures, to separate noise-sensitive development from major noise sources.

10.326. Policy DM24 of the WFLP DM Policies (2013) states that all major developments should aim to minimise the adverse impacts of noise through sensitive design, management and operation.

10.327. A Noise Impact Assessment prepared by Noise Consultants Ltd accompanies the application. Therein sets out the methodology and results of attended and unattended sound surveys undertaken on 14<sup>th</sup> and 15<sup>th</sup> January 2021 in order to determine the existing sound climate at locations considered representative of site and locations considered representative of sound levels incident on the future development.

10.328. The noise report describes the existing ambient noise climate in the area based on measurements undertaken at the site and evaluates potential impacts upon the proposed residential development, and specifies design measures, including building envelope performance, required to achieve suitable noise levels within habitable rooms and external amenity areas. An initial site risk assessment was undertaken in accordance with ProPG, which demonstrated that there is a likely medium risk that the development would be subject to adverse effects from noise. An acoustic design statement (ADS) has been

developed which demonstrates that suitable internal noise conditions compliant with BS 8233:2014 can be achieved with the application of appropriate building envelope sound insulation performance. Internal noise levels with windows open have also been considered by reference to the Acoustics Ventilation and Overheating: Residential Design Guide (AVO Guide, 2020). The worst case night-time noise levels with windows open are above this level for the most exposed elevations, i.e., at lower levels of the building. This indicates, depending upon the relative duration for which the requirement occurs, that reliance on open windows for the control of overheating, may not be acoustically appropriate in some areas.

- 10.329. The Council's Noise Officer raises no objection subject to conditions requiring; construction/demolition method statement; details of noise mitigation measures; noise levels controlled from plant; sound insulation between residential and commercial; transportation noise; lighting scheme near residential property. With these conditions in place, it is considered that the proposed development would not have an unduly adverse impact on new and existing receptors.
- 10.330. Noise and vibration created during construction will be mitigated through the implementation of a range of best practises. There may be some short-term adverse effects to the closest residents caused by piling. The applicant is required to engage with residents as part of the Construction Environmental Management Plan (CEMP).
- 10.331. As such, subject to conditions, it is considered that the proposed development accords with Policy DM24 of the WFLP DM Policies (2013) and Policies D1, D1B, D13 and D14 of the London Plan (2021).

#### *Air Quality*

- 10.332. Paragraph 174 of the NPPF seeks to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution.
- 10.333. The London Plan and the Mayor's Air quality Strategy (2010) seeks to minimise the emissions of key pollutants and to reduce concentrations to levels at which no, or minimal effects on human health are likely to occur.
- 10.334. Policy SI1 of the London Plan (2021) sets out the requirement for new developments to tackle poor air quality. All new developments must be at least air quality neutral.
- 10.335. Policy 90 of the emerging WFLP (2020) sets out that major developments which are not air quality neutral would be expected to make a financial contribution.
- 10.336. Policy CS4 and WFLP Core Strategy (2012) states that Council will tackle climate change locally and promote resource efficiency and high environmental development standards during design, construction, and occupation of new developments by reduction of carbon emission.
- 10.337. Policy CS13 and WFLP Core Strategy (2012) states that the Council will aim to create and develop healthy and sustainable places and communities and require all new developments to meet appropriate environmental standards that minimise air, water, noise and light pollution and address the risks arising from contaminated land and

- 10.338. Policy DM24 of the WFLP DM Polices (2013) states that new developments should neither contribute to, nor suffer from unacceptable levels of air pollution. On major applications, this should be demonstrated through an Air Quality Assessment and, if necessary, proposed mitigation measures.
- 10.339. In the London Borough of Waltham Forest, a borough wide Air Quality Management Area (AQMA) has been declared.
- 10.340. The proposed development is to be car free so would not generate any additional traffic above recognised screening and impacts mitigated. The air quality report prepared by Air Quality Consultants shows the future occupiers would experience acceptable air quality with pollutant concentrations below the air quality objectives. The scheme meets the London Plan requirement for 'air quality neutral'. As such, the construction and operational air quality effects of the proposed development have been shown to be not significant.
- 10.341. The proposed development does not include any combustion plant for the routine provision of heating or hot water, which will be provided by air source heat pumps; therefore, there will be no combustion-related building emissions. The proposed development can thus be considered air quality neutral in terms of building emissions. In addition, the Transport Emissions Benchmarks (TEB) are based on the number of car trips generated by the development and the total development transport emissions are less than the total transport emissions benchmarks for both NO<sub>x</sub> and PM<sub>10</sub>. The proposed development is thus better than air quality neutral in terms of transport emissions.
- 10.342. As such, the scheme has demonstrated that it meets adopted and emerging planning policy regarding being air quality neutral. Notwithstanding this, the site falls within a AQMA, and the development is in an area of high relative exposure as per the Air Quality Action Plan (AQAP) for the locale. The demolition/construction phase would have an impact on the local environment through fugitive dust and exhaust emissions and therefore a financial contribution towards AQAP is required. The Air Quality Neutral Assessment prepared by Air Quality Consultants has been assessed by the Council's Nosie officer and found this to be satisfactory subject to conditions ensuring compliance with AQA and AQNA, emissions from Non-Road Mobile Machinery (NRMM); and Air Quality and Dust Management Plan and securing contributions of **£6,600** towards the Air Quality Action Plan via a s.106 legal agreement.
- 10.343. An Outline Construction Environmental Management Plan (CEMP) prepared by Countryside has been submitted in support of the planning application which outlines the overarching details and principles in order to minimise, manage and/or mitigate the environmental effects of the works associated with the development of the former gasworks. The CEMP details the environmental management, controls, and safety procedures that will need to be adopted during the development of the site. A detailed CEMP will be secured by condition subject to planning approval.
- 10.344. The application is accompanied by an air quality report prepared by Air Quality Consultants and concludes that the development is considered 'Air Quality Neutral' in terms of transport emission and could be considered air quality positive due to the removal of extant car parking spaces and the use of non-combustion sources for heating and hot water.
- 10.345. As such, subject to conditions and s.106 contributions, it is considered that the proposal complies with London Plan Policy S11, and WFLP Core Strategy Policies CS4 and CS13 and the WFLP Development Management Policies (2013) Policy DM24.

