

LONDON BOROUGH OF WALTHAM FOREST

Committee / Date:	Planning – 04 th July 2023
Application Reference:	222505
Applicant:	Larkwood Developments LLP
Location:	New Road, Landscape Contractors Yard, Land adjacent to Larkwood Leisure Centre, E4 9EY
Proposed Development:	Demolition of existing buildings and redevelopment of the site including the erection of a new residential building of up to 7 storeys to provide up to 72 new homes (Use Class C3); together with associated access, landscaping, disabled parking and public realm. (Revised Layout).
Wards Affected:	Larkwood

1. RECOMMENDATION

- 1.1. That Planning Permission be **GRANTED** subject to conditions and informatives and completion of a Section 106 Legal Agreement (S106) with the following Heads of Terms:

Affordable Housing Provision:

- Delivery of 17 affordable units (27% by habitable room) – 11 (65%) London Affordable Rent homes and 6 (35%) Intermediate shared ownership homes
- Viability Review Mechanism (both early and late stage review) to capture any surplus in profit generated from the development;

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.

Highways and Transportation:

- Enabling works (parking suspensions and physical changes to the highway) will be required to facilitate construction. A construction standard crossover will be required at the size and specification required. The location of the access to the existing raised informal pedestrian crossing point may require relocation / accommodation works. A separate enabling works application will be required to be submitted by the developer prior to commencement on site. The enabling works will be carried out by a Minor Highways Agreement funded by the developer and carried out by the Council prior to commencement on site.

- Highway works under a S278 will be required upon completion of the development, prior to occupation. The works will be funded by the Developer and carried out by the Council.

Extent of works may include but are not limited to:

- Renewal of the footway along the frontage of the site.
 - Upgrade of the existing lanterns lighting the frontage of the site to LED lighting.
 - Conversion of the informal pedestrian crossing point to a zebra crossing.
 - Installation of waiting and loading restrictions along New Road.
 - Installation of the vehicle crossover for the final development.
 - Removal of all required enabling works installed for construction.
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- A S106 contribution of £75,000 is required towards the provision of Strategic Flood Mitigation within the South Chingford Critical Drainage Area.
 - A S106 contribution of £10,000 is requested to consult on a CPZ along New Road prior to occupation.
 - A S106 contribution of £5,000.00 is required towards CLP monitoring.
 - A S106 contribution of £120,000 is required to introduce and improve the Walking and Cycling infrastructure to improve connections to Higham's Park and Chingford Mount sites vicinity which will directly benefit new residents in this development. This contribution is required towards Active Travel Behaviour Change Initiatives for the new residents. These funds would go towards the locally hosted initiatives within nearby district centre locations to offer training for residents and families that support the Borough's goal for an uptake in sustainable transport within the 15-minute neighbourhoods' framework.
 - A S106 contribution of £50k towards additional parking enforcement presence along New Road and within the surrounding highway network is required to mitigate the parking generated directly by this application.
 - S106 contribution of £35,000 for upgrades to the surrounding street lighting columns along New Road and within the vicinity of residential roads surrounding the site.
 - A S106 contribution of £40,000 is required for consultation, installation, and amendments to a future CPZ within the area
 - In the event a CPZ is implemented, this site must be classified as car-free with future residents not being entitled to parking permits.

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 the development has no on-site car parking except three accessible bays for blue badge holders only and that they shall not be entitled to a residents parking permit in the surrounding area if a Controlled Parking Zone is introduced at any time in the future unless 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 two years per dwelling in total, regardless of any changes in ownership or occupation of a dwelling during this period
- Evidence of car club contract (all reasonable endeavours) 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 Waltham Forest, Hackney and Newham.
- Local Labour – Apprenticeships - Provide a minimum of 10 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

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

Air Quality:

- A financial contribution of **£7,200** towards implementation of the Air Quality Action Plan.

Carbon Offset Fund:

- A financial contribution of up to **£123,120** towards the Carbon Offset Fund to address the shortfall in carbon emission reductions.

Epping Forest Special Area of Conservation (SAC):

- A financial contribution of £627 per new homes towards Strategic Access Management and Monitoring (SAMM) with a total of **£45,144**.

Retention of Architect

- The applicant shall retain the architect during the build phase until completion unless otherwise agreed in writing by the Council.

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 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 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

- Major matters of planning policy are involved.
- In the public interest.

3. SITE AND ITS SURROUNDINGS

- 3.1. The application site measures approximately 0.33 hectares in area and is located on the south side of New Road adjacent to the Larkwood Leisure Park on its west/south west boundary. The site is a vacant brownfield site previously occupied by a landscape contractors yard and a plant nursery comprising a large lightweight single storey structure. The site is rectangular in shape with an undulating topography, rising steeply upwards in a southerly direction away from New Road. On its western boundary lies large format warehouses which provide two health and fitness centres, a convenience retail unit (Tesco Express), a children's nursery (Busy Bees) and a restaurant (Harvester) known as Larkwood Leisure Park. The site lies east of the retail unit and north/north east of the children's nursery). The area opposite the site and beyond is predominantly residential in character and appearance with most of the area developed with urban and suburban housing and a number of local parks and woodlands (many of which are a remnant of the ancient forest).

- 3.2. The eastern boundary of the site is framed by Larkswood open space , which is designated as Ancient Semi Natural Woodland (ASNW), Metropolitan Open Land (MOL), and a Site of Local Importance to Nature Conservation (SINC). It is notable that the ancient semi nature woodland (ASNW) along the eastern boundary of the site is of a younger age and has only been wooded since circa 1950.
- 3.3. The site has a PTAL of 2 on a scale of 0 to 6b, where 6b is the highest. This represents a low public accessibility rating. The site is within reasonable walking distance of a wide range of amenities and services with regular bus services within 100m of the site and the Highams Park overground station is a 20-minute walk or a 6-minute cycle ride away due south. From here, services run into London Liverpool Street or Chingford every 15 minutes.
- 3.4. The site falls within the zone of influence of the identified Epping Forest Special Area of Conservation (EFSAC), under the EU Habitats Directive (92/43/EEC).
- 3.5. 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. The site, however, falls within cross the South Chingford Critical Drainage Area (CDA).
- 3.6. The site does not fall within an Archaeological Priority Zone.
- 3.7. There are no TPO protected trees within or adjacent to the site.

4. APPLICATION PROPOSAL

- 4.1. The application seeks planning permission for the demolition of existing buildings and redevelopment of the site including the erection of a new residential building of up to 7 storeys to provide up to 72 new homes (Use Class C3); together with associated access, landscaping, disabled parking and public realm. The site was revised during the planning process in terms of its layout and proximity to the ASNW.
- 4.2. The existing plant nursey (B8 use class) and its large format single storey building measures 300sqm in area. This development would create 6856sqm. The application site is illustrated by the following location plan outlined in red below and a satellite aerial view:



- 4.3. The proposed scheme would have a footprint and layout similar to that of an inverted L-shape with two interlocking blocks described as Block A and Block B – northern wing and western wing respectively – in the accompanying Design and Access Statement (DAS) prepared by Saunders Architecture. Block A comprises 23 units and Block B 49 units.

Block A would rise up to five storeys to a height of 17.5m fronting New Road and Block B seven storeys to a height of 24.15m which extends perpendicular towards the rear of the site on the western edge.

- 4.4. The scheme is sought by Larkwood Developments LLP. It seeks to deliver 27% affordable housing by habitable room, equating to a total of 17 units. The proposed tenure split would be 65:35 in favour of London Affordable Rented (LAR) units as follows:

	London Affordable Rent		Intermediate	
Unit size	No. of Units	Mix	No. of Units	Mix
1 bed / 2 persons	2	18%	2	33%
2 bed / 4 persons	4	36%	1	17%
3 Bed / 6 persons	5	46%	3	50%
Total	11	65%	6	35%

- 4.5. The overall housing mix would be:

Unit size	No. of Units	Mix
1 bed / 2 persons	24	33.3%
2 bed / 4 persons	37	51.4%
3 Bed / 6 persons	11	15.3%
Total	72	100%

- 4.6. Affordable units would be located within both blocks A and B with LAR units located on the ground and first floor levels and intermediate units located on 2nd and 3rd floors. Seven wheelchair accessible units (WCH) are provided; five at ground floor and two at first floor level of which three WCH units at LAR.
- 4.7. There would be a number of amenity areas at grade and podium levels within scheme totalling 568sqm shown shaded in below:



- 4.8. 143 long stay residential cycle parking spaces and 6 short stay are proposed, whereby residential provision is via a mixture of sheffield stands and bike store (two-tier) and cargo.
- 4.9. A new gated access would be created from New Road giving ingress and egress to the site leading to a main courtyard which includes space for servicing and three disabled parking spaces each having their own active charging points.
- 4.10. The scheme has an Urban Greening Factor (UGF) of 0.76.

Amendments

- 4.11. It is important to note that the scheme was revised to create a larger landscaped buffer zone from the boundary of Ancient Semi Natural Woodland (ASNW) which resulted in a minor change in the housing mix, swapping a two bed unit to a one bed unit for market sale. This resulted in a layout shift and smaller footprint in order to create a larger buffer zone that is a minimum of 5m.

Programme and Phasing

- 4.12. The scheme proposes a single phase under a relatively short build period of circa 2 years given the scale and nature of the development. It would be delivered as a single phase of development.

5. RELEVANT SITE HISTORY

There is no planning history record for this site.

Pre-Application

- 5.1. The applicant has been involved in an extensive programme of pre-application discussions with officers. In June 2020 the applicant approached the Council, via its formal pre-application service, to discuss the principle of residential redevelopment on this site. At that time initial feasibility diagrams were shown, and a concept scheme of considerably

larger scheme comprising of 115 units was proposed. Officers confirmed that the principle of residential development could be supported and that the prospect of a wholly housing scheme was welcomed as a significant benefit. However, the site area, the layout and physical arrangement including the buffer strip to the ASNW were significant concerns and the protection of open space lobbied by Friends of Ainslie and Larkswood (FOAL) and were later designated Local Green Space through the local plan process. As such, based on meetings and written advice the scheme was recommended to be revised and scaled down to the north only as a result given the new constraints.

- 5.2. In response to this advice the applicant's design team reassessed the proposals, attending pre-application again in December 2020 with a scheme which was reduced in mass and included 50 units and 25 on-site car parking spaces. The addition of car parking at ground floor on what is a sensitively constrained site resulted in an increased maximum scheme height of 8 storeys. At this second pre-application meeting Officers advised that the focus in terms of emerging local and London planning policy had changed, and that car-free schemes would now be encouraged even in low PTAL areas. This provided the applicant with opportunity to free up the ground floor layout and rethink the scheme design once again.
- 5.3. A third pre-application meeting took place in May 2021, consulting on a scheme of 47 units and a reduced maximum building height of six storeys. In line with guidance and emerging policy, this scheme was car free and included accessible on-site parking only. Officers confirmed that the height and massing of the proposal were improved, although it was noted that delivering a six storey building may still be challenging in this location. At this meeting Officers identified further opportunity to reassess the footprint and ground floor layout of the building to allow the development to interact more successfully with its surroundings and to provide high quality and useable amenity space for residents.

Pre-Application Engagement with Design Review

- 5.4. Following on from the process of pre-application outlined above, the Applicant team attended a half-day design workshop with Design Review Panel on the 20th October 2020, where the scheme was discussed with panel members. This collaborative panel review process assisted the design team to think further about issues such as the environmental performance of the scheme, the hierarchy and interrelationship of outdoor amenity areas and the arrival experience of potential future residents of the scheme as well as specific areas where façade design could be improved.

Other Pre-Application Engagement

- 5.5. Pre-application engagement has also taken place with the Metropolitan Police Secure by Design Officer, and with members of the public and local Ward Councillors, Highams Park Planning Group and Friends of Ainslie and Larkswood. This process of engagement and response is set out within the Statement of Community Involvement prepared by Snap Dragon at PLMR which forms part of this application. This sets out the dedicated website [179 New Road – Land to the Rear of Larkswood Leisure Centre, New Road, Chingford](#)
- 5.6. No Environmental Impact Screening exercise was undertaken, as the scheme falls beneath the threshold of development for which an EIA may be required, as set out within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations.

A. Enforcement

5.7. None.

6. PUBLIC CONSULTATIONS

Pre-application stage

- 6.1. As part of the pre consultation programme, the applicant issued a community leaflet that went out to 3105 households/ businesses in the neighbouring area, advertising the consultation. The consultation ran between 10th and 26th June 2022, with the public webinar events taking place on Thursday 16th June. The consultation ran between 10th and 26th June 2022, with the public webinar events taking place on Thursday 16th June. The first meeting was with Cllr Catherine Saumarez (Larkwood Ward Councillor), Councillor Roy Berg, Councillor Mitchell Goldie and Cllr Emma Best (neighbouring Conservative Councillors). The second meeting was with Sir Iain Duncan Smith MP and Mitchell Goldie, who is also his assistant. The applicant also had a meeting with members of the Highams Park planning group. In terms of attendance, there were 28 members of the public at the first webinar session and 31 attendees at the second session.
- 6.2. To ensure the consultation was advertised widely to provide the greatest possible opportunity for a wide cross section of the community to comment, was advertised through a leaflet drop to 3105 local properties, plus a press release sent to the Waltham Forest Echo and Facebook adverts targeted at all residents based within 2-miles of the site. These social media adverts reached 9,236 people in this area.
- 6.3. To allow as many people as possible to engage with the consultation process, the applicant made the consultation virtual – with a survey running on a dedicated project website, plus two town-hall style webinars to allow residents to ask questions in real time. In addition to this, a consultation email address and phone line for the project were run, where residents could give feedback or ask questions. Residents who received the leaflet, who did not have access to the internet, were encouraged to call the phone line and request a paper copy of all of the information, plus a paper copy of the survey and freepost envelope. In total the applicant received 108 responses to the survey, 38 emails and 2 phone calls

Planning application stage

- 6.4. The planning application consultation to residents took place on 26th September 2022. 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 49 objections being received. A petition lodged on the change.org website has been reviewed and indicates that 881 have signed against the proposal at the time of writing of this report against the proposed scheme on the grounds of:
- The site should be removed from both the Local Plan and any other proposed residential development.
 - To be protected from any future residential development,
 - Any residential development would have significant environmentally damaging effects on The Ancient Woods Adjacent and Behind the site.
 - Increased traffic and light pollution we have irreversible impact on the local environment

- 6.6. Following revisions relating to increasing the buffer zone to the Ancient Semi Natural Woodland (ASNW) and resultant layout changes, the revised scheme was reconsulted on 16th May 2023. No further objections were received.
- 6.7. The relevant objection comments are summarised in 'Table 6: Objections Received'. The objections received where street addresses could be confirmed are listed below:

Table 5: Objections from Identified Street Addresses

- New Road
- Normanshire Drive
- Larkshall Crescent
- Linnett Close
- Bailey Close
- Mapleton Road
- Mead Crescent
- Woodview Avenue
- Ashingdon Close
- Grove Road

