

LONDON BOROUGH OF WALTHAM FOREST MINUTES OF THE PLANNING COMMITTEE

18 July 2022 at 7.04 pm

PRESENT:

Chair: Councillor Jenny Gray

Vice-Chair: Councillor Sebastian Salek

Committee Members: Councillors Kira Lewis, John Moss and Keith Rayner

Officers in Attendance:

Justin Carr	Assistant Director – Development Management & Building Control
Teodora Dimitrova	Planning Officer
Christopher Foxton	Democratic Services Officer
Philip Freeman-Bentley	Principal Planning Officer
Lauren Kimpton	Planning Officer
Stanley Lau	Planning Manager
Sonia Malcolm	Deputy Planning Manager
Ian Rae	Corporate Director – Regeneration, Planning & Delivery
Rebecca Smith	Planning Manager
Joanna West	Planning Lawyer

11. APOLOGIES FOR ABSENCE AND SUBSTITUTE MEMBERS

All Committee members were present.

12. DECLARATIONS OF INTEREST

None.

13. MINUTES OF THE PREVIOUS MEETING

Cllr Moss asked that the minutes be amended to record that at the start of the meeting he had asked a question to Assistant Director – Development Management & Building Control about what status should be given to the emerging plan following correspondence received from the planning inspector. The Assistant Director stated limited weight should be given, in accordance with NPPF guidance as the local plan is at examination stage.

With that inclusion, the minutes of the meeting held on the 14 June 2022 were agreed by the Committee.

14. 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.

15. MARLOWE ROAD ESTATE, MARLOWE ROAD, WALTHAMSTOW, E17 (213611)

The Committee expressed concerns about number of units being marketed that could be converted to meet accessibility requirements, including the number that would be converted upon completion of the scheme. The Committee asked the Assistant Director of Development Management and Building Control to amend the Heads of Terms to reflect that the requirement that wheelchair user dwellings were exclusively marketed for 12 months, rather than 8 months.).

RESOLVED:

That planning permission be GRANTED in line with the recommendations, conditions, reasons and informatives as set out in the committee report and update report in relation to application 213611 for the part redevelopment of the Marlowe Road Estate comprising the demolition of existing buildings and site clearance, construction of 258 homes (use class C3) in two and three storey detached and terraced houses and seven blocks of flats ranging in height from three to eight storeys, and provision of disabled persons car parking, hard and soft landscaping, and associated works subject to the conditions and informatives detailed in the committee report and update report and completion of a Section 106 Agreement with the following Heads of Terms:

Procedural:

- A covenant that, following implementation of any planning permission for the proposed development, no further work under planning permission reference 151652 would be carried out, insofar as it relates to the area inside the former's site boundary.

Affordable homes:

- The delivery of 43% (by unit) / 45% (by habitable room) of homes as affordable.
- The delivery of 58% (by unit and habitable room) of affordable homes in social rent tenure.
- The delivery of 42% (by unit and habitable room) of affordable homes in London Shared Ownership tenure.
- An early-stage viability review mechanism.
- A late-stage viability review mechanism.

Accessibility:

- A wheelchair user dwellings marketing strategy.
- The requirement for all wheelchair user dwellings to be exclusively marketed as such for a minimum period of 12 months.

Architecture:

- The ongoing involvement of Stitch to monitor design quality through to the completion of the proposed development.

Transport:

- A Travel Plan.
- A financial contribution of £4,000 towards Travel Plan monitoring.
- A financial contribution of £10,000 towards the Council's Active Travel Behaviour Change initiatives.
- A financial contribution of £5,000 towards cycling parking infrastructure in the surrounding area.
- The requirement for the applicant to provide future residents with car club membership for three years.
- A financial contribution of £ 39,504 towards the provision of two cargo bikes for hire for two years in the Wood Street area.
- A further financial contribution of £19,752 towards the provision of one cargo bike for hire for two years in the Wood Street area.
- The requirement for the applicant to enter into a legal agreement under section 38 of the Highways Act 1980 (as amended) in relation to the new areas of road to be offered up for adoption as part of the public highway network.
- The requirement for the applicant to enter into a legal agreement under section 278 of the Highways Act 1980 (as amended) for works to the surrounding public highway network.
- The requirement for the development to be "car free" except for disabled persons car parking.
- A financial contribution of £7,500 towards Construction Logistics Plan (CLP) monitoring.

Air quality:

- A financial contribution of £19,752 towards the provision of one cargo bike for hire for two years in the Wood Street area

Energy efficiency and carbon reductions:

- A financial contribution of £328,638 towards a carbon offset fund.

- Connection to the Wood Street South / Marlowe Road District Heating Network (DHN).
- An updated Energy Statement.
- Measures to secure post-construction monitoring ("Be Seen").

Epping Forest:

- A financial contribution of £14,600 towards Strategic Access Management and Monitoring (SAMM).
- A financial contribution of £76,650 towards Suitable Alternative Natural Greenspaces (SANG).

Training, employment, and business:

- An Employment and Skills Plan.
- The provision of 31 apprentice posts for local residents in the construction trade during the construction phase of the development.
- The provision of seven work placements for local residents in the construction trade during the construction phase of the development.
- Measures to encourage applications for jobs during the construction phase of the development from local residents, with a target of offering 30% of all such jobs to local residents.
- Alternative financial contributions in the event of non-compliance with the recommended apprentice post, work placement, and jobs planning obligations.
- Measures to ensure that all suppliers during the construction phase of development are local to the London Borough of Waltham Forest, with a minimum of 20% being local suppliers, and including attendance at four "Meet the Buyer" events.
- The provision of monitoring information in relation to training and employment planning obligations.