*Contaminated Land*

10.346. Paragraph 182 of the NPPF (2021) is clear that planning decisions should ensure that:

- a) *a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
- b) *after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
- c) *adequate site investigation information, prepared by a competent person, is available to inform these assessments.*

*Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.'*

10.347. Policy SD1 at criterion B8 of the London Plan (2021) states to ensure that Opportunity Areas fully realise their growth and regeneration potential, the Mayor will take appropriate measures to deal with contamination that may exist.

10.348. Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012) sets out that the Council will aim to create and develop health and sustainable places and communities and developments are required to meet appropriate standards that address the risks arising from contaminated land and hazardous substances.

10.349. Policy 92 of the emerging WFLP requires development that has the potential to contaminate land, or which is situated near to sensitive receptors to include mitigation measures to prevent any adverse impacts on people and the environment, and to monitor any impacts where appropriate

10.350. Policy DM24 of the WFLP Development Management Policies (2013) states that for sites which are potentially contaminated, planning permission will be subject to conditions to ensure the final development is fit for the proposed end use. Policy DM24 also sets out that developers should identify risks to water quality posed by the development and agree a strategy to overcome any risk.

10.351. A remediation strategy is developed following a brief contamination assessment of the site. To this end, the Council's Contaminated Land Officer has requested conditions relating to asbestos and contamination requiring further site investigations, remediation, verification to be submitted and agreed to ensure the risks from land contamination to future users of the land and neighbouring land are minimised.

10.352. As such, subject to conditions, it is considered that the proposals accord with Policy SD1 of the London Plan (2021), Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM24 of the Waltham Forest Local Plan Development Management Policies (2013).

*Flood Risk*

10.353. Paragraph 159 of the NPPF (2021) states that inappropriate development in areas of flood risk should be avoided. Where development is necessary, such development should be made safe across its lifetime without increasing flooding risk elsewhere.

- 10.354. Policy SI12 of the London Plan (2021) requires developments size larger than 1 hectare to submit a Flood Risk Assessment and ensure that flood risk is minimised and mitigated, and that residual risk is addressed.
- 10.355. Policy 93 of the emerging WFLP requires a flood risk assessments (FRAs) to be undertaken for sites greater than 1 hectare in Flood Zone 1.
- 10.356. The GLA's Sustainable Design and Construction SPG, the Strategic Flood Risk Assessment and the Councils Local Flood Risk Management Strategy are relevant.
- 10.357. Over 15% of the borough either lies within Flood Zone 2 or 3 or is known to have surface water drainage issues. The FRA at para. 5.2.2 – 5.2.4 states that... *“According to the online Flood Map for Planning the site is located within Flood Zone 1 (defined as having a ‘Low’ probability of flooding from the rivers and sea). PPG Table 2 confirms the ‘Flood Risk Vulnerability Classification’ of a site, depending on the proposed usage. The classification is subsequently applied to PPG Table 3 to determine:*
- *Whether the proposed development is suitable for the flood zone in which is located;*
  - *Whether an Exception Test is required for the proposed development.*
- 10.358. *For the purposes of this assessment, the proposals for mixed development fall within the ‘More Vulnerable’ uses which are considered appropriate for Flood Zone 1 without the need to apply the Sequential or Exceptions Test. Therefore, the proposals for residential development are appropriate at this location.”*
- 10.359. The site measures over 0.08 hectares in area and falls within Flood Zone 1 which is considered low risk of tidal and fluvial flooding.
- 10.360. The Environment Agency (EA) advises that the site does not have any environmental constraints that fall within their remit as a statutory consultee and therefore raise no objection.
- 10.361. The LLFA advise that given the low flood risk raise no comments.
- 10.362. As such, subject to conditions, the approach to flood risk management for the proposed development complies with Policy SI.12 of the London Plan (2021). As such, it is considered that the proposal meets the policy requirements of the London Plan (2021) Policy SI 12, WFLP Core Strategy Policy CS5 and WFLP Development Management Policy DM34 and the NPPF (2021)

#### *Sustainable Urban Drainage*

- 10.363. Policy SI13 of the London Plan (2021) require new developments 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.
- 10.364. Policy CS4 of the Waltham Forest Local Plan Core Strategy (2012) looks to direct development away from areas at high risk from flooding (in line with national and regional policy). Policy CS4 goes on to state that developments should be designed to minimise the potential for flooding, as well as being flood resilient.

- 10.365. Policy DM34 of the adopted WFLP states that flood risk should be managed and maximise sustainable urban drainage systems where possible.
- 10.366. The development should utilise SuDS and all opportunities must be explored. Potential SuDS features for this site include permeable paving using voided stone sub-base or modular storage cells, water butts, rain gardens, soakaways, that must be designed together with infiltration test results and recommended soakage rates where soil conditions are suitable for infiltration. The use of blue, green, and brown roofs should be considered and the potential for the inclusion of rainwater harvesting systems should be assessed. SuDS features included within the drainage design should be fully justified by adopting techniques in a hierarchical manner, maximising the use of those techniques higher up the hierarchy and those that deliver multi-functional benefits (GLA's Sustainable Design and Construction SPG). The applicant should demonstrate that the requirements of table 3.1 of the SPG documents have been considered.
- 10.367. The application is accompanied by a Surface Water Drainage Strategy prepared by Elliotwood which reports that the proposed development would restrict surface water run off to the public sewer to 2.0 l/s for the site. This provides a betterment on existing of over 79% for all design return periods.
- 10.368. Through the use of SuDS techniques, the surface water management of the proposed site will see a significant improvement from the existing surface water runoff rate. The proposals will also improve the amount of soft landscaping and green space on the site providing amenity space for the residents, as well as improvements to biodiversity. Surface water runoff quality will be improved by the additional filtration of the water provided by the green roof and permeable paving areas. The LLFA give their support for the mix of soft SuDS features provided within the development.
- 10.369. There would not be infiltration into the ground due to ground water conditions. The drainage strategy along with the associated drawings will be secured by condition to be reviewed by the LLFA subject to planning approval.
- 10.370. As such, subject to conditions, it is considered that the proposed development accords with Policy CS5 of the WFLP Core Strategy, Policy DM34 of the WFLP Development Management, and Policy SI13 of the London Plan (2021).

