

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

07 September 2021 at 7.07 pm

PRESENT:

Chair: Councillor Jenny Gray

Vice-Chair: Councillor Sally Littlejohn

Committee Members: Councillors Andy Hemsted, Zia-Ur Rehman and Richard Sweden

Officers in Attendance:

Jon Price	Planning Manager
Rebecca Smith	Planning Manager
Stanley Lau	Planning Manager
Scott Hackner	Principal Planning Officer
Joanna West	Planning and Licensing Lawyer
Aiden McManus	Commercial Director of Property and Delivery
Ian Rae	Commercial Director – Regeneration, Planning and Delivery
Daniel Reynolds	Senior Project Manager
Christopher Foxton	Democratic Services Officer

Others in Attendance:

Laura Patel	Countryside
Emma Pye	Countryside
Thomas Kershaw	Countryside
Emily Buckley	Countryside
Amir Ahmed	Waltham Forest College
Kevin Delve	CPUK
Andreas Vassiliou	CPUK

243. APOLOGIES FOR ABSENCE AND SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Marie Pye, Keith Rayner and Alan Siggers.

Councillors Zia-Ur Rehman, Richard Sweden and Andrew Hemsted attended as substitute members.

244. DECLARATIONS OF INTEREST

None.

245. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on the 3rd August 2021 were agreed by the Committee and signed by the Chair.

246. 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.

247. THE MAGISTRATES, 1 FARNAN AVENUE, WALTHAMSTOW, LONDON, E17 4NX (210776)

The Committee asked questions and clarified with officers the distances of each residential block, education provision in the area, parking provision and the number of homes for larger families being provided.

The Committee resolved to **GRANT** planning permission in line with the recommendations and reasons detailed in the committee report and update report for the demolition of the former Magistrates Court Building and other associated structures and buildings and redevelopment of the land within the setting of (but excluding) the Grade II Listed Town Hall and Assembly Hall to provide five new residential blocks ranging from 5- 9 storeys comprising new residential units (Use Class C3); new civic building to provide civic functions and flexible commercial or community space (Use Classes E or F); creation of new civic spaces and public realm works; play space; landscaping; and associated residential (disabled only) and non-residential parking (including disabled); cycle parking; access and servicing,

subject to the conditions and informatives set out in the committee report and update report, Stage 2 referral to the Greater London Authority (GLA) and the completion of a Section 106 Legal agreement with the following Heads of Terms;

Affordable Housing

- 87 (47%) - London Affordable Rent homes
- 118 (53%) Shared Ownership homes
- Early Review Mechanism – GLA Formula 1a and 2 – trigger is substantial implementation.

Education

- A S106 contribution of £176,607 is made towards providing additional places.

Nursery

- Countryside to use reasonable endeavours to work with LBWF Early Years to secure a suitable operator, with LBWF confirmation that an operator is suitable not to be unreasonably withheld or delayed.
- Countryside only to enter into agreement with an Ofsted registered operator.

Employment and Training Strategy

- Construction Jobs - Procure that 30% of all jobs available for the construction or fitout of the Development during the Construction Phase are fulfilled by Local Residents. Local Residents defined as residents of residents of Waltham Forest.
- Local Labour – Apprenticeships - Provide a minimum of 35 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 if 30% of local labour is not met.
 - 20% local suppliers;
 - 10 CSCS Card Posts and 10 Traffic Marshalls training posts
- Work Placements - To provide a minimum of 22 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 30% (thirty percent) of nontechnical jobs are taken up by Local People in the End-User Phase of the Development. If

30% 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 and nursery staff

- Design Engineering Construction Programme Contribution of £16,000;
- Default Payments – as set out in LBWF's adopted Planning Obligations SPD if obligations above are not met.

Highways and Transportation

- A S106 contribution of £7,500 for CLP monitoring;
- A S106 contribution of £50,000 to review, consult and possibly implement modifications to the four surrounding CPZ's to suitably mitigate any adverse parking impact generated by the development;
- A S106 contribution of £400,000 is requested to implement the Forest Road design with segregated cycle track and pedestrian improvements on the south side of Forest Road opposite the site to improve safety for the increased number of walking and cycling trips on the Forest Road frontage.
- A S106 contribution of £300,000 is required towards TfL Public Transport Station upgrade and Active Travel Behaviour Change Initiatives for the new residents, employees, visitors, and families visiting and utilising the new development. To ensure a legacy of significant legacy of behaviour 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 commercial element.
- A S106 contribution of £20,000 is required towards parking enforcement to assess and review the essential user exclusion zone.
- A S106 contribution of £20,000 is required towards parking enforcement for increased resources to facilitate enforcement presence in the surrounding roads due to the impact from the new development
- A S106 contribution of £20,000 towards wayfinding in the surrounding area. • The site shall be car free; residents shall not be entitled to parking permits for any surrounding CPZ.
- The S278 Agreement would include (but not be limited to) the following works:
 - A review of expected pedestrian movements, and accommodation for these in a new highway layout
 - A review of expected cycle movements accessing the site, taking into account the new cycle entrances and a redesign to ensure opportunities for conflict are mitigated by design.
 - Renewal of the footway on the frontage of the site
 - Blended crossing at the vehicle entrance along Farnan Ave. Suitable provisions should be made for pedestrians and cyclists accessing the site from the North.
 - Suitably raised entrance at the vehicle entrance along Forest Road.
 - Upgrades to public lighting, taking into consideration the increased pedestrian and cycle movements. Realignment may be required due to the resultant road space redistribution.