- 6.8. 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
Overdevelopment	The scheme has reduced in plot size and layout from its first iterations. The site area is now 0.33ha which gives a density of 218 units per hectare. This is considered acceptable in this urban location. This matter is addressed in the Density section of the report.
Lack of affordable housing	The affordable housing offer and supporting FVA has been scrutinised by an external viability consultant on behalf of the Council – BPS. The offer is 27% affordable housing with a tenure split of 65% London Affordable Rent and 35% intermediate. This is considered acceptable and is explained in more detail in the Affordable Housing Section of this report.
Lack of parking and overspill	The parking capacity has been carried out by Aval Consulting Group and shows there is capacity in 5 of the 6 roads. It shows there would be capacity for parking. In addition, two

	<p>particular clauses will be enshrined in the s106 legal agreement. Frist is to prevent permits being issued to future occupiers should a CPZ be made and a second a clause to ensure future tenants are aware of this . This is considered acceptable and is explained in more detail in the Highways section of this report.</p>
Out of keeping	<p>The proposed scheme has undergone close scrutiny by Design and Conservation colleagues and the Design Review Plan. Design officers are in full support of the scheme as are the masterplanners subject to conditions such as on materiality. Furthermore, the wider masterplan is explained in more detail in the Design Section of this report.</p>
Loss of outlook	<p>A full assessment of the neighbouring amenities with regard to separation distances and it is officers view that there would not be a significant loss of outlook. This is explained in more detail in the impact on amenity section of the report.</p>
Additional noise	<p>Noise would not be any greater than what is experienced in the local area. Noise sensitive uses can conflict with other uses therefore conditions will be imposed to ensure acceptable standards. This is explained in more detail in the impact on amenity section of the report.</p>
Emerging plan is not adopted	<p>The emerging plan is going through the planning making process and appropriate weighting in the planning balance is afforded.</p>
Lack of infrastructure, doctors and school places, and childcare	<p>The scheme is not considered to be high impacting following consultation with Education, and planning policy for health impact assessment is for schemes over 100 units only.</p>
Single aspect units	<p>The quality of the accommodation would be size complaint and 94% of all units would have dual aspect. The units that are single aspect are five in number and only one bed units that have the benefit of double sized</p>

	<p>balconies. This is considered acceptable on the whole and is explained in more detail in the quality of accommodation section of this report.</p>
<p>Play space on roofs not appropriate</p>	<p>The GLA playspace calculator shows there would be a shortfall of some 15sqm. Given the verdant and open location adjacent to new made Local Green Space and the ASNW officer considered this is acceptable provision. Playspace on roofs is a common feature of developments in London and is considered safe and acceptable. Further details on this can be found in the amenity section of this report.</p>
<p>Loss of view to the ancient woodland and ecology</p>	<p>During the planning process, the importance of a buffer zone to safeguard the ecological significance of the ASNW has been a vital component in the layout and design of the scheme. So much so, the application has been revised during the planning process to ensure a 5m buffer to the ASNW is created and appropriate soft landscaping and mitigations secured by condition To this end, the biodiversity net gain is over the 10% advocated by the Environmental Act. Further details on this can be found in the Ecology section of this report.</p>
<p>Tall building</p>	<p>Heights have been aligned to the masterplan and the site's transitional urban location in policy terms and character led intensification. Five to seven storeys are considered to fall within the range for this site where taller buildings are justified to intensify the land. Further details on this can be found in the Tall building section of this report.</p>
<p>Loss of light and privacy to neighbouring properties</p>	<p>Full assessment of the potential impact on daylight and sunlight has been conducted by expert council consultants. It reports back that there would be no loss of light upon neighbouring residential properties. Further details on this can be found in the impact on amenity section of this report.</p>

Antisocial Behaviour	Secured by design officer has considered the scheme which a full accreditation will be secured by condition. Further details on this can be found in the Crime Prevention section of this report.
Car Club location	Car club option include Larkswood Leisure Centre and near Woodview Avenue. This has not been finalised and thus will be subject to review by s106 legal agreement in consultation with residents. Further details on this can be found in the Highways section of this report.

6.9. The residents association, Highams Park Society, have submitted objections on the following grounds as stated in the below Table:

Highams Park Society	<ol style="list-style-type: none"> 1. It is a gross over development of the site, given its proximity to Larks Wood and Site A (please refer to the images below) both these tracts of land are designated as Local Green Space and are important wildlife corridors in this part of the borough. 2. The development is wholly out of character with the light suburban form of this part of the borough which is comprised primarily of semi-detached two storey dwellings and there are no high-rise buildings within fifteen minutes walking distance of this site. 3. The travel plan does not provide sufficient onsite parking for an outer London site with a PTAL Rating of 2.
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6.10. The Councillors for Larkswood Ward, have submitted objections on the following grounds as stated in the below Table:

Ward Councillors of Larkswood - Cllr. John Moss Cllr. Sam O'Connell Cllr. Catherine Saumarez	We are the elected Councillors for Larkswood ward, and we wish to object to the above numbered application on the following grounds. 1) The developers have over several months, if not years, been in discussions with Council officers about this scheme but have made no effort to engage with local Councillors or residents, prior to unveiling a fully formed scheme and engaging in a "consultation" which was utterly pointless.
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	<p>The scheme was presented as a fait accompli, with all questions and comments met with a refusal to make any changes. This is contrary to the National Planning Policy Framework and our own Statement of Community Involvement.</p> <p>2) The “masterplan” which the scheme purports to follow is not part of any adopted policy of the Borough. The Planning Inspector’s comments on the first part of the draft, emerging Local Plan suggested it be withdrawn. The Assistant Director for Planning has publicly stated, (Planning Committee – June 2022), that limited weight should be attached to the emerging plan policies. By extension that would mean that even less weight should be given to said “masterplan”, which flows from a second part of the emerging plan and which, when consulted upon, was widely criticised by local residents and Councillors. The Council has not responded to that consultation in any way, despite its closing in January 2022.</p> <p>3) The scheme is out of keeping with the character and appearance of the surrounding area, which is suburban in character, with almost entirely two-storey houses with gardens.</p> <p>4) It will significantly overlook the properties opposite in New Road, which are set at a lower level by almost 1m.</p> <p>5) The proposed development is urban in nature, rising five stories almost from the back edge of the footpath in an area of terraced and semi-detached homes, all of which are well set back from the pavement</p> <p>6) The affordable housing provision offered is well below that required by the adopted Local Plan.</p> <p>7) The provision of parking for a scheme which is over 1 mile from either of the area’s two rail stations is wholly inadequate. Up to 150 adult residents can be expected to live on the site and even if the car ownership were at the Borough average, this would mean over 70 vehicles looking to park in local roads. The applicant’s traffic assessment confirms that no such capacity exists. This will result in new residents circulating to seek parking spaces, increasing emissions and causing harm to local residents’ amenity.</p>
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	<p>8) The Traffic Assessment does not take account of the recent loss of almost 50 on-street parking spaces in Chivers Road, exacerbating this further.</p> <p>9) The seven-storey element of the building will obliterate a public view of the Larks Wood from New Road, which was specifically preserved in the adjacent development of the Larkwood leisure centre site.</p> <p>In summary, the proposed development is inappropriate by virtue of being a gross overdevelopment of the site, in a sensitive environmental location, it is wholly out of keeping with the character of the local area and will cause significant harm to the amenity of nearby residents and it is based on policies which do not and are not likely ever to be endorsed. We therefore urge Planning Committee members to reject this application.</p>
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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)

LBWF Consultees	Comments
CCTV	No response received at the time of writing
Design and Conservation (Design & Conservation)	In support of the scheme in design terms. 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>

	Other conditions and informatives also recommended relating to emissions from nonroad mobile machinery and air quality dust management
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Environmental Health (Contaminated Land)	No objection subject to conditions involving asbestos and contamination.
Environmental Health (Noise)	No objection subject to conditions.
Families (Education)	Content that there are sufficient school places in the local area to accommodate any additional demand from this development.
Families & Homes (Public Health)	No response received at the time of writing
Highway Development	<p>Highways support the scheme in principle but raise a holding objection to the proposal based on the car not being genuinely car free as there is no CPZ in effect at this time. Without car free the wider area would be subject to additional parking stress and overspill parking. Should the application be approved Developer Highways Works will be required. In addition, Highways Works under a S278 agreement will also be required upon completion of the development, prior to occupation as follows:</p> <ul style="list-style-type: none"> • Enabling works (parking suspensions and physical changes to the highway) will be required to facilitate construction. A construction standard crossover will be required at the size and specification required. The location of the access the existing raised informal pedestrian crossing point may require relocation / accommodation works. A separate enabling works application will be required to be submitted by the developer prior to commencement on site. The enabling works will be carried out by a Minor Highways Agreement funded by the developer and carried out by the Council prior to commencement on site. • Highway works under a S278 will include but are not limited to:

	<ul style="list-style-type: none"> ○ Renewal of the footway along the frontage of the site. ○ Upgrade of the existing lanterns lighting the frontage of the site to LED lighting. ○ Conversion of the informal pedestrian crossing point to a zebra crossing. ○ Installation of waiting and loading restrictions along New Road. ○ Installation of the vehicle crossover for the final development. ○ Removal of all required enabling works installed for construction. <ul style="list-style-type: none"> ● A S106 contribution of £75,000 is required towards the provision of Strategic Flood Mitigation within the South Chingford Critical Drainage Area. ● A S106 contribution of £10,000 is requested to consult on a CPZ along New Road prior to occupation. A S106 contribution of £5,000.00 is required towards CLP monitoring. ● A S106 contribution of £120k is required to introduce and improve the Walking and Cycling infrastructure to improve connections to Higham's Park and Chingford Mount sites vicinity which will directly benefit new residents in this development. A S106 contribution is required towards Active Travel Behaviour Change Initiatives for the new residents. These funds would go towards the locally hosted initiatives within the Town Centre and nearby locations to offer training for residents and families that support the Borough's goal for an uptake in sustainable transport within the 15-minute neighbourhoods' framework. ● ● This is in accordance with the London Plan policy T1, T2, T3, and T4C. All these policies require existing and new public transport network including walking and cycling to be incorporated into the design of the development to mitigate the impact on the highway network including road safety. This safeguards new measures to improve and provide connectivity to help the modal shift to active travel or sustainable public transport options, as well as to allow for sustainable deliveries and servicing. T4 specifically states where mitigation is appropriate a financial contribution will be required to reduce the cumulative impacts of development on public transport infrastructure including walking and cycling. ● A S106 contribution of £50k towards additional parking enforcement presence along New Road and within the surrounding highway network is required to mitigate the parking generated directly by this application.
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	<ul style="list-style-type: none"> • S106 contribution of £35,000 for upgrades to the surrounding street lighting columns along New Road and within the vicinity of residential roads surrounding the site. • A S106 contribution of £40,000 is required for consultation, installation, and amendments to a future CPZ within the area. • If a CPZ is implemented prior to occupation, this site must be classified as car-free with future residents not being entitled to parking permits.
Housing	Support the affordable housing offer including mix and tenure split following scrutiny of FVA subject to review mechanisms.
Housing (Accessibility)	Officers consider the acceptability that 10% of the proposed units would be wheelchair adaptable as acceptable.
Neighbourhood and Commercial Services (Refuse and 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	<p>The principle of development is supported in line with the encouraging optimum intensification of brownfield sites and adhering to the masterplan and the site allocation aspirations contain in draft LP2.</p> <p>There is no reason for the application to be considered as a departure against the relevant policy regulations.</p>
Planning Policy (Transport Policy)	<p>Cycle provision and ratio of stands is considered acceptable.</p> <p>A Travel Plan should be secured by s.106 Legal Agreement to identify opportunities for the effective promotion and delivery of sustainable transport initiatives.</p>
Regeneration and Growth Employment,	Employment and Skills Plan to be agreed with targets in place and financial contributions required and agreed if targets are not met.

Business and Skills)	
Social Services Children Services (Early Years)	There are no major gaps in the demand for childcare in this ward, with some surplus of spaces in neighbouring wards.
Strategic Regeneration (Sustainability and 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 and Conservation	No objection subject to planning conditions.

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

External and Statutory Consultees	Comments
Environment Agency	No response received at the time of writing.
Historic England	No objection is raised.
Historic England (Greater London Archaeological Advisory Service)	Recommend archaeological conditions and informatives.
London Fire Brigade	No response received at the time of writing.
London Wildlife Trust	No response received at the time of writing.
Metropolitan Police – Design Out Crime Prevention Officer	No objection subject to the recommendation of a condition to secure a Certificate of Compliance to the relevant Secured by Design Guide(s) or alternatively achieve Crime Prevention Standards.
Natural England	Supportive of the propositions within the application documentation that mitigation will be provided in the form of SAMMS and mitigation

	<p>buffer to the ASNW. This would be secured by s.106 legal agreement and Natural England welcome air quality neutral targets.</p> <p>A minimum of a 5m buffer is considered acceptable.</p> <p>Reinforced, decisions on planning applications should be in line with paragraph Para 180 c) of the NPPF</p>
London Parks and Gardens	<p>Objects to the current proposal as presented, which in our view:</p> <ul style="list-style-type: none"> • fails to take sufficient account of the heritage importance of this site adjacent to MOL; • fails to provide sufficient evidence of heritage value and biodiversity interest of the adjacent Nature Conservation Area of Borough Importance in accordance with the Local Plan and supporting guidance.
Conservators - City of London	<p>Object on the basis there is not sufficient certainty, that this development in-combination with other developments, will not lead to likely significant effects upon the EFSAC and must therefore be refused until such a point that all proposed development associated with the forthcoming Local Plan is adopted.</p>
North London Waste Authority	<p>No response received at the time of writing.</p>
Thames Water	<p>Waste and Water comments to be secured either as conditions or informatives.</p>

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.

London Plan (2021)

- 8.3. The 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.
- 8.4. The policies relevant to this application are considered to include and not limited to:
- GG1 Building strong and inclusive communities
 - GG2 Making the best use of land
 - GG3 Creating a healthy city
 - GG4 Delivering the homes Londoners need
 - GG5 Growing a good economy
 - GG6 Increasing efficiency and resilience
 - D1 London's form, character and capacity for growth
 - D2 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
 - 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
 - H1 Increasing housing supply
 - H4 Delivering affordable housing
 - H5 Threshold approach to applications
 - H6 Affordable housing tenure
 - H10 Housing size mix
 - 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
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivering of the Plan and Planning Obligations

Waltham Forest Local Plan Core Strategy (2012)

- 8.5. The Waltham Forest Core Strategy (2012) was adopted on the 1st March 2012. 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.
- 8.6. 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)

- 8.7. 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.
- 8.8. 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
- 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

National Planning Policy Framework (2021)

- 9.1. 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.
- 9.2. 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*”.
- 9.3. 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’.
- 9.4. 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

National Planning Policy Framework proposed amendments (2023)

- 9.5. The Government is consulting on various proposed changes to the NPPF to enable it to deliver its commitments to building enough homes in the right places with the right infrastructure, ensuring the environment is protected and giving local people a greater say on where and where not to place new, beautiful development. The proposed changes are focussed on plan making rather than decision making.