*Archaeology (Buried Heritage)*

- 10.371. Paragraph 189 of the NPPF requires applicants to provide an archaeological assessment if their development could affect a heritage asset or archaeological interest.
- 10.372. Policy HC1 of the London Plan (2021) states at criterion (d) that development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.
- 10.373. Policy DM22, criterion (g) of the Waltham Forest Local Plan states that the Council will ensure the preservation, protection and where possible the enhancement of the archaeological heritage of the borough. Where proposals affect heritage assets of archaeological interest, preference will be given to preservation in situ. However, where

loss of the asset is justified in accordance with national policy, the remains should be appropriately recorded, assessed, analysed, disseminated and the archive deposited

- 10.374. The application is supported by a Heritage Statement prepared by HCUK Group. As part of their assessment, they recorded no known archaeological remains within the application site boundary. To this end, the site does not lie within or adjacent to an Archaeological Priority Area (APZ).
- 10.375. As part of statutory consultation, Greater London Archaeological Advisory Service (GLAAS) were consulted due to the site measuring over 0.5ha in area. Whilst they acknowledge the site is not within a APZ, due to the basement proposal and commented that the prehistoric remains were recorded just north of the site at the station and on the Mall site and recreation grounds. For these reasons, GLAAS advise that field evaluation is needed to determine appropriate mitigation should remains found.
- 10.376. As such, it is considered that a condition be imposed to secure an archaeological field evaluation involving exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation in accordance with paragraph 89 of the Policy CS12 of the WFLP Core Strategy (2012) and Policy DM28 of the WFLP Development Management Policies (2013), Policy 75 of the Emerging WFLP, Policy HC1 of the London Plan (2021) and the NPPF,

## **P. SAFETY AND SECURITY**

### *Fire Safety*

- 10.377. The London Plan (2021) Policy D12 'Fire Safety' states that all major development proposals should be accompanied by a Fire Statement in the interests of fire safety and to ensure the safety of all building users, all development proposals. In order to achieve the highest standards of fire safety proposal must ensure that they:
- 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point;
  - 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures ;
  - 3) are constructed in an appropriate way to minimise the risk of fire spread
  - 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users;
  - 5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in;
  - 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.
- 10.378. As per criterion B of policy D12, the Fire Statement should be produced by a third-party, independent and suitably qualified assessor. This should be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers. Planning departments should work with and be assisted by suitably qualified and experienced officers within borough Building Control departments and/or the London Fire Brigade, in the evaluation of these statements.
- 10.379. The submitted Fire Strategy Statement prepared by suitably qualified Hoare Lea engineers outline the approach and provisions relating to fire safety of the proposed development

against the requirements of London Plan Policies. The statement demonstrates that the proposals have considered fire safety at the earliest stage, and the further development of the fire strategy will be based upon these principles. The fire strategy would be further developed for submission to the Approving Authorities at the appropriate time and will meet the functional requirements of the Building Regulations 2010, taking recommendations from BS 9991:2015 and the requirements of planning policy. Regulation 38 of the Building Regulations requires that fire safety information be given to the person responsible for the occupied building. This should be secured by planning condition.

- 10.380. Both residential and non-residential elements of the scheme will have sprinklers. The statement also sets out the means of escape strategy and compartmentalisation and smoke ventilation strategies, and firefighting access to and within the building.
- 10.381. The GLA and the London Fire Brigade (LFB) have reviewed the proposals and the accompanying statement and consider the scheme acceptable with regard to firefighting access arrangements.
- 10.382. As such, subject to condition, it is considered that the proposed development acceptable in accordance with London Plan (2021) Policy D12, and CS16 of WFLP Core Strategy (2012).

*Crime Prevention*

- 10.383. Policy D11 of the London Plan (2021) set out policy which requires all new developments to design out crime and incorporate an acceptable level of safety and security measures and ensure development is resilient to emergency.
- 10.384. Policy CS16 of the WFLP Core Strategy “Making Waltham Forest Safer” set out the Council’s aspirations to improve community safety and cohesion by working on minimising opportunities for criminal behaviour.
- 10.385. Policy DM33 of the WFLP DM Policies (2013) seeks a safe environment with appropriate levels of natural surveillance.
- 10.386. The Design and Access Statement prepared by Barton Willmore and the Security Needs Assessment prepared by Buro Happold accompany the planning application and sets out the proposed crime prevention measures and considers the scheme has been designed in accordance with Part Q of the Building Regulations (2015).
- 10.387. In consultation with the Met Police, Designing Out Crime Officers and Anti-Terrorism Security Advisor (CTSA), they have set out a number of mitigations to further reduce opportunities for criminal activities and anti-social behaviour which the applicant’s team has considered. The Met Police have raised concerns and objected, and the applicant has responded positively to mitigation made and provided justification relating to CTSA concerns and security proposals.
- 10.388. A number of security features and spatial requirements have been incorporated into the design of the scheme. The security strategy includes, but is not limited to:

- Pedestrian and vehicle access control
- Hostile vehicle mitigation measures
- Video surveillance
- Intruder detection
- Lighting



- Security control facilities including access control, and
- Identification of key threats and vulnerabilities.

10.389. In order to secure compliance, the inclusion of a 'Certificate of Compliance' to the relevant Secure by Design Guide condition will be imposed subject to planning approval to mitigate and secure necessary mitigations and delivery secure, safe environment for all users of the proposed development. The safety and security measures relate to active street frontages, active and passive surveillance, lighting, external CCTV, secure access points and other measures. These are outlined in the supporting assessments and subject to condition to secure appropriate measures and mitigations in accordance with Policy D11 of the London Plan (2021) and Policy DM33 of the WFLP DM Policies (2013).