Air Quality

- A financial contribution of £87,680 towards implementation of the Air Quality Action Plan.

Carbon Offset Fund

- A minimum financial contribution of up to £543,507 towards the Carbon Offset Fund in each of the phases hereby permitted to be agreed in writing where payment is required to address the shortfall in carbon emission reductions

Energy and Sustainability

- 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.
- Full s106 requirements for an Updated Energy Statement, including compliance with CIBSE Code of Practice and Heat Trust Standards.

Epping Forest Special Area of Conservation (SAC)

- A financial contribution of £43,300 towards the Epping Forest Strategic Access Management and Monitoring Strategy (SAMMS).
- A financial contribution of £227,325 towards improvements to mitigate recreational impacts on Epping Forest SAC (SANGS).

Car Free Housing

- No residential unit eligible for parking space unless disabled/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 blue badge holder.
- Car club membership for one year with an accredited car club operator. This means 1 transferable membership per household, with a maximum of 3 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.

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.

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

Flood Mitigation

- A S106 contribution of £150,000 is required towards the delivery of the Flood Mitigation Scheme proposed within Chestnuts Field and towards further mitigation initiatives.

Public Realm

- A S106 contribution for a drinking water fountain should be secured including management and maintenance.

Retention of Architect

- The Parties confirm and agree for the proper delivery of the Development the original design vision for the Development will be delivered through to the construction of the Development and therefore the Owner covenants with the Council to ensure it will take all reasonable steps to deliver the nature and design of the Development as envisaged by the Application
- The owner therefore covenants with the Council not to implement the Planning Permission: until they have submitted a statement to the Council setting details of the design team, which will include the Architect, retained in connection with the construction of the Development provided a written undertaking that such design team an Architect will be retained by the Owner until Practical Completion of the Development

Access Arrangements

Ensure 24 hours open access to public areas, all year round.

Parking Provision

Every 5 years, a review of parking provisions with a view to further reducing car parking and vehicular commuting be carried out to the satisfaction of the Council.

Monitoring and Implementation

- 5% of the total amount of contribution, or as otherwise agreed with the Council, towards monitoring, implementation and compliance of the Section 106 legal agreement.

Legal Fees

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

Minor Amendments

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. 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 towards the following: Employment and Training Strategies; Highways; Sustainability; and Epping Forest SAC, which must be secured by the legal agreement. In the absence of the legal agreement the Council would not be able to ensure that:

- The aims of policies seeking the creation of employment opportunities and jobs growth are met;
- Potential air quality impacts of the development are mitigated;
- Measures are in place to improve the public realm and promote sustainable travel options and reduce car use; and
- Design quality is maintained.

247. (a) THE MAGISTRATES BUILDING AND LAND WITHIN THE SETTING OF (BUT EXCLUDING) THE GRADE II LISTED TOWN HALL AND ASSEMBLY HALL, LONDON, E17 (211393/LBC)

The Committee resolved to grant listed building consent in line with the recommendations and reasons detailed in the committee report for the demolition of the former Magistrates Court Building and other associated structures and buildings and redevelopment of the land within the setting of (but excluding) the Grade II Listed Town Hall and Assembly Hall to provide five new residential blocks ranging from 5- 9 storeys comprising new residential units (Use Class C3); new civic building to provide civic functions and flexible commercial or community space (Use Classes E or F); creation of new civic spaces and public realm works; play space; landscaping; and associated residential (disabled only) and non-residential parking (including disabled); cycle parking; access and servicing. subject to the conditions and informatives set out in the committee report.

248. 639 AND 643-649 HIGH ROAD LEYTON, LONDON, E10 6RF (202405)

This item was **DEFERRED** to a future meeting of the Committee.

249. PUBLIC SPEAKERS

The Committee heard statements from;

4.1 – The Magistrates, 1 Farnan Avenue, Walthamstow, E17 4NX	David Sheridan (statement read by the clerk) Nuala Coughlan (statement read by the clerk) Laura Patel
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The meeting closed at 8.25 pm

Chair's Signature _____

Date _____