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

- 9.6. 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)

- 9.7. 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)

- 9.8. 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)

- 9.9. 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)

- 9.10. 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

- 9.11. 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)

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

Draft Waltham Forest Local Plan (LP1) 2020-2035 (Proposed Submission Document) (2020)

- 9.13. Waltham Forest Local Plan (LP1) is intended to eventually replace the current Waltham Forest Local Plan Core Strategy and Development Management Policies. It is undergoing examination . Whilst indicating the intended direction of future policy, its draft policies can only be given limited weight in decision making.

- 9.14. 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).

Shaping the Borough – London Borough Waltham Forest Draft Local Plan Part Two Site Allocations (Regulation 19 Draft November 2021)

- 9.15. The Site Allocations Document (draft WFLP Part 2: Site Allocations Document (2021 - Reg 19)) seeks to ensure The London Borough of Waltham Forest promotes the right development in the right places at the right scale, creating attractive sustainable neighbourhoods as well as new economic opportunities. It underwent consultation from November 2021 until January 2022. When adopted, the Site Allocations Document will represent Part 2 of the Council's Local Plan. It complements the Draft Local Plan.

Local Finance Considerations

- 9.16. 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 will be addressed in this report are:

- A. Principle of Development
- B. Affordable Housing and Viability
- C. Housing – tenure and mix
- D. Density of development
- E. Standard of residential accommodation
- F. Residential amenity
- G. Impact on Amenity

- H. Design of the development
- I. Transport and highways
- J. Waste management
- K. Education and healthcare provision
- L. Trees, landscaping and ecology
- M. Sustainable design and energy efficiency
- N. Environmental impact
- O. 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 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.
- 10.4. 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 72 new residential homes on the site which would contribute positively to Waltham Forest’s housing targets.
- 10.5. London Plan Policy GG2 (2021) concentrates on making the best use of land and enable the development of brownfield sites. Developments must plan for good local walking, cycling and public transport connections to support a strategic target of 80 per cent of all journeys using sustainable travel, enabling car-free lifestyles that allow an efficient use of land, as well as using new and enhanced public transport links to unlock growth
- 10.6. London Plan Policy D2 (2021) sets out that development densities should be proportionate to a site’s connectivity and accessibility by walking, cycling, and public transport to jobs and services. It also generally requires that suitable levels of infrastructure are or will be in place to support the proposed density of developments.
- 10.7. London Plan Policy D3 (2021) states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. It does not set out a prescriptive approach but rather seeks to ensure that all schemes achieve an appropriate density that responds to a site’s context and capacity for growth, setting out considerations relating to form and layout, user experience, and quality and character.
- 10.8. London Plan Policy H1 (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. London Plan Policy H3 (2021) states that to ensure housing targets are achieved, boroughs should optimise the potential for housing delivery on brownfield sites.
- 10.10. 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 and Policy 6 of the emerging Local plan which encourages mixed use development and intensification and ensuring good growth respectively.
- 10.11. Policy 8 of the emerging Local Plan states that opportunities for intensification of development involving housing and employment uses will be promoted at appropriate locations, can be justified in accordance with 'transition' locations.
- 10.12. Policy 11 of the emerging Local Plan identifies North Walthamstow Forest as a distinctive area for targeted investment and growth for delivering 3,400 new quality homes and 1,400 homes outside identified Strategic Locations.
- 10.13. 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.
- 10.14. Policies CS1 and CS2 of the Core Strategy (2012) set out housing delivery targets for the Borough, it is noted that these are superseded by the new and ambitious ten-year housing target set out for Waltham Forest in London Plan Policy H1, which aims for the completion of 1,264 new homes per annum.
- 10.15. Policies CS1, CS2 of the Core Strategy (2012), and DM1 of the adopted Local Plan (2013) seek to direct development, including new housing, towards suitable locations, including key growth areas in the Borough. There is a particular focus in Policies CS1 and CS2 on accommodating development on previously developed land where possible and ensuring that redevelopment makes more efficient use of such land, as well as optimising housing densities. This focus is generally shared by Policy CS5 and London Plan Policy H1.
- 10.16. Policy CS5 of the Core Strategy states that the Council will endeavour to protect and enhance green infrastructure and biodiversity and to maximise access to open spaces across the Borough by protecting Green Belt and Metropolitan Open Land(MOL) and improving access where appropriate. Development and regeneration activity should be delivered principally through the use of brownfield and buildings. Also, policy thereof states that proposals should enhance the green infrastructure network through better connectivity and the creation of new open spaces whilst also conserving their historic value improving the quality of and access to open spaces especially in areas of deficiency.
- 10.17. The emerging LP2 identifies the site as part of the SA61 allocation for a comprehensive and sensitive redevelopment of the Leisure Centre and Nursery for 280 new homes, leisure and nursery uses and delivering public realm improvements. Any future development is expected to:
 - Improve the public realm.

- Make provision for leisure uses and nursery.
- Safeguard land to the rear/south of the site as Local Green Space (LGS). Nothing can be built on this part of the site.
- Development proposals should protect and enhance the adjacent Metropolitan Open Land (MOL) of the Larks Wood and Larkwood Playing Field that bound the site.
- Development proposals should reference and respond to the conclusions and recommendations of the 2021 ecological appraisal on the Local Green Space .
- Enhanced pedestrian and cycling provision required.

Design guidelines are:

- Existence of sensitive edges on sides of the site with the ancient woodland of the adjacent Larks Wood and Larks Wood Playing fields, which are designated Metropolitan Open Land
- The northern boundary of the site along New Road is a key frontage
- Designated Local Green Space (LGS) to the rear/south of the site is defined as a Priority 1 Habitat.
- The site is adjacent to the Highams Park Neighbourhood Plan Area.
- Active frontages should be provided to the site, along New Road. Any co-location of residential uses with employment or commercial uses should be in compliance with LP1 Draft Policy 31 (Co-location Design Principles).
- Proposals should explore opportunities for urban greening, tree planting and provision of open space. An indicative masterplan was prepared for the site in summer 2021 testing a number of these design principles, which acts as an evidence base document for the site allocation.
- A number of comments from the local community were received during engagement events undertaken when preparing the masterplan, and these are also summarised as part of the evidence base.
- Existence of sensitive edges on sides of the site with the ancient woodland of the adjacent Larks Wood and Larks Wood Playing fields, which are designated Metropolitan Open Land
- The northern boundary of the site along New Road is a key frontage Designated Local Green Space (LGS) to the rear/south of the site is defined as a Priority 1 Habitat. The site is adjacent to the Highams Park Neighbourhood Plan Area.

Loss of former Landscape Contractors Yard/Plant Nursey

- 10.18. The loss of a former landscape contractors yard and prior to that a plant nursery is not resisted in planning terms as the site is considered suitable for redevelopment as a redundant brownfield site that has also been identified as part of the Council's draft LP2 Site Allocations Document site allocation (SA61) aspirations. It is the redevelopment of a brownfield site that is currently not considered to be making an efficient use of land when there is potential for growth and intensification to deliver social value. Such public benefits from its redevelopment would make significant contributions to current key targets for housing (amongst other benefits laid out in the report). The site allocation makes it clear, the necessity to deliver sustainable growth north of Waltham Forest which has been endorsed by a further assessment by Stallan Brand masterplanners which is evidence base for the wider redevelopment of the allocation in terms of design feasibility and compatibility.

- 10.19. As such, in conjunction with the site allocation aspirations, it is considered that the loss of a landscape contractors yard/plant nursery in order to make better use of the land for housing should not be resisted and is therefore justified.

Housing Provision

- 10.20. The proposed scheme would deliver up to 72 units, of which 27% would be affordable housing providing social value in making better use of land by intensification and optimisation in this urban location. This would provide significant public benefits for housing as required by Policy CS2 of the Core Strategy (2013).

- 10.21. The London Plan at Policy D3 stresses the need to optimise the sites for development. The application site has undergone a rigorous masterplan approach for the site and the wider allocation that includes large scale housing led development of some 280 new homes, leisure and nursery uses and delivering public realm improvements. This is to ensure that the holistic redevelopment of Larkswood Leisure Park and clear aspirations expressed through the draft LP2 Site Allocations Document are met in an area considered to be in transition. An indicative masterplan was prepared for the wider site in the summer of 2021 by Stallan Brand resulting in formalised design solutions. From this, a revised scheme of the site came forward that aligns with transitional development; at the same time as acknowledging the Friends of Ainslie and Larkswood (FOAL) application who successfully lobbied for the southern part of the site allocation to be designated Local Green Space (LGS) through the local plan making process as shown here:



- 10.22. This proposed masterplan produced an indicative layout for the entire site allocation in relation to the application site and how neighbouring redevelopment could come forward shown here:



- 10.23. The proposed scheme has been carefully designed through a staged and iterative process having close regard to the masterplan ensuring connectivity and placemaking principles are adhered to. Officers are satisfied that the proposed development would not prejudice the future development of a neighbouring site or prohibit the comprehensive development of the larger site allocation. This site represents a partial redevelopment of the site allocation for housing at the 'Park Edge Corner' contributing 25% of the overall housing allocation contributing to emerging housing targets north of Waltham Forest. This scheme would make more effective use of the site to help deliver much needed new housing in this part of

the borough. It would be a development on previously developed site, in a sustainable location that promotes 15 minute neighbours and reducing car dependency.

Conclusions

- 10.24. Overall, the site currently represents an inefficient use of land in an area in transition. There is a significant opportunity to provide a distinct and high-quality development underpinned by robust placemaking objectives which optimises the potential of the site and delivers a new, well-designed and sustainable development. The redevelopment of the site represents a high quality car free development of the site contributing significantly to the housing stock, north of the borough.
- 10.25. As such, officers consider that the scheme is suitably aligned with the transitional aspirations set out in the draft site allocation (SA61) and the wider masterplan. It would contribute significantly to delivering the objectives under the Council's broader emerging policy for North of Waltham Forest with the provision of strategically important growth and regeneration. The proposed residential scheme would be compatible with the surrounding area in land use terms. The development is therefore considered acceptable as a matter of principle subject to other considerations discussed later in the report in accordance with policies CS1, CS2, and CS7 of the Waltham Forest Core Strategy (2012), policies DM1 and DM2 of the Waltham Forest Local Plan Development Management Policies (2013) and policies 1, 4, 5, 6, 11 and 12 of the Emerging Local Plan and policies D2 D3, H3. G4, H1 B2 b), H4 SD1 and SD6 of the London Plan (2021).

B. MARKET AND AFFORDABLE HOUSING AND VIABILITY

- 10.26. 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. London Plan Policy H4 sets out a strategic target for the provision of 50% of new homes as affordable, listing specific measures intended to achieve this aim, including threshold approach and the use of grant to increase provision beyond normally achievable levels. London Plan Policy H5 states that planning applications for proposals following the viability tested route should include detailed supporting viability evidence, which should be scrutinised to ensure the delivery of the maximum level affordable housing. It also sets out the requirement for early-stage, late-stage, and mid-term stage (for larger phased developments) viability reviews post planning permission for viability tested schemes. The Affordable Housing and Viability SPG sets out additional guidance on the implementation of these policies.
- 10.27. London Plan Policy H6 sets out the requirements for affordable housing tenure; a minimum of 30% low cost rented homes and 30% intermediate products, with the remaining 40% to be determined by the local planning authority. housing provision along with any preference of applicants to propose a particular tenure. Policy DM3 states that the Council will seek affordable-housing tenure split of 60% social/affordable rented and 40% intermediate. Emerging Local Plan Policy 14 states that the Council would expect a tenure split of 70% low-cost affordable rent and 30% intermediate on schemes of 10 or more units.
- 10.28. 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. 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.

- 10.29. Policy DM3 of the Waltham Forest Local Plan Development Management Policies requires that developments are “tenure blind”, meaning that homes across different tenures should not be easily distinguishable based on their external appearance. London Plan Policy D6 has similar requirements, and Policy S4 of the same document states that play space should not be segregated by tenure
- 10.30. Overall, the affordable housing offer is considered justified following FVA scrutiny by the Council’s qualified independent viability 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 will be captured by carefully worded first stage and late stage viability review mechanisms.

Detailed Affordable Housing Offer:

	London Affordable Rent		Intermediate	
Unit size	No. of Units	Mix	No. of Units	Mix
1 bed / 2 persons	2	18%	2	33%
2 bed / 4 persons	4	36%	1	17%
3 Bed / 6 persons	5	46%	3	50%
Total	11	100%	6	100%
	Tenure Split	65%		35%

- 10.31. The affordable housing offer comprises 27% on-site affordable housing provision by habitable rooms and 23% by unit. This provides 65% at London Affordable Rent (available to people on the Council’s Housing Register, with rent levels set by the GLA) and 35% intermediate shared ownership homes (households with up to £90k incomes). The remaining 55 units would market for sale.
- 10.32. As such, given the level of affordable housing being offered, a Financial Viability Assessment (FVA) has been independently assessed by BPS viability experts on behalf of the Council and tested in affordable housing terms at 27% by habitable room, and is considered justified and acceptable in this instance. It is reported that there would be a deficit of some £1.7m which is way below expected net profit values as per Mayor’s Viability SPG (2017). As advised by BPS, officers conclude that the scheme would not be able to provide additional affordable housing in viability terms over and above their existing offer. As the offer falls below the threshold set out by the GLA early and late-stage review mechanisms will be required to capture any future uplift in viability.
- 10.33. Positively, a key benefit of two interconnecting blocks (A & B) is that they read as one block and are therefore tenure blind and “pepper-potted” through the development. In essence, it would not be noticeable which units are which, ensuring one would be unable to establish one form of tenure from another. More importantly, by providing a mixed tenure development, it would create more diverse, socially cohesive and integrated communities and would help to improve social mobility. Thereby, promoting mixed and balanced communities within the scheme and tenure neutral.

- 10.34. All affordable housing secured through planning as low cost rented at London Affordable Rent and Intermediate must be affordable in perpetuity in line with the requirements of the NPPF (2021). As such, this scheme is designed to enable the 17 affordable units to be retained as affordable units in perpetuity secured by s.106 legal agreement.
- 10.35. Taking into account the London Strategic Housing Market Assessment (SHHMA) and the Mayor's Affordable Housing and Viability SPG (2017), there is a general recognition that affordable housing has been historically underdelivered 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 considered to be 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.
- 10.36. As such, following FVA scrutiny, officers consider that the provision of affordable housing offered by the applicant 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

- 10.37. 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.
- 10.38. It should be noted that the Secretary of State in his letter to the Mayor dated 13th 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.*"
- 10.39. 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.
- 10.40. 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.
- 10.41. Policy DM5 of the Waltham Forest Local Plan Development Management Policies sets out the Council's preferred mix as follows:

	1 bed	2 bed	3 bed	4 bed
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Market	20%	30%	40%	10%
Intermediate	20%	40%	30%	10%
Social/Affordable Rented Housing	20%	30%	40%	10%

10.42. The proposal for 72 residential units (including 17 affordable units) would provide the following combined housing mix:

- 24 one-bedroom units (33%);
- 37 two-bedroom units (51%); and
- 11 three-bedroom units (16%).