## 11. PLANNING OBLIGATIONS

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

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

11.2. In terms of the S106 Agreement, the required Heads of Terms, having regard to planning policy, the Waltham Forest Local Plan Revised Planning Obligations SPD (2017) and the Waltham Forest Local Plan Affordable Housing and Viability SPD (2018), for this development relate to the Heads of Terms as outlined in Section 1 of this report

## 12. ADDITIONAL CONSIDERATIONS

### Public Sector Equality Duty

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

## Human Rights

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

## **13. CONCLUSIONS**

- 13.1. The report provides Officer's comprehensive consideration of the planning application and its supporting documentation, including the further/additional information submitted and any representations received.
- 13.2. The conditions set out in the agreed s.106 Heads of Terms would ensure that any adverse impact of the scheme is mitigated against, and the positive aspects of the proposal advanced by the applicant are carried out through the implementation.
- 13.3. The report has considered the proposals in light of the adopted and emerging development plan policies and other material considerations or representations relevant to the environment effects of the proposals.
- 13.4. The application, if approved, would deliver significant town centre regeneration and public benefits, not least including:
- 66 new residential units (26% of which are affordable by unit at DMR) which contribute towards local housing targets;
  - Wholly Car-free development;
  - Promoting sustainable modes of transport with less reliance on the private car;
  - Promoting Active Travel and Enjoy Waltham programmes;
  - Enhanced cycle facilities;
  - Creation of extensive new public realm spaces and active frontage providing a mix of uses including flexible commercial floorspace comprising 969sqm of new fit for purpose outlets and gymnasium
  - Animation of the new public space – active uses at the edges of the buildings and new public spaces
  - New improved public amenity and passageway between Station Approach and Prior Avenue;
  - Optimisation of development potential of the site;
  - Incorporate the highest environmental standards and would be sustainable;
  - Deliver acceptable energy reduction measures and meet the required carbon dioxide reduction targets through air quality, noise and renewable energy considerations;
- and

- Valuable CIL contributions.

- 13.5. Extensive pre-application discussions have been held between the Local Planning Authority and the applicant, the GLA, TfL and other relevant areas of expertise.
- 13.6. The project is accompanied by a robust public consultation programme including community newsletters, drop in events and a webpage. The application has received a minimal public interest.
- 13.7. The proposed development would result in making better use of land and achieve optimisation of an underused brownfield site for existing and future generations in a town centre location. The principle of the development and proposed land uses have been reviewed and considered acceptable by officers in accordance with local and regional planning policies. The GLA is supportive of optimising this site for intensification in a town centre location.
- 13.8. The development would deliver 26% affordable housing at 100% DMR which is guidance compliant for build to rent model.
- 13.9. The height, scale, massing and design of the development are acceptable and would result in high quality architecture and density which is considered appropriate for the location within this town centre location currently undergoing significant transformation in line with the WTCAPP (2014).
- 13.10. The scheme would directly deliver important walking and cycling improvements and would fund public space, walking and cycling improvements outside of the site through S106 contributions.
- 13.11. An extensive SuDS strategy has been designed to attenuate the surface water flood risk to brownfield run off rates.
- 13.12. The proposal would have a low carbon energy strategy comprising Air Source Heat Pumps and Solar PV to maximise the renewable energy provision on site.
- 13.13. The proposal would make significant CIL contributions, as well as significant social infrastructure. Identified concerns would be appropriately mitigated through the inclusion of conditions and obligations within the legal agreement.
- 13.14. Overall, officers have given careful consideration to the material considerations and where impacts are forecast to arise from the proposed development, adequate mitigation measures have been introduced to make the proposed development acceptable in planning terms.

#### **14. RECOMMENDATION**

- 14.1. That authority to be given to the Assistant Director of Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the Legal Agreement and to agree any minor amendments to the conditions or the Legal Agreement on the terms set out above.
- 14.2. In the event that the Section 106 legal agreement is not completed within a reasonable timeframe following the date of Planning Committee, the Assistant Director of Development Management and Building Control is hereby authorised to refuse the

application in consultation with the Chair. In the absence of this Legal Agreement, the proposed development would not be able to deliver the mixed-use development on the site. The implication of this happening is that the opportunity for securing the provision of affordable housing would be lost. Additionally, financial and non-financial contributions would be lost, which otherwise would be secured by s.106 legal agreement.

## PLANNING CONDITIONS

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

REASON: In order to comply with the provisions of Section 92 of The Town and Country Planning Act 1990 (as amended).

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

- 128-HAL-DR-A-EX-010R01 Site Location Plan
- 128-HAL-DR-A-EX-050 Existing Ground Floor Plan
- 128-HAL-DR-A-EX-051 Existing First Floor Plan  
128-HAL-DR-A-EX-052 Existing Second Floor Plan
- 128-HAL-DR-A-EX-100 Existing Roof Plan
- 128-HAL-DR-A-EX-301 Existing North Elevation
- 128-HAL-DR-A-EX-302 Existing East Elevation
- 128-HAL-DR-A-EX-303 Existing South Elevation
- 128-HAL-DR-A-EX-304 Existing West Elevation
- 128-HAL-DR-A-DEM-050 Ground Floor Demolition Plan
- 128-HAL-DR-A-DEM-051 First Floor Demolition Plan
- 128-HAL-DR-A-DEM-052 Second Floor Demolition Plan
- 128-HAL-DR-A-DEM-100 Roof Demolition Plan
- 128-HAL-DR-A-GAP-099 Proposed Basement Plan
- 128-HAL-DR-A-GAP-100 Proposed Ground Floor Plan
- 128-HAL-DR-A-GAP-101 R01 Proposed First Floor Plan
- 128-HAL-DR-A-GAP-102 Proposed Floor Plans, Levels 02 - 05
- 128-HAL-DR-A-GAP-106 Proposed Floor Plans, Levels 06 - 15
- 128-HAL-DR-A-GAP-116 Proposed Floor Plans, Levels 16 - 17
- 128-HAL-DR-A-GAP-118 Proposed Floor Plan, Level 18
- 128-HAL-DR-A-GAP-119 Proposed Roof Plan (19)
- 128-HAL-DR-A-GAE-301 Proposed North Elevation
- 128-HAL-DR-A-GAE-302 Proposed East Elevation
- 128-HAL-DR-A-GAE-303 Proposed South Elevation
- 128-HAL-DR-A-GAE-304 Proposed West Elevation
- 128-HAL-DR-A-GAS-501 Proposed Section A - A
- 128-HAL-DR-A-GAS-502 Proposed Section B - B
- 128-HAL-DR-A-GAE-701 Proposed Typical Bay Details - Levels 00 - 01
- 128-HAL-DR-A-GAE-702 Proposed Typical Bay Details - Levels 03 - 04
- 128-HAL-DR-A-GAE-703 Proposed Typical Bay Details - Levels 16 - 17
- 128-HAL-DR-A-GAE-704 Proposed Yard Details - Levels 00 - 01
- 128-HAL-DR-A-DET-501 Typical Sketch Details Sheet 01
- 128-HAL-DR-A-DET-502 Typical Sketch Details Sheet 02
- 19094-003A Proposed Loading Bay in Station Approach

