

**LONDON BOROUGH OF WALTHAM FOREST
MINUTES OF THE PLANNING COMMITTEE**

05 April 2022 at 7.03 pm

PRESENT:

Chair: Councillor Jenny Gray

Vice-Chair: Councillor Sally Littlejohn

Committee Members: Councillors Keith Rayner, Alan Siggers and Steve Terry

Officers in Attendance:

Justin Carr Assistant Director - Development Management and Building Control

Mahnaz Chowdhery Interim Planning Manager

Sonia Malcolm Deputy Planning Manager

Navil Rahman Planning Officer

Joanna West Senior Planning Lawyer

Perminder Purewal Democratic Services Officer

302. APOLOGIES FOR ABSENCE AND SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Marie Pye.
Councillor Steve Terry attended as a substitute member.

303. DECLARATIONS OF INTEREST

There were no declarations of interest.

304. MINUTES OF THE PREVIOUS MEETINGS

The minutes of the meetings held on 1 March January 2022 and 7 March 2022 were agreed by the Committee.

305. DEVELOPMENT MANAGEMENT

The Committee considered applications for planning permission received by the Assistant Director – Development Management & Building Control under the Town and Country Planning Act 1990 and took into account the oral representations made by members of the public and applicants and their agents.

The update report of the Assistant Director – Development Management & Building Control was noted in accordance with the urgency provisions of Section 100 B (4) of the Local Government Act 1972 to ensure that Members had before them all the relevant facts and information about the planning applications set out in the agenda.

The Committee resolved that, in the event of recommendations being amended at the meeting in light of debate, or other representations made by members of the public, applicants or their agents, the task of formalising the wording of conditions and/or reasons for refusal is to be delegated to the Assistant Director – Development Management & Building Control.

306. 83 WHITEHALL ROAD, CHINGFORD, E4 6DN (213212)

RESOLVED:

That planning permission be granted, in line with the recommendations, conditions, reasons and informatives as set out in the committee report for application 213212 for demolition of existing two bungalows (Use Class C3) and construction of a four-storey building to provide 8 residential units (6 x 2-bed and 2 x 3-bed) (Use Class C3) with hard and soft landscaping, provision of car parking, bicycle parking and refuse/recycling facilities subject to the conditions and informatives detailed in the committee report and completion of a Section 106 Agreement with the following Heads of Terms:

- £8000 requested toward improving sustainable modes of transport including walking and cycling in the site's vicinity which will directly benefit new residents in this development.
- £4000 towards future CPZ consultation and implementation
- £500 towards CLP monitoring
- S278 agreement related but not limited to:
 - Renewal of the footway on both frontages on Whitehall Road and Courtland Avenue
 - Removal of the existing crossover on Courtland Avenue
 - Construction of a dropped kerb for refuse use on Courtland Avenue
- A financial contribution towards the Council's Carbon Offset fund in the event the development fails to meet a 35% reduction in carbon emissions over the 2013 Building Regulations and 10% Be Lean carbon savings compared to a Part L 2013 baseline.

Legal Fees:

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

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 Section 106 Agreement and to agree any minor amendments to the conditions or the Section 106 Agreement on the terms set out above.

In the event that the Section 106 Agreement is not completed within 12 weeks following the date of Planning Committee, the Assistant Director of Development Management and Building Control is hereby authorised to refuse the application, if appropriate. In the absence of this Section 106 Agreement, the proposed development would not be able to deliver the residential development on the site. The implication of this happening is that the opportunity for securing the additional housing would be lost. Additionally, financial contributions would be lost towards transport related matters which must be secured by the Section 106 Agreement.

307. LAND AT SIDE OF 17-20 TUDOR COURT, WALTHAMSTOW, E17 8ET (202288)

The Committee expressed concerns about the flood risk activity permit and asked that the informative regarding the flood risk (number 11 of the Committee report) becomes a condition. They also asked that an informative be added about gaining a right of access over the privately owned land.

RESOLVED:

That, subject to the amended conditions and informatives detailed below, planning permission be granted, in line with the recommendations, conditions, reasons and informatives as set out in the committee report for application 202288 for construction of a two storey, 3 bedroom dwellinghouse with a lower ground floor. Associated works to include cycle storage, refuse & recycling storage subject to the conditions and informatives detailed in the committee report and completion of a Section 106 Agreement with the following Heads of Terms:

- Car Free Development – With the exception of Blue Badge holders, the development is to be classified as car-free and new residents will not be eligible for parking permits.
- Condition Survey – a highway condition survey to assess the condition of highways before and after construction.
- Legal Fees – Payment of the Council's legal fees for preparation and completion of the Legal Agreement.

Additional Condition 14

Prior to the commencement of the development a Flood Risk Activity Permit as required by the Environmental Permitted (England and Wales) Regulations 2016 shall be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

The required permit shall be submitted to the Local Planning Authority before development commences in site.

Reason – To ensure compliance with the requirements of the Environment Agency and to prevent any increased risk of flooding, both on- and off-site are provided in accordance with Policies CS4 and CS15 of the adopted Waltham Forest Local Plan - Core Strategy (2012) and Policy DM34 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Revised informative no.11

11. Flood Risk Activity Permit: For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact

our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and is advised to consult with the Environment Agency at the earliest opportunity.

New informative no.12

12. It is the developers responsibility to ensure that the necessary approvals and permissions are sought and granted for access across private land prior to the commencement of any development on the site and in perpetuity for the future occupiers of the development.

It is also recommended that authority be given to the Assistant Director of Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the s106 Agreement and to agree any minor amendments to the conditions or the s106 Agreement on the terms set out above.

In the event that the S106 agreement is not completed within three months following committee, the Assistant Director of Development Management and Building Control would be authorised to refuse the application.

308. PUBLIC SPEAKERS

4.1	213212 83-85 Whitehall Road, Chingford, E4 6DN	Ken Jones (Statement read out)
4.2	202288 Land At Side Of 17-20 Tudor Court, Walthamstow, E17 8ET	Emma Gordon} (Joint Statement Mary Cartwright} Read out) Francis Myers

309. VOTE OF THANKS

The Chair noted that this was the Committee's last meeting of the municipal year and indeed the current Administration. She thanked Members for their contributions and dedication and gave particular thanks to Cllr Siggers as this was his last meeting before standing down as a Councillor. She put on record the Committee's gratitude for the contribution of all officers in support of their work, assistance and advice.

In reply, Councillor Siggers stated it had been a privilege to serve the Council for the last 19 years and was proud to have been of a member Planning Committee.

The Vice-Chair, Cllr Sally Littlejohn thanked the Chair for all her hard work over the last four years.

The meeting closed at 8.27 pm

Chair's Signature _____

Date _____