10.43. The proposed tenure split of the 17 affordable units consists of Low Cost Rent in the form of London Affordable Rent (LAR) and Intermediate shared ownership homes are set out in the table below:

	London Affordable Rent		Intermediate	
Unit size	No. of Units	Mix	No. of Units	Mix
1 bed / 2 persons	2	18%	2	33%
2 bed / 4 persons	4	36%	1	17%
3 Bed / 6 persons	5	46%	3	50%
Total	11	65%	6	35%

10.44. 72 new homes would therefore be delivered across a range of sizes and tenures. Whilst the proposed housing mix would not align precisely with the preferred mix, officers consider a level of flexibility must be afforded in which a higher proportion of one and two bedroom units would be acceptable by reason that these units can increase levels of affordability. Although the percentage of family units is not entirely consistent with the requirements under Policy DM5 of the Local Plan (2013), the Mayor's Housing SPG (2016) encourages flexibility in terms of housing mix on higher density schemes. 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.

10.45. The Council Housing officer has reviewed the housing mix and tenure split and acknowledges that the mix is not in perfect sync with policy aspirations but given the lower overall number of units compared to other large scale majors, it would be difficult to achieve a perfect alignment. Following some negotiation however, the applicant has accepted a request to improve the tenure split by switching one of the intermediate 3 beds units to LAR. This is welcomed by the Housing officer as the tenure split has now improved from 59:61 to 65:35 in favour of LAR. This is now above the Council's current Local Plan target of 60:40 and closer to the 70:30 target of the emerging Local Plan and current London Plan.

10.46. As such, the proposed mix provides a range of unit sizes and tenure across the development that is considered appropriate for the site. The variation of units to be delivered would help create a mixed and balanced community and contribute to 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

- 10.47. 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.
- 10.48. Policy GG2 of the London Plan (2021) sets out that to make 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 promoting higher density development, particularly in locations that are well connected by public transport, walking and cycling.
- 10.49. Policy CS2 of the Waltham Forest Local Plan Core Strategy (2012), 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.
- 10.50. 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, experience, quality and character of the new development.
- 10.51. The key considerations when determining appropriate densities are access to local services, the PTAL levels of the site, planned improvements in 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.
- 10.52. The site is situated in an urban location, north of the borough where there is a low Transport Accessibility Level (PTAL) of 2. Notwithstanding the low PTAL rating, the site is located in close proximity to public transport facilities with bus stops moments away by foot and local services. The proposed development would result in a residential density of approximately 218u/ha based on a site area of 0.33ha and 72 units. The density of the site has been calculated in line with the Mayor's Housing SPG (2016) guidance on calculating density of mixed-use developments. The proposed density is summarised in the table below:

Type	Density (per hectare)	Total
Number of Units	218	72
Number of Habitable Rooms	615	203
Number of Bedrooms	397	131
Number of Bedspaces	794	262

- 10.53. Given that the proposed scheme is considered of a high quality design and would provide a good standard of living accommodation in an urban location, the development would not present concerns in terms of being perceived as overdevelopment. The proposed density is considered appropriate for its location as it benefits and befits its public accessibility levels and encourages the shift towards active transport modes within a mini holland borough – Enjoy Waltham Forest - and promoting 15 minute neighbourhoods.
- 10.54. Akin to the notion of intensification of land in an area in transition, making the most effective use of the land is a key driver and to help gauge this, the Floor Area Ratio (FAR) as set out in paragraph 4.4-4.5 of the emerging Local Plan is applicable. In this respect, the proposed scheme would deliver 5046sqm of residential floorspace in total. This represents a 1.5 FAR which is considered appropriate for areas where the opportunity for a transition of character requires an uplift and intensification of up to 2.0 FAR. This development therefore has an acceptable FAR for its location.
- 10.55. In view of the above, the proposed development is considered to successfully respond to its urban context and deliver a density to plot ratio that optimises housing potential on this site. The proposal is therefore considered acceptable and consistent with the aims of delivering transitional regeneration, subject to all other planning considerations being met, particularly in terms of design and quality of residential accommodation, which is reviewed later in this report.
- 10.56. As such, it is considered that the proposal would make more effective and efficient use of land reflected in an acceptable density of units per hectare and FAR that seeks to optimise the site and its location in accordance with Policies D3 and DM7 of the Waltham Forest Local Plan Development Management Policies (2013) and Policy CS2 of the Waltham Forest Local Plan Core Strategy (2012).

E. STANDARD OF RESIDENTIAL ACCOMMODATION

Internal Space Standards

- 10.57. The 'Technical Housing Standards – nationally described space standard' (2015) stipulate the minimum gross internal floor space required for residential units on the basis of 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 size of rooms and functional room layouts, that meet the minimum spatial requirements.
- 10.58. 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.
- 10.59. Policy CS2 of the Core Strategy (2012) requires high quality design for new housing development that has the ability to 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.
- 10.60. 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 Plan and the GLA's Housing SPG (2016).

- 10.61. All of the proposed residential units would either meet or exceed the minimum internal space standards contain within the 'Technical Housing Standards - nationally described space standard' (2015) and Standard 24 of the Mayor's Housing SPG (2016).

Dual Aspect/units

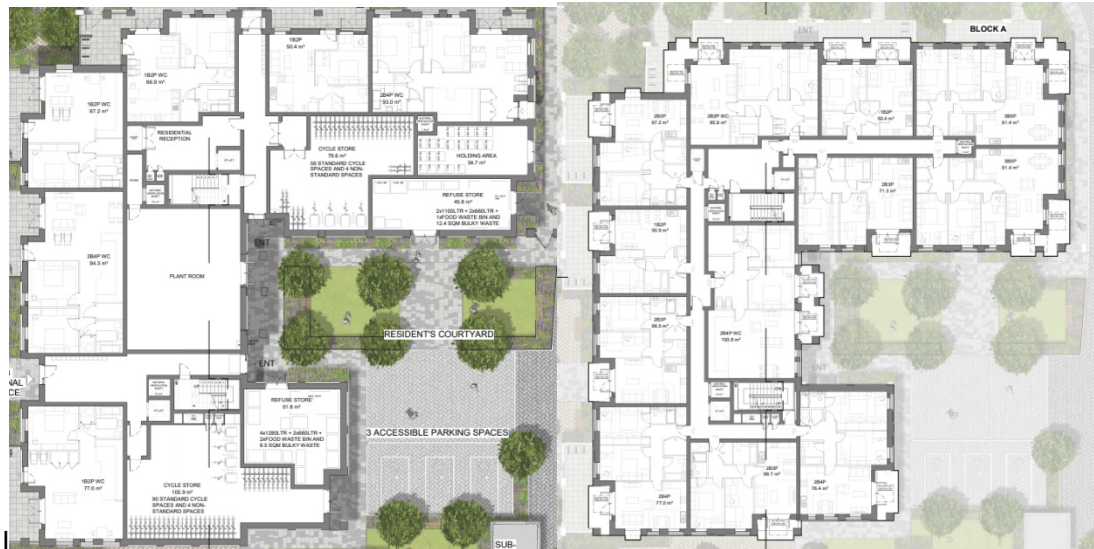
- 10.62. Policy D6 of the London Plan (2021) advises that dual aspect dwellings with opening windows on at least two sides have better daylight, a greater chance of direct sunlight, natural cross-ventilation, a greater capacity to address overheating, pollution mitigation, improved aspect and outlook, greater flexibility in choice of rooms and greater chance of accessing quiet rooms.
- 10.63. The proposal seeks to avoid north facing single aspect units with only 6% (5 units) designed in this way. Those units that would be north facing and single aspect are five one bed units in number, and these would have generous, double balcony spaces. Given the span width of the blocks, it is unfeasible to complete the design without a small proportion of such units. The two proposed blocks on the south side of New Road would be some 30m away from the nearest residential properties on the north side of New Road to ensure privacy and outlook acceptability levels for existing and future occupiers. Those units that would be single aspect are five one bed units and these would have generous, double balcony spaces. Given the span width of the blocks it is unfeasible to complete the design without a small proportion of such units. Overall, the scheme would provide an excellent proportion of dual aspect units with all units having a 2.3m floor to ceiling, which is acceptable.
- 10.64. Each block would not exceed the general upper limit of eight units per floor for each block in accordance with the London Plan's Housing SPG (2016).
- 10.65. As such, it is considered that the quality of the environment of future homes is acceptable due to careful design consideration which would make most efficient use of the block layouts. There is a very small percentage of single aspect north facing units, which is unavoidable, but in the main all units especially two and three bed units would have dual aspect.

Accessible Units

- 10.66. Policy D5 of the London Plan (2021) state that 10% of new housing must meets 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 also requires an inclusive design statement to be submitted as part of the DAS.
- 10.67. 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.
- 10.68. The proposed development would result in 65 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 plan below illustrates where the wheelchair units (WCH) units would be within the blocks, with 2 x 1 beds and 5 x 2 beds located on

ground and first floor levels. Three of the units would be at LAR and would be delivered as accessible from the outset, the remaining four would be adaptable.

Ground Floor and First Floor Levels



- 10.69. In line with National Planning Practice Guidance (NPPG), all LAR units should be delivered as wheelchair accessible, and the shared ownership and market units should be delivered as wheelchair adaptable. The proposed wheelchair accessible units will be secured by condition subject to planning approval.
- 10.70. 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.
- 10.71. The applicant has confirmed their commitment that the proposed wheelchair units would 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.
- 10.72. The proposed wheelchair units would be specifically designed for wheelchair accessibility being located at ground floor level and in close proximity to two lift cores at first floor level for ease of access and distributed throughout the development to provide a range of aspects, floor level locations, views and unit sizes. 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.
- 10.73. As such, it is considered that the proposed development would provide acceptable levels of wheelchair 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

- 10.74. Standard C10 GLA's Housing Design standards LPG (2023) requires a minimum of 5sqm of private outdoor space for 1-2 person units and an extra 1sqm for each additional occupant. The minimum depth and width for all balconies and other private external spaces to be 1.5m.
- 10.75. 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.
- 10.76. Based on the proposed housing mix, the scheme would provide 131 bedrooms. Therefore, the proposed development is required to provide 1310sqm of amenity space to accord with Policy DM7 of the Waltham Forest Local Plan Development Management Policies (2013).
- 10.77. Residential amenity space is to be provided in form of communal external amenity spaces including communal gardens, child playspace and new areas of public realm provided within a central landscaped courtyard and podium level space.

Amenity Space

- 10.78. All units would comply with the following minimum private amenity space as set out in the GLA's LPG :
- 1B1/2P - minimum 5sqm
 - 2B3P - minimum 6sqm
 - 2B4P - minimum 7sqm
 - 3B5P - minimum 8sqm
- 10.79. In total, the proposed development would provide 586sqm of communal space, 315sqm of playspace) and 698sqm of private amenity totalling 1599sqm for communal and private amenity spaces combined. This exceeds the overall requirement of 1310sqm by 22% tantamount to 289sqm.

Private Amenity

- 10.80. It is proposed that all the new flats would have policy compliant sized private amenity spaces in the form of recessed or projecting balconies and private courtyard style garden for six ground floor units as per the above minimum standards in accordance with the London Plan LPG and Policy DM7 of the Local Plan (2013).

Communal Amenity and Children's Play Space

- 10.81. 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.
- 10.82. The communal amenity spaces would be located in pockets at ground floor level and on rooftop podiums which would provide attractive and unique views over the expansive landscape of the LGS, MOL and ASNW. The landscape strategy focuses on four dedicated landscaped areas described as follows:

1. Central Courtyard; *The proposed landscape creates a streetscape that is active and accessible to uplift the quality of the surrounding public realm and makes the space feel more inviting. The proposed street tree planting will link with the existing tree avenue, potentially forming a boulevard pedestrian walk. A high-quality defensible landscape will be incorporated to create a safe and welcoming environment and uplift the communal amenity value for the residents.*
2. Western and northern boundary; *The proposed landscape intends to create an active street frontage along the site northern and western boundary to tie in with the forthcoming wider masterplan development and enhance existing street scene along the New Rd. Columnal & pollution tolerant street tree species will be proposed along the northern frontage to soften the building massing. Native tree species will be proposed along the western boundary to further enhance the site ecological value*
3. Eastern and Southern boundary; *The eastern boundary landscape will be carefully designed to address the significant level change by using wire mesh green wall system with native climber species and native hedgerow mix to achieve good coverage and enhance biodiversity. On top of the retaining structure, an approx. 7m wide native woodland buffer is proposed to provide a robust mitigation measure against noise and light pollution of the development and further enhance site ecological value. A similar approach will be used along the site southern boundary and work carefully with existing trees adjacent to the application boundary*
4. Podium level space; *The landscape proposal aims to establish a range of spaces and places suitable for activities within the communal amenity podium space, allowing recreation and enjoyment by future residents. A contemporary design language will be incorporated and will strengthen the link throughout the whole site. This will provide both a delightful landscape to explore and a pleasant outlook from the proposed residential block. The proposed playspace will be designed to cater to a range of ages (with a focus on children aged 0-11) and will be situated within the podium courtyard. The play equipment proposed will be informal in character and blend nicely with the podium landscape.*

10.83. The play space for over 11yrs ages can be accommodated offsite by utilising a series of local public open spaces and parks which are easily reachable and within comfortable walking distance. Those ages up to 5yrs and 11yrs, three formal dedicated areas would be created shown here in the two visuals:



10.84. The GLA population yield calculator estimates a total of 32.5 children would be expected within the proposed development which require 325.1sqm. The proposal would provide 315sqm resulting in a 10sqm shortfall.

10.85. It is considered that the future residents of the development would have excellent access to suitable private amenity and communal space which would help promote healthy and sustainable lifestyles and within the public realm of the proposed development there would some amenity areas onsite and a communal garden. In terms of playspace provision and the above stated shortfall, Larkswood abuts the site on its eastern boundary where there are swaths of MOL. There is also the newly designated LGS to the south of the site and a large playing field off Bailey Close which is a short walk away (4mins) which provides a unique experience in having contiguous access to vast areas of the natural environment. Given the site is adjacent to an ASNW, MOL and LGS a minor relaxation in play space quantum can be afforded on balance in accordance with London Policy S4.



10.86. It is raised by objectors that playspace at roof level should not be supported but this has been an acceptable form of space for play borough wide and this has been tested at recent appeal in Highams Park.