### Documents

- Design & Access Statement prepared HAL Architects
- Heritage Statement prepared Heritage Collective

- Townscape, Visual Impact and Heritage Assessment prepared PSCPA
- Transport Assessment in TfL Healthy Streets TA prepared Pulsar
- Travel Plans prepared Pulsar
- Outline Construction Logistics Plan (in line with TfL guidance) prepared Pulsar
- Waste Management Plan prepared Pulsar
- Delivery and Servicing Plan prepared Pulsar
- Parking Management Plan prepared Pulsar
- Energy Statement prepared Twin + Earth
- Sustainability Statement prepared Twin + Earth
- Circular Economy Statement prepared Twin + Earth
- Whole Life Carbon Statement prepared Twin + Earth
- Sunlight, Daylight and Overshadowing Report prepared Waldrams
- Landscaping Strategy prepared Studio Huw
- Fire Statement prepared Hoare Lea
- Surface Water Drainage Assessment prepared Elliot Wood
- Noise and Vibration Impact Assessment prepared Noise Consultants
- Air Quality Assessment prepared AQC
- Biodiversity Report including Habitat Regulations Assessment (HRA) - including Suitable Alternative Natural Greenspace Strategy (SANGS) including details of Epping Forest SAC mitigation, Waterman
- Statement of Community Involvement, Development Intelligence
- Financial Viability Assessment prepared DS2
- Wind Assessment prepared Windtech
- Planning Statement prepared DP9

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

### **Materials**

3. Prior to commencement of each phase of the development hereby permitted, and notwithstanding any indications shown on the submitted plans, samples and a schedule of materials to be used in the external surfaces of that relevant part of the development (including balconies) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained as such for the lifetime of the development.

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

### **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 units and any signage displayed shall accord with the approved strategy 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 Policy DM28 of the Waltham Forest Local Plan Development Management Policies (2013).

5. Prior to completion of the development, a Retail and Commercial Space Strategy to be submitted to and approved in writing by the LPA at least six months prior to occupation of any part of the commercial element. The Agreement requires the developer to submit the Strategy at least four months prior to the commencement of marketing the units and not to occupy the units until the Strategy has been approved;

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 Policy DM28 of the Waltham Forest Local Plan Development Management Policies (2013).

### **Highways and Parking**

6. Prior to the commencement of the development hereby approved, a Code of Construction Conduct (Construction Environmental Management Plan) and a Demolition and Construction Method Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. Construction of the development shall only take place in accordance with the agreed code of conduct for that development, which shall comprise:
  - a) A Construction Method Statement;
  - b) Measures to minimise the impact of construction activities;
  - c) Details of construction lighting together with measures to minimise light pollution from construction lights;
  - d) Identification of areas intended for the placing of contractor's accommodation, open storage and employee vehicle parking;
  - e) Details of site security; and
  - f) Utilities Statement.

The development shall be implemented in accordance with the approved details.

REASON: In the interests of highway and pedestrian safety in accordance with Policies CS7 and CS15 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM14, DM15 and DM32 of the Waltham Forest Local Plan Development Management Policies (2013).

7. Prior to the commencement of the development hereby approved, a full Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority, which include inter alia:
  - Journey planning, highlighting access routes;
  - Method of access and parking of construction vehicles;
  - Measures to prevent deposition of mud on the highway;
  - Dust mitigation and suppression measures to control the spread of dust from demolition, disposal and construction;
  - Site operation times; and
  - Loading and unloading locations, taking into consideration existing parking restrictions.

The development shall be implemented in accordance with the approved details.

8. Prior to first occupation of any part of the development hereby permitted, details of emergency evacuation procedures for both the residential and non-residential uses shall be submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be implemented for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

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).

9. Prior to the commencement of development, a Photographic Site 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 survey shall then be carried out in accordance with the approved timescales contained within the approved specification and 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).

10. Prior to commencement of development 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 agreed facilities shall be fully implemented prior to occupation of that relevant phase of the development 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).

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

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



12. No development shall take place until a Stage 2 Road Safety Audit of the approved road layout is commissioned and a 'Road Safety Audit Response Report' is submitted to and approved in writing by the Local Planning Authority detailing how the recommendations of the audit have been addressed

REASON: In the interest of highway safety, in compliance with Policies CS6, CS7, 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).

13. The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) 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), have been submitted to and approved in writing by the local planning authority which:

- provide demolition and construction details on all structures;
- accommodate the location of the existing London Underground structures and tunnels- provide details on loading and unloading on LU Victoria line tube tunnels;
- accommodate ground movement arising from the construction thereof
- and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels- The developer will also need to come to some sort of legal agreement with LU for indemnity against any claim on LU as a result of our running and maintaining a safe railway in regard to any noise and vibration emanating from our infrastructure and assets which may impact on them; and
- provide details on the use of tall plant

14. 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 building hereby permitted is occupied.

REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with Policy T3 of the London Plan 2021, London Plan and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

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

REASON: To ensure that the development does not impact on existing underground sewerage utility infrastructure in accordance with Policies SI5 and T3 of the London

Plan 2021 and London Plan and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

### **Air Quality and Noise**

16. Prior to commencement of development, an Air Quality Assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. The development shall be at least 'Air Quality Neutral' and an Air Quality Neutral Assessment for both buildings and transport shall be included in the report. The assessment shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process and London Atmospheric Emissions Inventory. The report shall include all calculations and baseline data and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

REASON: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy 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).