S106 preparation, completion, implementation, monitoring, and compliance:

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

The Committee also resolved;

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 and to agree any minor amendments to the conditions, informatives, and/or the S106 heads of terms.

If the S106 is not completed within a reasonable timeframe following the date of Planning Committee, that the Assistant Director of Development Management and Building Control is hereby authorised to refuse this application, if appropriate, in consultation with the Planning Committee Chair. In the absence of the S106 the proposed development would not be able to secure the provision of compatibility with

the extant planning permission scheme; affordable homes; accessible homes; high quality design; appropriate transport mitigation; air quality mitigation; energy efficiency and carbon reductions; acceptable impacts on Epping Forest; and local training, employment, and business opportunities.

In addition, in order to make any subsequent changes to the conditions and/or S106 associated with planning permission reference 151652 required as a result of planning permission being granted for the proposed development, that authority be given to the Assistant Director of Development Management and Building Control, in consultation with the Council's Legal Services, for the agreement of any application(s) pursuant to Sections 73 and/or 96A of the Town and Country Planning Act 1900 (as amended) (TCPA) and/or Deed of Variation.

The Committee agreed to vary the agenda to take **Agenda Item 4.3 – 694 High Road Leytonstone, Leytonstone, E11 3AA (213834)** as the next item.

The Committee adjourned for a break at 20:56

16. 694 HIGH ROAD LEYTONSTONE, LEYTONSTONE, E11 3AA (213834)

The Committee reconvened at 21:05.

The Committee expressed concern that the impact of the proposed development on the adjacent grade 2 listed terrace had not appropriately been considered as part of the application and had failed to appropriately consider clauses 194 and 195 of the National Planning Policy Framework. They also felt the proposed development failed to provide any amenity space for any of the self-contained units or provide any communal space for the units to access.

RESOLVED:

Planning permission was REFUSED for application 213834, contrary to the recommendation set out in the report for the construction of roof extension to create additional two floors to provide 4 residential self-contained units comprised of (4 x 2-bedrooms) (Use Class C3). The Assistant Director stated limited weight should be given, in accordance with NPPF guidance as the local plan is at examination stage.

Reasons for Refusal:

1. The proposed development, by reason of its design, position and building height and form, would be an inappropriate and unbalanced development, which is out of keeping with the character of the immediate street scene, to the detriment of, and the setting of, the adjacent Grade II Listed three storey Georgian terrace (694a, 696a and 698a). As such, the proposal would be contrary to policies CS2, CS12, CS13 and CS15 of the Waltham Forest Local Plan – Core Strategy (2012), Policies DM28 and DM29 of the Waltham Forest Local Plan – Development Management Policies

(2013), and paragraphs 194 and 195 of National Planning Policy Framework (NPPF).

2. In the absence of any form of useable outdoor private amenity space, the proposed two-storey extension for the provision of four residential units would result in a substandard level of accommodation for future occupiers. As such, the public benefits from the substandard accommodation would fail to outweigh the less than substantial harm the development would have on the adjacent Grade II Listed terrace, and the impact on the host building, being a non-designated heritage asset. As such, the proposal would be contrary to Policy D6 of the London Plan 2021, Policies CS2, CS12, CS13 and CS15 of the Waltham Forest Local Plan – Core Strategy (2012), Policies DM7, DM28 and DM29 of the Waltham Forest Local Plan – Development Management Policies (2013), and paragraphs 194, 195, 202 and 203 of National Planning Policy Framework (NPPF) 2021.

**17. HAWKWOOD PLANT NURSERY, 115 HAWKWOOD CRESCENT,
CHINGFORD, LONDON, E4 7UH (212298)**

RESOLVED:

That planning permission be GRANTED in line with the recommendations, conditions, reasons and informatives as detailed in the committee report for application 212298 for the construction of two single storey buildings at east elevation for office, educational and event use (Sui Generis) with green roofs. Associated work to include the provision of container storage units at east elevation with green roofs, landscaping, extension to existing PV array, bicycle storage, parking spaces including disabled and electric vehicle charging points.

18. 4 ESSEX ROAD, WALTHAMSTOW, LONDON, E17 8AN (221071)

RESOLVED:

That planning permission be GRANTED in line with the recommendations, conditions, reasons and informatives as detailed in the committee report for application 221071 for the construction of a dormer roof extension to main rear roof. Installation of two rooflights to front roof slope.

**19. 6 CROFT HOUSE, 2 ST MARY ROAD, WALTHAMSTOW, LONDON, E17
9RG (221384)**

RESOLVED:

That planning permission be GRANTED in line with the recommendations, conditions, reasons and informatives as detailed in the committee report for application 221384 for the replacement of 3 No. Crittal Windows with 3 No. Crittal windows to second floor front elevation.

20. PUBLIC SPEAKERS

4.1	213611 Marlowe Road Estate, Marlowe Road Walthamstow E17	Zoe Stromberg Simon Kennedy Louise Wren Jon Bradburn
4.3	213834 694 High Road Leytonstone Leytonstone E11 3AA	Dwight Wood Xavier Llarch Font (Statement read out by Democratic Services) Michael Calder (Statement read out by Democratic Services)

At the end of the meeting, The Committee commended the work of Rebecca Smith, who was leaving her role as the Planning Manager for the south of the borough. The Chair thanked her for the support that she had provided the Planning Committee, noting that she had been an exceptionally gifted planning officer during her tenure at LBWF.

The meeting closed at 9.54 pm

Chair's Signature _____

Date _____