10.87. As such, it is considered that the scheme would provide excellent public realm, generous private amenity provision and dedicated playspace for future occupiers in accordance with the guidelines contained within the Mayor's Housing Design Standards LPG (2023) 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 AMENITY

- 10.88. Policy DM32 of the Local Plan (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.
- 10.89. In terms of impact on neighbouring properties, the development would be near residents along New Road on the north side. The eastern western and southern boundaries of the site present the least sensitive receptors to the proposed development in the form of the residential neighbours as there is commercial and MOL and ASNW land in those directions.

Daylight, Sunlight and Overshadowing

- 10.90. The potential impacts on 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).
- 10.91. 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.
- 10.92. 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."*
- 10.93. 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'*.
- 10.94. The application is accompanied by a Daylight and Sunlight report prepared by Robinson Surveyors Limited. An independent assessment has been carried out by Rapleys and their conclusions are expressed in the following sections.

Internal Daylight Assessment – future occupiers

- 10.95. 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 Robinsons Surveyors Limited and an independent assessment has been carried out by Rapleys on behalf of the Council. Their conclusions are as follows:

- 204 rooms have been assessed using the Average Daylight Factor (ADF). All 204 rooms meet the levels recommended in the BRE. This equates to 92% pass rate.
- It is noted that some of the rooms will be subject to overheating.
- Sunlight has been assessed to 204 Rooms using Annual Probable Sunlight Hours (APSH). 109 and 124 living rooms (53% and 61%) meet the recommendations made in the BRE annually and in winter months.

10.96. To this end, given the optimal intensification of the site and comparable impacts within an urban context, the proposed development performs exemplary with regard to internal daylight for future occupiers, with minor ADF deficiencies resulting in 92% pass rate for BRE based on ADF and 53% and 61% for APSH (annually and winter) which is within acceptable limits. 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

- 10.97. Given that prevailing residential properties are established on the north side of New Road the daylight and sunlight consultants have reported there would be no undue effect on nearest residential properties (2 Woodview Avenue - 56 Woodview Avenue - 184 New Road - 186 New Road - 188 New Road - 190 New Road - 192 New Road - 194 New Road - 196 New Road - 198 New Road). The daylight and sunlight report reports about the potential impact on the Busy Bee Day Nursery to the south of the application site. It is considered that there would not be a harmful loss of sunlight and daylight levels.
- 10.98. In summary, Rapleys, the Council's independent daylight, sunlight and overshadowing consultants, report that:
- The development achieves an overall pass rate of 100% based on No Skyline (NSL).
 - The development achieves an overall pass rate of 100% based on Virtual Sky Component (VSC).
 - The daylighting to the windows has been assessed to 85 windows using the VSC and 32 rooms using daylight distribution assessment with 100% pass rate in both respects. The baseline line conditions demonstrated that all windows and rooms met the recommended levels detailed in the BRE for compliance.
- 10.99. Gardens have not been assessed for neighbouring properties given the generous separation distances and orientation between the proposed development and neighbouring amenity areas where transgressions are highly unlikely. In addition, the 'low rise' neighbouring built environment means that the development is highly unlikely to breach recommendations in the BRE.
- 10.100. Officers duly reports that the Councils consultant, Rapleys, considers the proposed development to be acceptable in terms of Daylight and Sunlight. The results demonstrate that neighbouring daylight and sunlight levels would be broadly preserved with all reductions are within 20% of their current (existing) levels and thus occupiers are unlikely to notice changes to their natural light levels.
- 10.101. In terms of sun on the ground (SOTG), amenity areas within the proposed development site would receive more sunlight more than the minimum BRE Guide. Whilst there is a limited lit area of 16% in amenity area A1 shown in the table below, 92% of the total amenity area

would achieve sun on ground for 2 hours or more (as defined in the BRE Guide sun on ground test). This greatly exceeds the target of 50% target detailed within the BRE Guide and, therefore, overall is more than adequate.

Floor Ref	Amenity Ref		Amenity Area	Lit Area Proposed	Meets BRE Criteria
Proposed					
Ground	A1	Area m2	20.20	3.30	NO
		Percentage		16%	
Ground	A2	Area m2	49.92	26.09	YES
		Percentage		52%	
Fifth	A1	Area m2	391.85	355.62	YES
		Percentage		91%	
Sixth	A1	Area m2	91.38	84.12	YES
		Percentage		92%	
Seventh	A1	Area m2	583.51	571.31	YES
		Percentage		98%	

10.102. As such, the potential impact on nearest neighbouring properties in terms of loss of daylight and sunlight are considered acceptable and there would be minimal overshadowing of amenity in relation to SHOG complaint with BRE guidelines.

Conclusions

10.103. Overall, it is considered that the proposed development would deliver an excellent level of daylight and sunlight within the proposed development with 92% ADF compliance rate. Equally, the impact on neighbouring amenity, compliance would be 100% for NSL and VSC. Policy aspirations to make more effective use of development land and optimises densities require a flexible approach to daylight and sunlight. This is considered especially true given the BRE guide itself advocates the flexible application of its criteria. This is echoed in the policy directive to make efficient use of this inefficient brownfield site and the flexible approach afforded by Paragraph 1225 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

10.104. Policy 29 of the Mayoral Housing SPG (2016) states that development should maintain 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.

10.105. Waltham Forest Urban Design SPG states that the following minimum clearance separation distances between Urban Design Team, London Borough of Waltham Forest Supplementary Planning Document Urban Design adopted in February 2010 states that windows of habitable rooms and kitchens in opposing dwellings should be:

- 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;

- 10.106. However, the Urban Design SPG is not considered appropriate for higher density schemes, therefore the Mayor's Housing SPG (2016) is applicable in this regard.
- 10.107. The proposal has been carefully designed to protect privacy and overlooking to future and existing residents. Officers have assessed the established separation distances from the proposed windows to the existing properties along New Road. Paragraph 2.3.36 of the Mayor's Housing SPG express that a guideline of 18-21m between facing homes should be maintained. The proposed development would be comfortably more than this at more than 30m away from the nearest residential properties on the opposite side of the New Road ensuring there would be no loss of privacy or outlook for existing residents.
- 10.108. Owing to the siting against prevailing urban relationships and topologies in immediate area, it is considered that the proposed separation distances would respect the established urban context and sufficiently preserve satisfactory levels of privacy to existing neighbouring properties and for future occupiers in accordance with DM32 of the Local Plan (2013).

Outlook

- 10.109. 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.
- 10.110. Officers consider that the scheme set against the masterplan for the area would ensure that the current level of outlook is retained for existing residential occupiers and that a development of this size and scale would be set well within its boundaries, rare in urban locations. For these reasons, the proposed development is considered to accord with DM32 of the Waltham Forest Local Plan Development Management Policies (2013).

H. DESIGN OF THE DEVELOPMENT

- 10.111. 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.
- 10.112. Policies D4 and D6 of the London Plan (2021) states that development should be of a high quality of design and placemaking. Policy D8 states that development encourage and explore opportunities to create new public real and maximise the contribution that the public realm makes to encourage active travel.
- 10.113. 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.
- 10.114. 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.
- 10.115. Policy DM31 of the Waltham Forest Local Plan Development Management Policies (2013) relates to Tall Building and considers several factors relating to relationship to topography and surrounding landform and quality of design and architecture.

- 10.116. The proposed development comprises two interlocking blocks at five and seven storeys. The scheme has benefitted from a Design Review Panel (DRP) session and officers agree that the scheme has developed positively because of this review. The proposed development has been designed with the need to demonstrate a high level of design quality due to the location of the site adjacent to Larkwood MOL and the rising topography of the land.
- 10.117. The DRP and Council Design Officers particularly welcome the challenge of bringing forward development on this site ahead of the wider site allocation. They stress that balance must be found to optimise the quality of the development on this site. In their view, this can be achieved through an iterative masterplan that connects the site to the wider site allocation and can be adjusted over time. To this end, in essence, design officers support that the site can be brought forward whilst enabling connectivity across the wider site allocation. In concert with DRP advice, the Council's masterplanners have produced a design-led masterplan that the proposal adheres to and has carefully evolved. Throughout the design process, a considered approach has led to a scheme that would make more effective use of the land and create urban design benefits. It would create a new active frontage along this stretch of New Road, enhancing the sense of place and improving placemaking. The frontages would provide visual interest, increasing the sense of safety on the street and providing a visual focal point. Whilst this scheme would bring about a fundamental change in the function and appearance of the site, the proposal responds positively to its sensitive site context in terms of connectedness with the wider Larkwood Leisure complex and its ecological and natural setting by creating a buffer zone which is explained in more detail later in the report. Its overall height and gradation are considered appropriate for the site at five and seven storeys in line with policy also explained later in the report.
- 10.118. Council's Design Officer and the Design Review Panel (DRP) advised on 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: *"We believe that this scheme must be part of a masterplan for the full site allocation to be delivered through phased development on adjacent sites. Emerging work by the design team and London Borough of Waltham Forest suggests that this aspiration may be achievable in some form. We also believe that developing this site and delivering a masterplan for the wider site allocation are not mutually exclusive and we encourage the design team and London Borough of Waltham Forest to be open-minded in collaborating on an iterative, flexible masterplan to achieve this. Such an approach could allow for better connectivity across and between sites and ultimately create a more attractive offer for future residents through a more coherent approach to placemaking, architecture, and landscape design."*
- 10.119. The DRP made the following recommendations:
- Reappraise the hierarchy of routes across this site and wider site allocation to reduce the dominance of cars on the access road through this site;
- LPA Response: The proposed scheme would be car free apart from disabled parking. This is in line with the wider ambition to reduce car dependency with a focus on active travel, promoting cycling, walking and use of public transport in the borough and London-wide.*

- Ensure greater connectivity between this site and the wider context, including Larkswood and Bailey Close;

LPA Response: The scheme has been designed to enable the wider site to come forward at a later time in line with the agreed masterplan of the site allocation which seeks to improve placemaking and connectivity.

- Develop a placemaking approach based on a woodland character;

LPA Response: An acceptable buffer zone would be created in agreement with Natural England and Trees and Conservation Officers. This buffer will create significant net biodiversity net gain and provide tree protection .

- Test options for more ambitious architecture through taller buildings with a smaller building footprint;

LPA Response: The design concept has taken a storyboard approach through various masterplan iterations which has resulted in plot reduction and different heights, layouts, typologies and quantum. The scheme is considered making more effective use of the land in an area in transition suitable for taller buildings.

- Complete rigorous analysis of the site condition to inform development of the landscape design;

LPA Response: The DAS explains and displays the iterative process and the rigorous design led approach to align with the Council's masterplan and

- Defining a semi-public space as the heart of the site for residents to play, dwell, and socialise; and

LPA Response: The scheme would create amenity spaces exceeding standards and is surrounded by LGS, MOL and ASNW. There would be a courtyard and dedicated amenity spaces at grade and podium levels that are easily accessible, safe and attractive.

Building Layout and Spatial Configuration:

10.120. The proposed spatial layout seeks to deliver a modern, high quality wholly residential development that adheres to urban design principles found in the National Design Guide 2021 and the ten characteristics. The proposal responds well to its unique setting with a layout that adopts a permeable and legible modern design that knits in with the wider Larkswood Leisure Park. The layout in relation to its surrounding context with the commercial and natural environment is arranged to ensure appropriate mitigations and landscape desirability to enable future development of neighbouring sites. Officers agree that the layout has been designed suitably to encapsulate a high quality of design at the same time as protecting and enhancing the interconnectivity and permeability of the site towards the LGS, the ASNW, and MOL. Good placemaking would be achieved that allows for the masterplan of the wider area in transition to achieve a considerable increase in intensification of the land. The building layout follows a careful design-led approach to

create opportunities to deliver future linkages that include green streets, cycle pathways and useable amenity spaces.

- 10.121. The proposal comprises of two interlocking blocks with Block A having a smaller footprint and situated at the northern part of the site and facing New Road. The larger Block B has a layout integrated into Block A arranged around a central core with lift access for the residents of both blocks. It is considered the proposal would be of high quality, utilising contemporary detailing and materials that complement its sensitive setting and improves the urban character of New Road.
- 10.122. As such, it is considered that the proposed spatial layout is considered acceptable as it would integrate well into the existing urban environment and provide high quality placemaking and improved 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

- 10.123. 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.
- 10.124. Policy D9 of the London Plan (2021) 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.
- 10.125. Policy 57 of the emerging Local Plan 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.
- 10.126. Policy CS15 of the Core Strategy (2012) allows taller buildings (5 -9 storeys) in areas outside of growth areas. This policy states that location for taller buildings could include:
- 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.
- 10.127. Policy DM31 of the Waltham Forest Local Plan 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.
- 10.128. With reference to the LBWF Character and Intensification Study 2019, a holistic approach to redevelopment gives much greater scope for intensification following an agreed response to the character than smaller sites. Greater flexibility for the arrangement of taller elements and the creation of new urban grain is encouraged. This holistic approach to intensification allows a positive response to the character and the placemaking agenda whilst having due regard to the local character.

10.129. The proposed heights at five storeys fronting New Road and seven storeys toward the south are considered appropriate in an area of transition, consistent with the wider masterplan and key aspirations for the allocated site. Urban Design SPD recommends that storey heights can be increased along key routes which New Road is a key A-road. The proposed building would respond well to its existing urban context and its ecological and natural surroundings. This is illustrated in the masterplanned approach whereby the distinction between the northern frontage, southern edge and the park edge corner, range from four to seven storeys shown here:



KEY

- | | |
|---|---|
|  New Road Frontage (5 Storeys)
Creating an appropriate frontage to the road set back from the existing tree line |  Southern Edge (4 Storeys)
Creating a sensitive edge to the green space to the south |
|  Interior Street Frontage (3-5 Storeys)
Framing a sequence of coherent neighbourhood streets |  Park Edge Corner *(up to 7 storeys)
The east side of the park edge will be framed by a high quality building aiding wayfinding and improving promoting legibility for pedestrians |

10.130. The proposed development would be set back from the woodland and in a position at the park edge corner. This point has been justified through an iterative process that balances the wider masterplan approach and the natural environment through a series of contextual studies as storyboarded in the DAS and the DRP session. As the site is in an area of transition, taller buildings, in policy terms, should be between six and nine storeys as described in Policy 57 of the emerging Local Plan 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; a. 10 – 13 storeys; or 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; a. 10 – 13 storeys; or 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

10.131. In light of the above, it is considered that there is a strong and robust justification for introducing high quality taller buildings in this location and allowing appropriate urban transitional development to be delivered. It is considered that the proposed taller building would successfully respond to the character and constraints of the site and achieve an acceptable perception from the nearby and the wider streetscape.