17. No demolition or 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. As 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 and continuous PM10 monitoring should be carried out on site. Baseline monitoring should commence before the commencement of works and continue throughout all construction phases. Details of the equipment to be used, its positioning, additional mitigation to be employed during high pollution episodes and a proposed alert system should be submitted to the Council for approval.

REASON: To manage and 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 to accord with Policies 5.3 and 7.14 of the London Plan (2016) and the London Plan SPG for Sustainable Design and Construction and Control of Dust and Emissions during Construction and Demolition.

18. Within the proposed residential units (with the windows closed) the following internal noise levels shall be achieved; 35dB(A) Leq 16 hours 07.00hrs -23.00hrs in Living rooms, while 30dB(A) Leq 8 hours in Bedrooms and no individual noise event to exceed 45dB(A) max (measured with F time weighting) 23.00hrs - 07.00hrs.

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).

19. 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 BS4142: 2014 Method for rating industrial noise affecting mixed residential and industrial areas.

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).

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

REASON: To ensure that air quality is not adversely affected by the development in accordance with Policy 7.14 of the London Plan (2016).

#### **Hours of Operation**

21. Prior to first occupation of any part of the non-residential development, details of hours of operation shall be submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be retained unless otherwise agreed in writing by the Local Planning Authority

REASON: To protect the amenities of adjoining occupiers 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).

22. No deliveries shall be taken to, or despatched from, the site other than between the hours of 08.00 and 23.00 Mondays to Saturdays, and at no time on Sundays, Bank Holidays or Public Holidays.

REASON: To safeguard the amenities of neighbouring residential properties, 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).

#### **Asbestos**

23. The developer must either submit evidence that the site building(s) were built post 2000 or provide an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by appropriate mitigation scheme to control risks to future occupiers. The scheme must be written by a suitably qualified person and submitted to the Local Planning Authority for approval, before commencement. The scheme as submitted shall demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed use. Detailed working methods are not required but

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

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).

### **Contaminated Land**

24. Prior to commencement of construction works, a scheme including the following components (where applicable) to address the risk associated with site contamination shall be submitted to and approved in writing by the Local Planning Authority (LPA).
- A Desk Study report including a preliminary risk assessment and conceptual site model.
  - A ground investigation based on the findings of the Desk Study Report to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - The results of the investigation and revised risk assessment and based on these, in the event that remediation measures are identified necessary a remediation strategy shall be submitted giving full details of the remediation measures required and how they will be undertaken.
  - 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 approved 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 Waltham Forest Local Plan Core Strategy (2012) and Policies DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

25. No development shall be occupied until confirmation has been provided that either:- all surface water network upgrades required to accommodate the additional flows from the development have been completed; or - a development and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site in accordance with the

NPPF (2019) and Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012).

26. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

REASON: To ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development accordance with the NPPF (2019) and Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012).

27. No infiltration of surface water drainage into the ground is permitted, and the development hereby permitted may not commence, until a Construction Management Plan in respect to surface water drainage, has been 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 that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site in accordance with the NPPF (2019) and Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012).

### **Landscaping**

28. Prior to the first occupation of the development and no later than the public realm works, details of a scheme of hard and soft landscape works including green and brown roofs, tree removal and trees to be replaced shall be submitted to and approved in writing by the Local Planning Authority. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities within a planting schedule, also the method of planting including soil composition, tying and staking, a maintenance care regime including mulching and watering. The development shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.

REASON: To ensure a satisfactory appearance and in the interest of local amenity and biodiversity in accordance with Policies CS15 of the Waltham Forest Local Plan Core Strategy (2012), and Policies DM23, DM32, DM35 of the Waltham Forest Local Plan Development Management Policies (2013).

29. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out not later than the first planting and seeding seasons prior to the first occupation of any of the residential units, or the completion of the development, whichever is the sooner. Any new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a

similar size and species, unless the Local Planning Authority agrees any variation in writing.

REASON: To ensure a satisfactory appearance and in the interest of local amenity and biodiversity in accordance with Policy CS15 of the Waltham Forest Local Plan Core Strategy (2012), and Policies DM23, DM32, DM35 of the Waltham Forest Local Plan Development Management Policies (2013).

30. All trees shall be planted in accordance with the details and times stated in the specification and in accordance with British Standard BS4043 - *Transplanting Root-balled Trees* and BS4428 - *Code of Practice for General*.

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

31. Prior to first occupation of the development hereby permitted, details of habitat improvement throughout each phase shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the number and type of habitat boxes proposed for birds, bats, invertebrates and hedgehogs both as standalone units and as a feature of the built element, e.g. swift bricks. The details as approved shall be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

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

### **Waste Management**

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

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

### **Water Reduction**

33. The proposed residential part of the development shall meet a target water use of 105 litres or less per person, per day, and shall be constructed in accordance with the approved scheme and thereafter retained as such for the lifetime of the development.

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

### **Surface Water Drainage**

34. 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 any building and thereafter maintained in accordance with the agreed details for the lifetime of the development.

REASON: To prevent the increased risk of flooding, both on- and off-site and to ensure that adequate drainage facilities are provided in accordance with policies CS4 and CS15 of the Waltham Forest Local Plan - WFLP Core Strategy (2012) and Policy DM34 of the Waltham Forest Local Plan – Development Management Policies (2013).

35. Prior to the commencement of development, full specifications of a surface water drainage system based on sustainable drainage principles shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to first occupation of any part of the development and retained as such for the lifetime of the development.

### **Safety and Security**

36. Prior to first occupation of the relevant phase of the development, details of any form of external illumination and / or external lighting on the buildings and around the site including the Town Square and any street lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of that relevant phase of the development 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).

37. Prior to first occupation of any part of the development hereby permitted, the development shall seek to achieve a Certificate of Compliance to the relevant Secured by Design Guide(s) or alternatively achieve Crime Prevention Standards, details which 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 shall be fully retained and maintained 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**

38. 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 Policies DM7 and DM9 of the Waltham Forest Local Plan Development Management Policies (2013).

