

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

13 June 2023 at 7.05 pm

PRESENT:

Chair: Councillor Jenny Gray

Vice-Chair: Councillor Sebastian Salek

Committee Members: Councillors Emma Best, Kira Lewis and Keith Rayner

Officers in Attendance:

Ian Rae	Corporate Director of Regeneration Planning and Delivery
Justin Carr	Assistant Director - Development Management and Building Control
Stanley Lau	Planning Manager
Sonia Malcolm	Deputy Planning Manager - South Area Team
Eshan Hussain	Deputy Manager – Lead South Team
Pedro Rizo	Principal Planning Officer
Joanna West	Planning Lawyer
Jennifer Richards	Democratic Services

72. APOLOGIES FOR ABSENCE AND SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor John Moss.

Councillor Emma Best attended as substitute.

73. DECLARATIONS OF INTEREST

None.

74. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 2 May 2023 were agreed by the Committee

75. 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.

76. EVO INDUSTRIAL, ESTATE WAY, LEYTON, LONDON, E10 (230086)

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 for application (230086) for demolition of the existing buildings and construction of five buildings that would be subdivided into nine small to medium commercial units with mezzanine levels for industrial uses to accommodate new Use Classes E (g) (i) (ii) (iii) (light industrial), B2 (general industrial) and B8 (warehousing and storage) together with new pedestrian and cycle links, car and cycle parking and landscaping. (For information purpose: the development would accommodate 17,658 sqm of industrial/employment uses) subject to the conditions and informatives set out in the report and update report, Stage 2 Referral to the Greater London Authority (GLA) and completion of a Section 106 Legal Agreement with the Heads of Terms below.

Heads of Terms:

Employment and Training Strategy:

- Provide a minimum of 30% local labour, 20% local spend, 10 apprentice posts in the construction trade during the Construction Phase of the Development and 3 work placements in the Construction Phase of the Development with such posts being first offered to Local Residents. In the event that obligations towards apprenticeships and work placements remain unfulfilled, then the developer should pay a default payment of £3,234 per work placement towards employment training and business and £16,458 per apprentice, towards employment, training, and business, to be used for residents, payable to the Council upon practical completion of the development.

Highways and Public Realm:

- S.278: Highway works will be required upon completion of the works relating to the development prior to occupation. These will require a S278 agreement and would include but would not be limited to:
 - Reduction in width and amendments to the treatment of the existing junctions at Church Road/Estate Way North and South. The detail and works required will be subject to the assessment of future trip generation and vehicle classification at these junctions;
 - The provision of street lighting to the same standards as public highway;
 - Changes to the private parking management;

- Provision of 1.8 metre demarked footways on Estate Way North and South; and,
- Private road drainage.
- A financial contribution of £250,000.00 towards improving connectivity of the existing walking and cycling infrastructure along Church Road.
- A financial contribution of £10,000.00 towards monitoring the Construction Logistics Plan.
- A financial contribution of £8,000.00 towards the implementation and monitoring of a Full Travel Plan.
- Parking permit restriction.
- A financial contribution of £10,000 towards the Waltham Forest Southwest flood study.

Dagenham Brook River Restoration Strategy:

- A financial contribution of £100,000 towards feasibility studies and a wider strategy of interventions for proposed improvements to biodiversity, invasive species management, water quality, flood risk, access and safety to the Dagenham Brook.

Air Quality Contributions:

- A financial contribution of £176,580 towards the implementation of an Air Quality Action Plan. 50% to be paid prior to commencement of development. The remainder of the contribution due prior to first occupation of any part of the development.

Sustainability:

- Provide an updated Energy Statement on commencement and completion of development, based on the 'As built' Energy Calculations. A financial contribution towards a carbon offset fund shall be secured if the 'As Built' Energy assessment demonstrates carbon emissions.
- The development should be capable of being connected to a decentralised energy network, including associated reserved areas in the plant room and protected pipework routes within and adjacent to the development.
- Measures to secure post-construction monitoring ("Be Seen"):
 - A. Within 8 weeks of the grant of planning permission, to submit to the GLA accurate and verified estimates of the 'Be Seen' energy performance indicators.
 - B. Prior to occupation, the Owner shall provide updated accurate and verified 'as-built' design estimates of the 'Be Seen' energy performance indicators for each Reportable Unit of the development.
 - C. Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit of the development.
 - In the event that the 'In-use stage' evidence submitted under Clause c) shows that the 'As-built stage' performance estimates derived from Clause b) have not been or are not being met, the Owner should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'Be Seen' in-use stage reporting webform. An

action plan comprising measures identified in Clause c) shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.)

Architects:

- The proposed architects or any suitably qualified architect shall be retained throughout the construction phase of the development.

Legal Fees:

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

Monitoring Fee:

- Payment of 5% of the total amount of financial contributions towards monitoring, implementation, and compliance of the S106 Agreement.

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 Section 106 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 S106 agreement is not completed within a reasonable timeframe following the date of Planning Committee, the Assistant Director - Development Management and Building Control is hereby authorised to refuse the application. In the absence of this Section 106 agreement, the proposed development would not be able to deliver the development on the site. Financial contributions towards the following material planning considerations are air quality, the Dagenham Brook River Restoration Corridor Strategy, employment and training strategies and highways, which must be secured by the Section 106 Agreement.

Additionally, as the Environment Agency have raised an objection to the application which is presently unresolved, Officers request that delegated authority be given to the Assistant Director of Development Management and Building Control to resolve the outstanding objection with the applicant, in consultation with Environment Agency, prior to the issue of any formal Decision Notice.

77. PASTURES YOUTH CENTRE, 15 DAVIES LANE, LEYTONSTONE, E11 3DR (228237)

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 for application 228237 for construction of a new pedestrian gateway and brick piers in existing boundary wall and installation of permeable paving subject to the conditions and informatives set out in the report and update report and the additional informative agreed by the Committee:

- That ongoing communication must be maintained with the local groups and stakeholders at the application site in respect to the approved works and its operation/management.

78. PUBLIC SPEAKERS

4.1	Evo Industrial, Estate Way, Leyton, London, E10 (230086)	Mark Connell
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The meeting closed at 8.10 pm

Chair's Signature _____

Date _____