10.132. As such, the proposed height and massing of the proposed scheme is justified and considered consistent with Policy DM31 of the Local Plan (2013) Policy CS15 of the Core Strategy (2012) and Policy 57 of the emerging Local Plan and Policy D9 of the London Plan (2021)

Scale and Massing:

10.133. Policy 8 of the of the emerging Local Plan 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.*

10.134. The proposed building responds to its unique site context and policy expectations to bring about transitional development along New Road. This character-led intensification follows the acceptable ranges of heights as set out in Policy 57, criterion D in the emerging Local Plan which sets out a transitional range for taller builders at 6-9 storeys with shoulder heights of 3-5 storeys.

10.135. The design concept provides views from east and west along New Road and south of Woodview Avenue set out in the DAS. The design as advised by the National Design Guide (NDG) follows an expressed story for the design concept and how it has evolved into a design proposal. The applicant has followed this advice to help inform the design and draw its inspiration from the masterplan and wider context expressed in modern architectural influences. This is illustrated below:



10.136. In providing interest and articulation at the base, middle, and top of the taller buildings, architecturally, the design of the scheme is supported. There would be no blank walls or voids and the ground floor frontages would provide good active elements ensuring visual connections to all orientations of the site, with a communal entrance activating New Road.

10.137. The topography of the land allows the proposal to sit sensitively within the landscaping with the extensive backdrop of the Larkwood Park, not to appear overbearing or cause undue disturbance to the verdant environs within which it sits. The proposed two blocks feature as one collectively urban form with Block A rising to five storey north facing along New Road and Block B rising to seven storey towards the south of the site. It is considered that the proposed scale and massing suitably responds to the sloping topography, reducing the height of the built form towards New Road with Block B being two storeys taller and set back behind Block A.

10.138. The metal panelling on the top floors is designed to be perceivably lightweight in contrast to the masonry below. The massing is well considered and articulated with sections set back to form private amenity spaces. Added visual interest would be created by the fenestration

as it is accentuated with a rhythmic pattern of vertical recesses that mirror the brick fenestration below. The top level is designed to form a roofscape that appears separate in materiality terms but complementary to the overall elevation concept strategy.

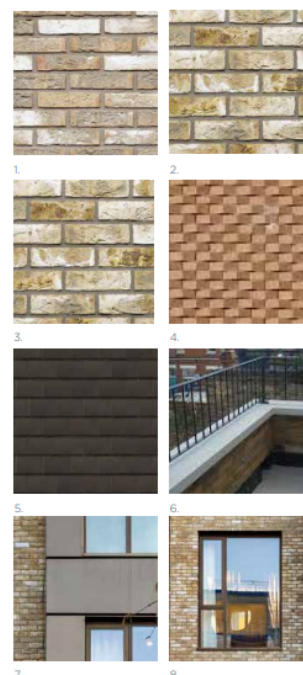
- 10.139. As such, subject to conditions, the overall massing and building articulation of the scheme is considered exemplar and appropriate for a site identified for a transitional response to the surrounding character consistent with Policies DM29 and DM30 of the adopted local plan (2013), and Policies 8 and 9 of the emerging Local Plan and the NPPF.

Architectural quality and Materiality

- 10.140. 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.

- 10.141. A contemporary approach to architecture is supported in this location and the choice of materiality responds well to the context given the high quality material palette. As set out in the DAS, the material strategy and its rationale is considered well thought out and befits such contemporary style buildings. A pallet of materials in consultation with the Council's Design Officer accompanies the application and this schedule has been selected to build on the idea of achieving the feel and quality of a classical yet contemporary residential development. The refrained use of a limited palette of high quality materials is welcome as they look to tie the different housing typologies together into a coherent streetscape. A traditional buff clay brick with a white lime mortar, all flush pointed. This has been selected as the primary material for the scheme, for its local flavour and robustness. A variety of brickwork textures including double brick soldier course banding and protruding brick patternation create patterns and texture effects across the scheme. Shown here are details that helped develop the architectural composition of the scheme:

- . Brick (Buff Dark)
- . Brick (Buff light)
- . Banding brick detail
- . Projecting brick detail
- . Metal clad mansard roof
- . Metal balcony railing
- . Metal cladding
- . U-PVC/ aluminium window frame



- 10.142. The proposed architectural approach is considered robust and of high quality as a result of a detailed analysis of the surrounding area. Robust, natural, and hard-wearing materials have been selected to create a high-quality material palette and create enlivened visual interest. This is supported by the Council's design officer who broadly welcomes the materiality with the use of bronze and metal vertical bars. The top floor mansard takes on a slightly different architectural language and is intended to form a roofscape that is separate in materiality terms but complimentary to the overall elevational concept strategy. Detail bay studies have also been developed to test scale, design proportions, material hierarchy and fenestration ratios for energy performance criteria. The scheme has been designed in accordance with the existing context of the site, the masterplan and the requirement to optimise the delivery of homes on brownfield sites. Whilst the Design Officer advises that

the material palette is supported, the materials should be conditioned to ensure acceptability on the quality and finishes across the entire scheme are of the highest quality, and to guard against any potential “value-engineering” at the implementation stage. Also advises that Saunders Architecture be retained during the build phase until completion by way of s.106 legal agreement to ensure design quality post-permission.

- 10.143. 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, brick detail and balconies would create visual interest and reduce a sense of massing and bulk.

Public Realm

- 10.144. Policy D8 of the London 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.

- 10.145. The proposed development would make a positive improvement to placemaking, reflecting the historic local context and public accessibility. The scheme would introduce connectivity through the site towards the LGS and the wider Larkwood Leisure Park. This would introduce new pedestrian routes and enhance the journey for pedestrians along New Road, so it feels comfortable in the streetscene and help to protect and enhance biodiversity. These components align with the masterplan enhancements to placemaking and linkages in the wider context as shown here:



- 10.146. Officers consider that the proposed development suitably recognises the unique opportunity to improve the quality of the public realm by introducing new linkages to improve permeability and connectivity through Larkwood. New dedicated planting and amenity spaces would create green streets within the proposed development. The proposed spaces would promote social interaction, create enhanced active frontages and improve placemaking linking the wider area and the recently designated LGS featuring extensively towards the rear of the site shown here:



Conclusions

10.147. Overall, the proposed scheme represents a significant opportunity to contribute to the borough's housing targets and make more effective use of the site. Officers recognise this opportunity to suitably intensify the land with a strong architectural approach that harnesses its unique site characteristics adjacent to the ASNW. As such, it is considered that the proposed development is acceptable in design, visual, and massing terms as it responds to the delivery of transitional development. The principle of taller buildings on this site is justified and encouraged in adopted and emerging policies. The proposal would therefore be consistent with the objectives of Policies CS2 and CS15 of the Core Strategy (2012) and Policies DM29 and DM31 of the Local Plan (2013), Policies 8, 9, and 57 of the emerging Local Plan and Policies D1, D2 D4, D6, D8 and D9 of the London Plan (2021).

I. TRANSPORT AND HIGHWAYS

- 10.148. The NPPF (2021) states that development should take opportunities to promote walking, cycling and public transport use.
- 10.149. 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 developments 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.
- 10.150. 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).
- 10.151. 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, to reduce the need to travel by car and to encourage walking, cycling and the use of public transport.
- 10.152. 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.
- 10.153. Policy DM14 of the Waltham Forest Local Plan Development Management Policies (2013) encourages sustainable travel.
- 10.154. 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.

10.155. The Council's Highways Team have considered the application and raise a holding objection to the scheme on the grounds that whilst the scheme should be acceptable in principle it cannot be considered genuinely car free as there is no CPZ in effect in which to prevent parking permits for future residents. The Highways Team subject to approval, recommend S278 works, and S106 contributions, which are outlined in Section 1 of the committee report, be secured for the following extent of works which include but are not limited to:

- Renewal of the footway along the frontage of the site.
- Upgrade of the existing lanterns lighting the frontage of the site to LED lighting.
- Conversion of the informal pedestrian crossing point to a zebra crossing.
- Installation of waiting and loading restrictions along New Road.
- Installation of the vehicle crossover for the final development.
- Removal of all required enabling works installed for construction

10.156. The above works should be carried out prior to occupation and an application for Highways Works will be required to regularise the above detail of works. Section 59 of the Highways Act allows the recovery of expenses in the event of extraordinary traffic. A highways condition survey is therefore recommended by condition, to assess whether there is any deterioration of the highway as a result of the construction works, so these are repaired as part of the construction works.

Vision Zero

10.157. The access from New Road would be two way for delivery and servicing vehicles and visibility is not considered to be an issue at the entrance of the proposed development site as New Road is relatively straight 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.

10.158. It is reported in the TA that there have been no accidents over the past three years along New Road adjacent to the boundary. There have been several minor accidents on New Road further to the west, but no 'Killed or seriously injured' (KSI).

10.159. A Stage 1 Road Safety Audit (RSA) will be secured by condition to ensure the proposed servicing bay is safe and does not threaten pedestrians or cyclists.

Active Travel

10.160. As part of the Transport Assessment (TA) prepared by Aval Consulting Group the need to promote Active Travel initiatives was recognised.

10.161. Officers will secure a contribution of **£120,000** towards Active Travel Behaviour Change Initiatives for new residents subject to planning approval. These funds would go towards the locally hosted initiatives within the nearby locations to offer training for residents and families that support the Borough's goal for an uptake in sustainable transport within the 15-minute neighbourhoods' framework. This will be secured by s.106 legal agreement subject to planning approval.

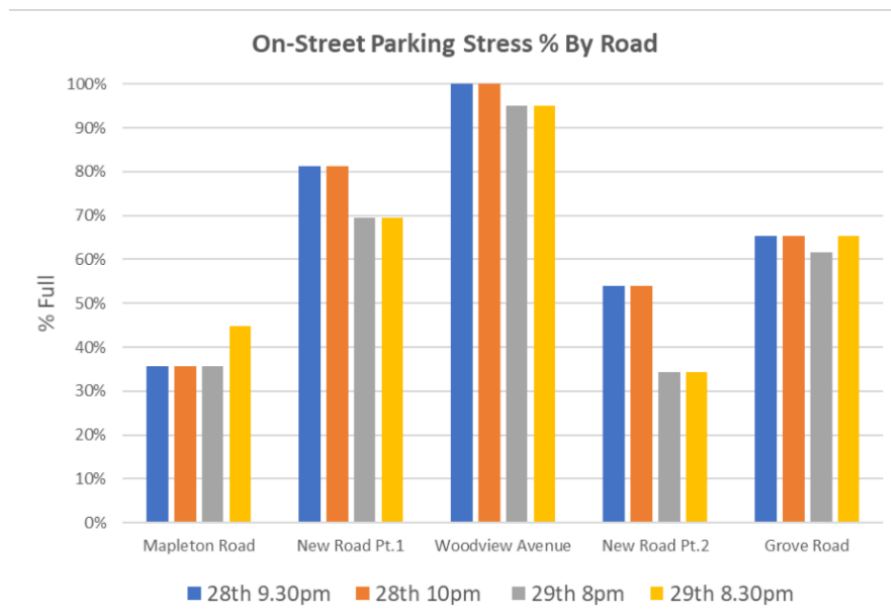
Trip Generation

- 10.162. The submitted TA sets out the person trip generation to the site. The residential trip generation has been calculated which identifies 20 pedestrian movement between the hours of 08:00 – 09:00, and 16 pedestrian movements 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 5 bus trips and rail users expected for each method of transport during peak periods. Total vehicles in and out would be 61 (AM) and 59 (PM) respectively. This coincides with the fact the site has a PTAL 2 rating.
- 10.163. 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 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.
- 10.164. 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.
- 10.165. 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

- 10.166. Policy T6.1 criterion G) 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.
- 10.167. Policy DM17 of the Local Plan (2013) 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.
- 10.168. 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. However, the minimum number of off-street disabled parking spaces is 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.
- 10.169. Three disabled parking spaces would be provided complying with London Plan Policy T6.1 as this equates to 3% from the outset of the development proposals. In terms of general parking, the scheme is considered car free on the basis no general off-street parking onsite. There have been a high number of objections raising the issue of a lack of parking and the stress this can have on neighbouring streets. As part of the Transport Assessment, parking beats/counts were undertaken in the evening/night when most residents would be at home

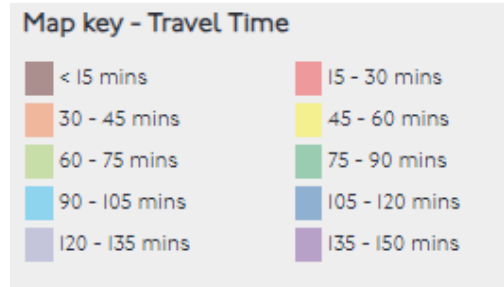
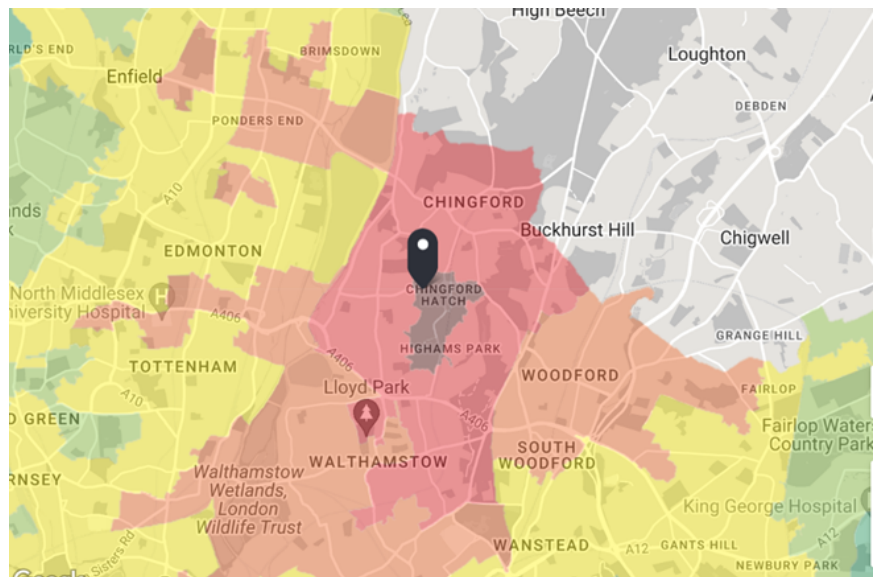
and parking would be at its highest. These beats were undertaken at 9.30pm and 10pm on Tuesday and then 8pm and 8.30pm on Wednesday. The results are as follows:



- 10.170. The above graph displays low to medium parking stress on nearby roads to the site, as such, there would be availability for on-street parking in the local area as these roads are not full of existing residential vehicles with the exception of Woodview Avenue, which has very high parking stress. However, this does not mean the future residents will necessarily be encouraged to park on these streets should future owners seek car ownership. To address Highways concerns with regard to potential parking overspill directly generated by the proposed development, in the event parking stress were to increase to unsustainable levels and a CPZ was introduced, all future occupiers except blue badge occupiers would not be entitled to a permit. This will be secured by legal agreement.
- 10.171. The Public Transport Accessibility Level (PTAL) for the site is 2, which means the site has a low level of public transport accessibility. Despite the low public transport rating, the site is located within a few minutes' walk of a couple of bus stops which serve several local bus routes.
- 10.172. Near to the site, bus stops are located on New Road close to the junction with Mapleton Road to the east of the site access and on New Road close to the junction of Grove Road to the west of the site. These bus stops are located within 150 yards and a 2-minute walk of the site. The bus stop near Mapleton Road serves westbound buses, whereas the bus stop near Grove Road serves eastbound buses. Both bus stops provide local bus routes 357, 444, 657 and W16. Buses arrive every 10 to 20 minutes and travel towards Edmonton or Walthamstow when travelling west and towards Chingford Hatch, Chingford Rail Station or Highams Park Overground Station when travelling east from the site.
- 10.173. Highams Park Overground Station is located approximately 1 mile south of the site, which corresponds to approximately 4 minutes' driving time, 6 minutes' cycling time or 20 minutes' of walking time. The station is also on a bus route. Northbound trains can only travel as far as Chingford Rail Station, while southbound travellers can travel to Walthamstow Central Rail Station to connect with the Victoria Line on the London Underground or continue onwards to London Liverpool Street Rail Station.