39. 7 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'. Circulation areas with M4(3) dwellings will be built in full accordance with Part M4(3), as referred to in publication London Plan para 3.7.2. This includes the entrance and circulation area doors which will have to be fully compliant with the relevant sections of Approved Document M. Details which are to be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. All wheelchair user dwellings must provide sufficient footprint and drawings must demonstrate that they can achieve a fully accessible layout.

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

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

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

41. Prior to commencement of development, notwithstanding site investigation and clearance works, demolition and construction to slab level, details relating to the entrances, including gates, entry control system, display of postal numbers and position of letter box facilities shall be submitted to and agreed in writing by the Local Planning Authority. The agreed measures shall be fully implemented prior to first occupation of the development and thereafter maintained for the lifetime of the development.

REASON: In the interest of security and sustainable development, in compliance with Policies CS15 and CS16 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM13, DM14, DM29 and DM33 of the Waltham Forest Local Plan Development Management Policies (2013).

42. 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 interests of the sustainability and energy efficiency of the development and to meet the requirements of policy 5.2 of the London Plan (2015). 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).

### **Archaeology**

43. No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

REASON: In order to protect historic assets of Archaeological interest that may be present on site, which the Local Planning Authority seeks to ensure investigated and conserved, in compliance with Policy CS12 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM28 of the Waltham Forest Local Plan Development Management Policies (2013).

44. Pursuant to the previous planning condition, if heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the Local Planning Authority in writing. For land that is included within the stage 2 WSI, no demolition / development shall take place other than in accordance with the agreed stage 2 WSI which shall include:
- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
  - B. Where Appropriate, details of a programme for delivering related positive public benefits.
  - C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

REASON: In order to protect historic assets of Archaeological interest that may be present on site, which the Local Planning Authority seeks to ensure investigated and conserved, in compliance with Policy CS12 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM28 of the Waltham Forest Local Plan Development Management Policies (2013).

### **Commercial**

45. Prior to first occupation of any of the non-residential components, details of the amount of floorspace per use class across the site shall be submitted to and approved in writing by the Local Planning Authority. Such details as approved shall

be implemented in accordance with the approved plans and shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the scheme is delivered as proposed in accordance with Policies 3.5 and 7.3 of the London Plan (2016), Policies CS15 and CS16 of the Waltham Forest Local Plan Core Strategy (2012) and Policies DM29, DM32 and DM33 of the Waltham Forest Local Plan Development Management Policies (2013).

### **Wayfinding strategy**

46. Prior to practical completion, a wayfinding strategy prepared in accordance with the Enjoy Waltham Forest: Cycle Wayfinding Planning Guidelines (March 2017) will be submitted to and approved in writing by the Local Planning Authority in conjunction with Highways and the Enjoy Waltham Forest team. All wayfinding will be paid for by the developer whether on private land or on public highway. Wayfinding on public highway will form part of the S278 and S38 agreements.

REASON: To ensure the safe movement of pedestrians and cyclists in accordance with WFLP CS7, CS13, and Policy DM14 of Waltham Forest Local Plan Development Management Policies (2013).

### **Energy and Sustainability**

47. Prior to first occupation of any part of the development hereby permitted, a report demonstrating how the scheme (residential and non-residential) 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 including the provision of SAP2012 figures. The report shall reference the measures set out in the Energy Statement accompanying the planning application but shall explain what measures have been implemented in the construction of the development. The development and energy efficiency measures shall thereafter be retained for the lifetime of the development.

REASON: In the interests of the sustainability and energy efficiency of the development and to meet the requirements of Policy 5.2 of the London Plan (2016) and Policy DM10 of the Waltham Forest Waltham Forest Local Plan Development Management Policies (2013).

### **Energy and Sustainability:**

48. Prior to occupation of the development, the energy efficiency measures/features and renewable energy technologies [solar PV and Air Source Heat Pumps], which shall provide for no less than 35% on-site CO<sub>2</sub> reduction as detailed within the final approved Energy Strategy, shall be installed and operational.
- a) Details of the air source heat pump technologies shall be submitted to and approved in writing by the Local Planning Authority prior to practical completion of the development. The details shall include:
  - b) The resulting scheme, together with any flue/stack details, machinery/apparatus location, specification and operational details;
  - c) A management plan and maintenance strategy/schedule for the operation of the technologies;

- d) A servicing plan including times, location, frequency, method (and any other details the Local Planning Authority deems necessary);
- e) Investigation of whether heat pump systems in the commercial element and the wider development can be integrated, in order to allow reuse of waste heat from cooling in the commercial element to serve the wider development;
- f) Further investigation of the heat pump specification and performance, with a particular emphasis on the potential to increase the percentage contribution of the heat pumps.

The energy efficiency measures/features and renewable energy technology(s) shall be provided/carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

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) and Policy DM10 of the Waltham Forest Local Plan Development Management Policies (2013).

### **Connection Ready**

49. Prior to the commencement of the development on site, details of the specific measures to be adopted to achieve at least a 35% reduction in carbon emissions over the 2013 Building Regulations, including a revised Energy Strategy, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the GLA.

Any revised Energy Strategy should include:

- a) A full feasibility assessment of the potential for construction of an enlarged energy centre at the development, offering the potential to supply heat to a wider district heat network and to serve other sites in the vicinity;
- b) Details of any central energy centre & heat network including, but not limited to any heat pumps to be installed at the premises.
- c) Evidence of how the development will be 'connection ready' for future connection to a District Heating System serving the local area or for extension of any network hereby approved to serve other developments in the vicinity."

REASON: In the interests of the sustainability and energy efficiency of the development and to meet the requirements of policy 5.2 of the London Plan (2015). 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).

50. The commercial floorspace hereby permitted shall be constructed to achieve not less than BREEAM 'Very Good' in accordance with the submitted Energy Report (or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme). The commercial floorspace shall not be occupied until formal certification has been issued confirming that not less than 'Very Good' has been achieved and this certification has been submitted to and approved in writing by the Local Planning Authority.

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) and Policy DM10 of the Waltham Forest Local Plan Development Management Policies (2013).