10.174. Other nearby stations include Meridian Water Railway Station, which is situated 2.5 miles to the west of the site. The station is accessible within a 15-minute cycle ride of the site access on New Road or a 14 minutes' drive. Buses also serve this station. The railway station is served by Great Anglia trains and these travel to destinations such as Stratford, Bishops Stortford and Hereford East. Woodford Underground Station is on the Central Line and this station is located approximately 2.5 miles to the south-east of the site. It can be reached within a 13 minutes' cycle ride or an 8 minute drive. This station can be reached within an 8- minute drive, 13 minutes' cycle ride or by bus.

10.175. Using TfL's time mapping tool, it can be visually illustrated in the coloured image shown here where the site is accessible to by public transport in less than 15 minutes (red) to a number of district centres and stations. The scheme also provides London Plan levels of cycle storage, which is convenient, attractive and well designed on site. This demonstrates the scheme meeting Priority 3 of the Waltham Forests Service Strategy Charter for 15 minute neighbourhoods which seeks to control car ownership to affect travel patterns and habits and to improve health and the environment.



10.176. As set out in Policy T6 criterion C of the London Plan (2021) it importantly states that:

An absence of local on-street parking controls should not be a barrier to new development, and boroughs should look to implement these controls wherever necessary to allow existing residents to maintain safe and efficient use of their streets.

10.177. This policy therefore expects Councils to positively consider car free developments even in the absence of a CPZ as it should not be a barrier to enable new development to come forward. This has been tested in a recent appeal decision on Larkshall Road in Highams Park whereby the car free appeal scheme was not controlled by a CPZ and parking stress was very high, yet was allowed citing Policy T6. The same should be applied here for consistency in decision making. This application site benefits of having low parking stress on surrounding streets. It is noted in the TA that the Leisure Park parking showed low parking stress, but this is a privately owned car parking and should not be considered useable for purposes of this assessment. Therefore, officer are satisfied that the scheme should be able to succeed as a car free development notwithstanding a lack of barriers.

- 10.178. Overarching objectives as laid out in London Plan Policy T1, and the emerging Plan Policy found in paragraphs 1.24, 15.33 and 15.6, do not underplay the importance of meeting the Mayor's strategic target of 80% of all trips in London to be made by foot, cycle or public transport by 2041. The proposed scheme seeks to deliver on this firm objective and promote sustainable transport modes. Car free development are front and centre of meeting this target and the Council is committed to achieving this ambition in promoting active travel initiatives across this mini-Holland borough. To this end, the Council will secure **£120,000** towards active travel infrastructure and **£50,000** towards parking enforcement presence along New Road and within the surrounding highway network by s.106 legal agreement to further mitigate any potential parking.
- 10.179. The local car clubs are Enterprise, Ubeeqo and Zipcar, although the nearest space is located at Highams Park overground station, which is an 8 minutes' cycle ride or 15 minutes' walk away. It is unlikely therefore, that any existing or future local residents would use a car club vehicle at this time. As such, it has been negotiated that given the lack of other more flexible car club opportunities available the applicant has agreed to provide a new car club space in a close distance to the site for all local residents and afford future occupiers with a membership secured for two years by s.106 legal agreement subject to planning approval. This would help to locally reduce the need for residents to own a car.
- 10.180. In summary, notwithstanding the low PTAL rating, the site is considered to benefit from a well-connected multi-modal transport network with two bus stops a couple of minutes' walk away on New Road, an overground station within a short walk or cycle ride and an underground station and railway station within a short cycle ride, bus journey or car journey away.
- 10.181. On this basis, officers consider that the proposed scheme subject to securing s278 works and planning obligations, can successfully be car free (except disabled parking) given public transport accessibility, car club provision all contributing to momentum of the mini-Holland, Enjoy Waltham Forest agenda, Waltham Forests Service Strategy Charter, and the Mayor's 2041 strategic target to reduce car dependency by promoting active travel for health and wellbeing for all future developments, in all locations. For these reasons, subject to conditions and obligations, a car free development is considered acceptable in accordance with Policy T6.1 of the London Plan (2021), Policy CS7 of the Core Strategy (2012) and Policy DM14 of the Local Plan (2013).

Cycle Parking

- 10.182. London Plan (2021) Policy T5 and Table 10.2 set out the minimum standards for new development cycle parking provision.
- 10.183. Appendix 4 of the Local Plan (2013) sets out the Council's cycle parking standards. The minimum cycle parking provision for the residential element is 133 cycle spaces for future residents. According to the emerging plan Local Plan in Appendix 1, the provision would be 133 long stay spaces and 5 short stay with a ratio is 65% two-tier, and 30% Sheffield and 5% cargo. Similarly, to achieve an adequate ratio in accordance with the London Plan (2020) and the emerging Local Plan where the types of stands should seek a maximum of 65% two-tier, a minimum of 30% Sheffield stands, a minimum of 5% accessible (cargo/adapted) cycles and 2% recommended secure lockers should be sought.
- 10.184. It is proposed that Block A cycle store would provide 65 standard cycle spaces and 4 non-standard cycle spaces. The cycle store for Block B would provide 78 standard cycle spaces

and 4 non-standard cycle spaces. This provides a total of 143 residential cycle spaces, which exceeds the minimum required and is welcomed by officers.

10.185. There would be a ratio of 100 two-tier (70%), 36 Sheffield (25%), of which 7 can accommodate cargo bicycles (5%). An additional 5no. (minimum) short-stay cycle spaces are required for visitors. It is proposed that 6no. visitor cycle spaces (in 3no. Sheffield cycle stands) would be situated within the public open space in the north-western corner of the development, close to New Road pedestrian entrance.

10.186. The cycle parking would be located at grade level in a secure cycle store that would be well-lit and accessible. The cycle store for Block A can be accessed from the communal entrance hall inside. This can be accessed from the communal entrance at the front (New Road) and from the residential courtyard/parking area at the rear of the site. The cycle store for Block B can also be accessed from the communal residential reception inside the building and from an external door leading to the residential courtyard/parking area. This is shown in the illustration below:



10.187. The overall level of provision exceeds London Plan standards and whilst the ratio does not quite align with emerging standards for sheffield and two tier stands, it is not considered significant as there would be an overprovision of cycle parking which is welcomed by the Council's Transportation Policy Officer. As is standard practice, the proposed cycle parking provision and details will be secured by way of condition subject to planning approval.

10.188. As such, the proposed cycle stores would be safe, accessible and secure given they are integrated into the blocks and would benefit from passive surveillance. The level of cycle provision, stand type ratios are on balance acceptable subject to conditions requiring details as to how the scheme meets the LCDS guidance as far as reasonably possible.

Electric Vehicle Charging Points (EVCP)

10.189. London Plan (2021) Policy T6.1 set outs the EVCP requirements and that 20% of spaces should have active charging facilities. Based on the proposed provision of 3no. disabled

spaces for this development, all 3no. parking bays on-site would have active charging facilities secured by condition. This exceeds the requirement and therefore accords with policy T6 London Plan. The proposed car club bay would be fitted with fast charging points, which is welcomed and would be secured by s.106.

10.190. The allocation of active electric vehicle charging points would be secured as a condition to any planning permission.

Travel Plan

10.191. A Travel Plan has been prepared by Aval Consulting Group to accompany the planning application. This has been reviewed by the Council's Highways and Transportation teams and considered broadly acceptable which endorses and encourages Active Travel Behaviour Change Initiatives for the new residents, 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 lite nature of residential development. These include:

- Walking Strategy; *Promotion of Health & Fitness and develop a Pedestrian Route Map*
- Cycling Strategy; *Provide Secure Cycle, Parking On Site, Provide visitor parking stands, Signage to appropriate Cycle Routes, Develop a Cycle Route Map, Promote Cycle Training*
- Public Transport Strategy; *Providing Public Transport Route Maps and Timetables, Public Transport discounts*
- Car and Parking Strategy; *Car Parking Management Plan, Promote a Car Sharing Scheme, Enterprise Car Club, Electric Vehicle Charging Parking Spaces*
- Promotional/Marketing Strategy; *Welcome Packs, Broadband Internet / Home Working*

10.192. To endorse and encourage successful implementation of these strategies, the above measures will be as part of an agreed Travel Plan secured by way of a s.106 legal agreement.

10.193. As such, subject to approval, a Travel Plan will be secured, implemented and monitored by way of 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

10.194. The submitted Delivery and Servicing Management Plan prepared by Aval Consulting Group confirms that the delivery and servicing requirements of the proposed development have been considered and integrated into the design. The access road into the site is from New Road. Servicing would take place within the site and is not considered to obstruct access giving the assessment of the swept path analysis. There is some concern from Highways regarding vehicular incursion onto footway areas as there are flush kerbs. Officers have considered the low vehicles trips would not give rise to this situation.

10.195. 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 waste collection associated with the other uses. This document will also provide detail on the management of the servicing bays, and necessary enforcement measures, and how the delivery and servicing arrangements will adhere to the Mayor's Vision Zero approach.

- 10.196. As such, subject to conditions, it is considered that the proposal is in accordance with Policy DM32 of the Local Plan (2013) and Policy T7 of the London Plan (2021).

Construction Logistics Plan

- 10.197. Policy T7 of the London Plan (2021) set out the policy for assessing the effects of development on transport capacity.
- 10.198. Policy DM13 of the Local Plan (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.
- 10.199. Policy DM15 of the Local Plan (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.
- 10.200. The Council's Highways development requested a number of changes and clarifications to the submitted Outline Construction Logistics Plan (OCLP) dated March 2023 prepared by Aval Consulting Group. Subject to approval this can be secured by condition in line with Policy T7 of the London Plan (2021), a full Construction Logistics Plan (CLP).

J. WASTE MANAGEMENT

- 10.201. Policy SI7 of the London Plan (2021) seeks to reduce waste and support the circular economy.
- 10.202. Policy CS6 of the Core Strategy (2012) 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.
- 10.203. Policy DM32 of the Local Plan (2013) states that new developments should ensure that the provision of adequate facilities for the storage, collection and disposal of refuse is well secured.
- 10.204. The applicant has adhered to the Council's 'Waste and Recycling Guidance for Developers, Storage and Collection Requirements' (2017).
- 10.205. The application is accompanied by a Delivery and Servicing Plan prepared by Aval Consulting Group. The proposed building would be set back from New Road to ensure enhanced environment along these routes and pedestrian comfort. This would relate well with the servicing and deliveries. A minimum of 2m wide footway is proposed on the eastern boundary of the site along a new two way access . Accordingly, the refuse store would be located at ground floor level on the eastern flank of blocks A and B next to the turning circle so would be easily accessible for collections. The Delivery and Servicing Plan will be secured by condition to ensure efficient operations of servicing and delivery activity on a daily basis.

- 10.206. All vehicles entering and exiting the site, including waste collection and servicing would be able to do so in forward gear via the new access which is two way (6m wide with a 2m footway on the left) leading from New Road. This is demonstrated on drawing ref: AVAL/91714/0000/001 REB B which shows swept paths and vehicle movements. These have been assessed in the TA and are considered acceptable subject conditions.
- 10.207. All residential waste for the proposed units would be collected by LBWF on a weekly basis from the internal access leading to the courtyard area which is located within acceptable drag distances of two bin stores (A and B) and have been sized to accommodate in total:
- Bin Store A: 4 x 1280litre and 2 x 660litre bins and 1 waste bins an area for bulk waste storage measuring 12.4sqm
 - Bin Store B: 8 x 1180 and 2 x 1280litre bins and 2 waste bins and area for bulk waste storage measuring 12.4sqm
- 10.208. 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.
- 10.209. The refuse bins for the ground floor flats (with front terraces) require a management company to collect and move bins to a secure refuse holding area prior to collection. Officers consider that any waste management/servicing could be achieved through an updated Waste Management Strategy secured by condition subject to planning permission
- 10.210. 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).

K. EDUCATION AND HEALTHCARE PROVISION

- 10.211. 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.
- 10.212. 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.
- 10.213. With regards to Early Years provision, officers state there are no major gaps in the demand for childcare in Larkswood ward, with some surplus of spaces in neighbouring wards. 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 there is sufficient capacity to accommodate any additional demand from the proposed development. Accordingly, no objection is raised by the Council's Education Department.
- 10.214. The closest school is Larkswood Primary Academy on New Road, which is just a 6 minutes' walk from the application site.
- 10.215. With regard to healthcare and health impact assessment, contributions are only sought on schemes with 100 units or more as set out in Policy 51 of the emerging Local Plan,

therefore are below the required threshold for direct mitigation from the developer. However, as a proposed site allocation, this proposals forms part of the planned growth strategy set out in the draft local plan. The Council's Infrastructure Delivery Plan identifies the infrastructure necessary to support planned growth (including health needs) and sources of funding.

- 10.216. As such, 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).

L. TREES, LANDSCAPING AND ECOLOGY

- 10.217. The 2020 NPPF consultation draft 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.
- 10.218. 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.
- 10.219. Policy 81 of the emerging Local Plan states that proposal should seek to protect and enhance biodiversity. Development proposals will not normally be granted planning permission where they pose adverse direct or indirect effects on any land or area within the identified Sites of Importance to Nature Conservation (SINC).
- 10.220. Policy CS5 of the Core Strategy (2012) seeks to protect existing healthy trees and encouraging the planting of new trees as well as protecting and enhancing biodiversity.
- 10.221. Policy DM35 of the Local Plan (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.
- 10.222. Policy DM12 of the Local Plan 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.