### **Boundary Treatment**

51. Prior to first occupation of the relevant phase of development, details relating to the siting, design and height and finish of all new walls, gates, fencing, railings and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out solely in accordance with the approved details, prior to the first occupation of the relevant part of the development 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 in accordance with 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).

### **Circular Economy Statement**

52. Prior to the occupation [of any phase / building/ development], a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the GLA's Circular Economy Statement Guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.
53. REASON: To demonstrate how the development would reduce waste and support the circular economy in accordance with Policy SI 7 of the London Plan (2021).

### **Whole Life Carbon**

54. Prior to the occupation of each building the post-construction tab of the GLA's whole life carbon assessment template should be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the relevant building.

REASON: In the interests of sustainable development and to maximise on-site carbon dioxide savings in accordance with Policies SI2 and SI7 of the London Plan (2021).

### **Fire Statement**

55. Prior to first occupation of the relevant phase of development, an updated Fire Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement should detail how the development will function in terms of:
- The building's construction: methods, products and materials used.
  - The means of escape for all building users: stair cores, escape for building users who are disabled or require level access, and the associated management plan approach.
  - Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these.
  - How provision will be made within the site to enable fire appliances to gain access to the building. The development shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.

REASON: In order to protect the living conditions and safety and security of the occupants in line with Policy D12 of the London Plan (2021).

56. Prior to commencement for each building details shall be submitted to and approved in writing by the local planning authority demonstrating that a minimum of at least one lift per core (or more subject to capacity assessments) will be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building. The development shall be carried out in accordance with these details and maintained as such in perpetuity.

REASON: In order to protect the living conditions and safety and security of the occupants in line with Policy D12 of the London Plan (2021).

### **Digital Connectivity**

57. Prior to commencement of each building detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans and maintained as such in perpetuity.

REASON: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness in accordance with Policy SI6 of the London Plan (2021).

### **Blinds**

58. No development shall take place until internal blind details for specified residential units have been submitted to and approved in writing by the local planning authority. The blinds shall thereafter be retained, operated and maintained as approved.

REASON: To order to ensure any overheating would be minimised and to explore any other approaches to minimise overheating in accordance with Policy CS4 of the

Waltham Forest Local Plan Core Strategy (2012) and Policy DM10 of the Waltham Forest Local Plan Development Management Policies (2013).

**The 'YARD' Access**

59. The Yard passageway hereby permitted shall be laid out and implemented in accordance with the approved plans and shall remain open to the public between the hours of 8:00 and 20:00 hours Mondays to Sundays.

REASON: To encourages sustainable active travel and inclusive and mixed communities in accordance with Policies DM13, DM14 and DM17 of the Waltham Forest Local Plan Development Management Policies (2013), Policies 6.1 and 7.2 of the London Plan (2016), Policy T1 of the Publication London Plan (2020), Policy CS7 of the Waltham Forest Local Plan Core Strategy (2012).

## **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 is to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
4. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via:  
[www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).
5. The submitted Construction and Demolition Method Statement shall include details of:
  - Site hoarding;
  - Wheel washing;
  - Dust suppression methods and kit to be used;
  - Bonfire policy;
  - Confirmation that all Non-Road Mobile Machinery (NRMM) comply with the Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999;
  - Confirmation if a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation;
  - Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors; and
  - Copy of an Asbestos Survey.
6. For information on the NRMM Low Emission Zone requirements and to register NRMM, visit <http://nrmm.london/>.

7. The AQDMP can form part of the Construction Environmental Management Plan (CEMP). The AQDMP shall include the following for each relevant phase of work (demolition, earthworks, construction and trackout):
  - A summary of work to be carried out;
  - 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;
  - Inventory and timetable of all dust and NOx air pollutant generating activities;
  - List of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment;
  - Details of any fuel stored on-site;
  - Details of a trained and responsible person on-site for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions);
  - Summary of monitoring protocols and agreed procedure of notification to the local authority; and
  - 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.
8. 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.
9. The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation and construction methods;

*This response is made as Railway Infrastructure Manager under the "Town and Country Planning (Development Management Procedure) Order 2015". It therefore relates only to railway engineering and safety matters. Other parts of TfL may have other comments in line with their own statutory responsibilities.*

10. The application is subject to both the Mayoral and the Waltham Forest Council Community Infrastructure Levy.
11. 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 Council's Street Naming / Numbering Officer.
12. The proposed development is located within 15m of Thames Water's underground assets. As such, the development could cause the assets to fail if appropriate measures are not taken. Please read the guide '*working near our assets*' to ensure works are in line with the necessary processes that should be followed if it is considered working above or near Thames Water Pipes or other structures.  
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>



13. Infiltration of surface water has the potential to mobilise contamination present within the soil. Where the proposal involves the discharge of anything other than clean roof water via sealed drainage, within sensitive groundwater locations, a risk assessment and suitable level of treatment may be required. In certain circumstances, the discharge may be classified as a groundwater activity and require an environmental permit.
14. If the intention is to complete tree work between the 1st March & 31st July (inclusive), a due diligence check for nesting birds must be completed before work starts in order to comply with the Wildlife & Countryside Act 1981. Arborists should record such checks in their site specific Risk assessment. If active nests are found, work should not take place until the young have fledged.
15. The applicant must seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via [docomailbox.ne@met.police.uk](mailto:docomailbox.ne@met.police.uk) or 0208 217 3813.
16. Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
17. As per Building regulations part H paragraph 2.21, drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Please refer to the website for further information: [www.thameswater.co.uk/help](http://www.thameswater.co.uk/help)
18. There are public sewers crossing or close to your development. If there will be significant work near Thames Water sewers, it is important that you minimise the risk of damage. Thames Water will need to check that your development does not limit repair or maintenance activities or inhibit the services they provide in any other way. The applicant is advised to read Thames Water's guide on working near or diverting their pipes.  
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.
19. The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday,

8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

20. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read Thames Water's guide on working near or diverting their pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

21. The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Read Thames Water's guide '*working near our assets*' to ensure your workings are in line with the necessary processes you need to follow if the applicant is considering working above or near Thames Water pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Should you require further information, please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)