Trees and Landscaping

- 10.223. The submission is supported by Arboricultural Impact Assessment (AIA) and a Preliminary Arboricultural Assessment (PEA) prepared by Middlemarch. 19 individual trees, one group of trees and single hedgerow have been surveyed as part of the assessments and have been categorised as follows:

BS5837:2012 Category	Tree/ Group/ Hedgerow Reference
U	T14
A	W1
B	T7, T8, T9, T13, T15, T17, T18, T19, G2
C	T1, T2, T3, T4, T5, T6, T10, T11, T12, T16, G1, G3, H1

The Council's Trees and Conservation officer broadly agrees with the following recommendations contained in the PEA:

- *The retention of the Category B trees around the site should be considered as a priority as these specimens are likely to make a future contribution as part of the development of the site.*
- *The retention of the Category C trees should be considered, where possible, though it should be noted that these specimens are considered to be of low retention value and are likely to only offer a temporary contribution to the future site use.*
- *The retention of Category U trees should not be considered within new development unless they offer wildlife habitat potential and are situated in areas with limited pedestrian access and pose limited potential risk.*
- *All new development should be located outside of the RPA or canopy spread of any retained tree unless specialist engineering methods are proposed.*
- *Where any new development is proposed within the RPA or canopy spread of a retained tree it must be constructed in such a way that damage of the tree root system or crown can be avoided.*
- *Should new development require works within the RPA of any retained tree an Arboricultural Method Statement should be prepared to set out what steps are to be taken to protect the trees during the course of development.*
- *Any proposed new planting should consist of a mix of ornamental, native and wildlife attracting species with a robust management plan to assist with the development proposal and to offer mitigation for any tree loss.*
- *This Arboricultural Survey is valid for a period of 12 months. If works are not commenced within this time, then it is advised that the trees are re-inspected to ensure no significant defects have developed since the original survey.*
- *If works take place during the bird breeding season, usually from March to September inclusive, trees and hedgerows should be checked for nesting birds. Should any tree removal be required works should be completed outside the breeding season or in the presence of a suitably qualified ecologist*

10.224. There are no trees protected by TPOs within or along the site boundary.

10.225. The scheme has been designed to provide wider landscaping enhancements along the edges of the building that would include a 5m buffer zone, linear trees and hedge planting, SuDS planting, green roofs and walls, and provision of habitat boxes. This would markedly enhance the biodiversity of the site within the boundary.

10.226. The introduction of new planting would benefit the local context together with ornamental, native, and wildlife attracting species which would contribute positively to the site and the wider area. In its existing condition, it has sparsely populated self-sown radial vegetation which is tantamount to poor quality in terms of biodiversity. These images show the before and after.



10.227. The proposed development is unlikely to significantly impact the visual amenity of the local area as a result of the proposed tree removal. There would be 9 trees removed in total consisting of 8 category C and one category B (Category C = Tree of Low Quality, Category B = Tree of moderate quality). New structural, strategic tree planting, particularly along the northern and western boundaries would enhance frontages to the most visible portions of the site. In contrast, the eastern and southern boundaries are to be enhanced through more naturalistic landscape planting to complement the offsite woodland and areas of wood pasture.



10.228. The Council's Tree Preservation and Nature Conservation officer advises that *“generally, the concept of amenity space, raised borders on the podium space, ornamental planting and ground floor planting, native tree planting and play space is all encouraged as is the proposed landscape character on the eastern boundary with the ASNW.”* However, given the importance of the 5m buffer zone, this area would have to be carefully designed and planted with appropriately sized native species due to its primary function and the height of the proposed development. The proposed vertical planting for the newly proposed retaining wall in the buffer zone would need to be planted with appropriately shade-tolerant planting to ensure survival. Therefore, these details will be conditioned subject to approval.

10.229. As such, it is considered that the proposed works are unlikely to impact significantly upon the long-term health of retained trees and the proposed landscape planting provides an opportunity to secure high-quality structural, strategic, and well-balanced landscape that is sympathetic to this site and its surroundings. Notwithstanding the details provided in the accompanying assessments, conditions requiring a detailed Soft and Hard Landscaping Plan, and Landscaping Management Plan, PEA, and AIA are recommended to ensure that the biodiversity of the site is enhanced in accordance with Policies CS5 and CS15 of the Core Strategy (2012) and policy DM35 of the Local Plan (2013) and Policy G7 of the London Plan (2021).

Buffer Zone and SINC

- 10.230. The buffer zone is set out in standing advice from Natural England with the overall message that the development affecting ancient woodland should be assessed by the LPA on its own merits. Different local planning authorities may set different requirements for buffer zones through policy. It should be noted that compensation measures are always a last resort because ancient woodland and veteran trees and their habitats are irreplaceable.
- 10.231. Ancient semi-natural woodland (ASNW) on the eastern boundary of the site, is mainly made up of trees and shrubs native to the site as typically should be the buffer. The proposal includes creating and establishing a habitat with local and appropriate native species in the buffer zone. A buffer zone would contribute to wider ecological networks, be part of the green infrastructure of the area, and consist of semi-natural habitats such as woodland a mix of scrub, grassland, heathland, and wetland.
- 10.232. Officers have taken forward standing advice from NE when considering this application and any adverse effect the development may have on the ASNW. Bearing in mind the site's unique conditions for instance its topography of the ASNW, the nursery land immediately adjacent to the site being lower, and the sheet piling already in place. It has been agreed in principle, to reduce the impact of trampling and or issues caused by encroachment into the RPA of trees situated in the woodland, the required buffer can be appropriately applied. A buffer zone of 5m is required to appropriately mitigate the impact of the development on the ASNW, from the edge of the woodland within the site.
- 10.233. Buffer zones do not just protect the natural environment; they can also be used to mitigate the impacts of development on the built environment by providing screens to improve views and reduce noise. When properly designed buffers can perform multiple functions. These can be broken down into seven types:
1. Enhancing/protecting biodiversity
 2. Aesthetic functions i.e., noise reduction, improve visual quality
 3. Improving/protecting water and air quality
 4. Protection of soils
 5. Provide recreation opportunities
 6. Economic opportunities
 7. Hazard reduction
- 10.234. In liaison with the statutory external consultee Natural England (NE) and the Councils Design, Ecology, and Tree officers, the scheme has been designed to ensure that the 5m buffer zone is sufficient in all respects. During the assessment of this application, it was discussed in detail as to what buffer would be sufficient and once agreed the scheme was revised and reconsulted. Officers are now satisfied that the buffer zone is acceptable. A distance greater than 5m would be established to the nearest block A. It is welcomed that a sufficient buffer zone would be established to protect and enhance the wider ecological networks and habitat with local and native species. Additionally, there would be a formal hedge circa 1m wide, vertical greening, and the proposed planting augments the buffer zone.
- 10.235. Turning to the SINC, these are London's most important places for wildlife. The London Plan requires that they are identified and protected by London boroughs. They represent the core network from which to enhance the city's ecology. Development close to SINCs must respond to their ecological character and valuable features. The creation of ecological-rich development, adding further life and diversity, helps to connect, strengthen and expand this network to underpin nature's recovery.

10.236. As such, it is considered that following key revisions to increase the buffer zone to a minimum of 5m from Larkswood would ensure sufficient protection of the SINC and considerably increase biodiversity net gain explained in more detail in the following section of this report. Therefore, subject to ecological conditions, the proposed scheme is considered acceptable in this regard.

Ecology

- 10.237. Policy G6 of the London Plan (2021) states that 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.
- 10.238. 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.
- 10.239. 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 through the use of landscaping on or adjacent to buildings.
- 10.240. With regard to the proposed podiums, part of the roof top proposes are designed 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, it is recommended that biodiverse roofs as opposed to low diversity sedum based systems would be used. By designing a green roof, 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.
- 10.241. A Biodiversity Net Gain Assessment prepared by Middlemarch Environmental conclude that for Habitats and hedgerows there would be net gains of 30.62% and 283.53% respectively. This exceeds the targets of 10% net gain as advocated by the Environment Act (2021). This ensures that the proposed development is compliant with planning policy for area and hedgerow habitats (subject to long-term management).
- 10.242. 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 secured by condition. Furthermore, the Council's Tree Preservation and Nature Conservation officer has recommended a Habitat Creation Management Plan (covering a minimum of 30 years period) 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 an improvement to the landscaping of the area and likely to be a sufficient net gain in biodiversity.
- 10.243. 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

- 10.244. A number of ecological designations are present within the surrounds of the site, with the nearest being Epping Forest SSSI and SAC, located approximately 1km due east of the site. An Ecological Assessment prepared by Middlemarch has been submitted with the application which includes an ecological walkover study and site survey on the 11th November 2021. 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, nesting birds, and mammals. 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.
- 10.245. 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 to ensure that there would be no harmful impact on the Epping Forest SAC arising from LSE. 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.
- 10.246. The Council and Natural England have agreed an approach to address the impact of residential development on the SAC, including seeking contributions towards the Strategic Access Management Measures (SAMMS) and a Suitable Alternative Natural Greenspace (SANGS) strategy, which has been published as part of the Local Plan process. A Habitat Regulations Assessment Screening and Appropriate Assessment has been prepared by Simple Planning 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. A contribution of £627/unit towards SAMMS is sought and secured through the Section 106 agreement. Financial contributions towards the SANGS would be secured via the Community Infrastructure Levy (CIL) and would be allocated to projects within the relevant catchment area as identified in the strategy (in this case Larkswood).

Urban Greening Factor

- 10.247. 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.
- 10.248. 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.
- 10.249. The proposed development would deliver a greening factor of 0.76 which is considerably above the target of 0.4 set by the London Plan.

10.250. 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.

M. SUSTAINABLE DESIGN AND ENERGY EFFICIENCY

- 10.251. 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.
- 10.252. Policy SI2 of the London Plan (2021) sets out a carbon dioxide reduction target for regulated emissions only 35% against Building Regulations. 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.
- 10.253. 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*'.
- 10.254. 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.
- 10.255. 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)'.
- 10.256. 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).
- 10.257. 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.

10.258. Policy DM34 of the Local Plan (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.

10.259. The application is accompanied by an Energy Statement prepared by Aval Consulting Group. The Council's Energy and Sustainability Officer (ESO) advises 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 35% reduction overall.

Carbon Emissions

10.260. The London Plan sets out a CO2 reduction minimum, for regulated emissions only, 35% and target of 50% against Building Regulations 2021 using SAP10 carbon factors as calculated using the GLA Energy Reporting Tool. It is also required that domestic units achieve 10% from Be Lean measures.

10.261. Under SAP10 carbon factors, the development is predicted to achieve a reduction of 55% in regulated emissions, site-wide, against a Part L baseline. This well exceeds the London Plan (2021) target of 35% for major development.

10.262. At the local level and in more detail, Waltham Forest currently require an on-site emissions reduction of 35% for all developments.

10.263. The Energy and Sustainability Strategy indicates a total carbon offset contribution of **£123,120** to achieve 100% reduction for the proposed development to be secured by s.106 legal agreement.

Sustainable design

10.264. 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.

Energy – Demand Reduction (Be Lean) and Overheating

10.265. 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. Policy DM10 of the Local Plan (2013) requires new developments to be designed with regard to sustainable principles.

10.266. The Energy and Sustainability Statement confirms that the demand reduction measures deliver a 22% saving against the baseline for the development which exceeds the GLA

target of 10% reduction at the Be Lean stage. As such, the scheme exceeds GLA's target of energy efficiency savings target.

- 10.267. With regards to air permeability, the development proposes 3.0m³/m²/hr. As advised by the Council's Energy and Sustainability officer, the air permeability values are acceptable. In addition, the proposed U-values are considered of a relatively good standard and the proposed approach to 100% low energy lighting is acceptable.
- 10.268. 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 partially undertaken. 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 Sustainability Officer 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.
- 10.269. As such, subject to conditions, the proposed development is consistent with Policy SI4 of the London Plan (2021) and Policy DM10 of the Local Plan (2013).

Energy - Low Carbon Supply (Be Clean)

- 10.270. 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.
- 10.271. The accompanying Energy Statement states that individual Air Source Heat Pump systems are proposed which do not allow connection to any future network. Given that the site is outside of the current Heat Network Priority Areas this is considered acceptable in this instance. 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

- 10.272. 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).
- 10.273. Policy DM11 of the Local Plan (2013) 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;*

- 10.274. 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.
- 10.275. 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'* Therefore, officers are satisfied that a condition should be imposed to secure further investigations relating to communal heating possibilities
- 10.276. The Council's Energy and Sustainability officer has confirmed that the on-site CHP is not proposed for the development, and this is acceptable.
- 10.277. 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)

- 10.278. Policy SI2 of the London Plan (2021) and Policy DM11 of the Local Plan (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.
- 10.279. 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.
- 10.280. 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.

Water Efficiency

- 10.281. 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.
- 10.282. Policy DM34(c) of the Local Plan (2013) 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.

- 10.283. 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.
- 10.284. A condition requiring details of how water consumption will be restricted would be imposed subject to planning approval approved.
- 10.285. As such, subject to condition, the proposal is considered to accord with Policy DM34 of the Local Plan (2013) and Policy S15 of the London Plan (2021).

N. ENVIRONMENTAL IMPACT

- 10.286. 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

- 10.287. 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.
- 10.288. 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, soundproofing, insulation and other acoustic design measures.
- 10.289. 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.
- 10.290. Policy DM24 of the Local Plan (2013) states that all major developments should aim to minimise the adverse impacts of noise through sensitive design, management and operation.
- 10.291. A Noise Impact Assessment prepared by Aval Consulting Group accompanies the application. Therein sets out the methodology and results of attended sound surveys undertaken on 2nd and 3rd November 2020 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.
- 10.292. 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 the site cannot be considered a negligible risk and would be subject to adverse effects from noise since the location is in a busy area. An acoustic design has been developed which demonstrates that suitable internal noise conditions compliant with BS 8233:2014 can be achieved with the application of attenuation of 33 dB(A) for all building façades facing New Road. Internal noise levels with windows open have also been considered. 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. Mitigation measures need to be in place to minimise the potential negative impacts to ensure that the internal noise limits are achieved. Some mitigation measures are non-Glazed and glazed elements and a ventilation Strategy both passive and mechanical

- 10.293. Following consultation, 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.
- 10.294. 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).
- 10.295. As such, subject to conditions, it is considered that the proposed development accords with Policy DM24 of the Local Plan (2013) and Policies D1, D1B, D13 and D14 of the London Plan (2021).

Air Quality

- 10.296. 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.
- 10.297. 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.
- 10.298. 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.
- 10.299. Policy 90 of the emerging Local Plan sets out that major developments which are not air quality neutral would be expected to make a financial contribution.
- 10.300. Policy CS4 of the 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.

- 10.301. Policy CS13 of the 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
- 10.302. Policy DM24 of the Local Plan (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.
- 10.303. In the London Borough of Waltham Forest, a borough wide Air Quality Management Area (AQMA) has been declared.
- 10.304. The proposed development is to be car free (except disabled parking) so would not generate any additional traffic above recognised screening and impacts mitigated. The air quality report prepared by Aval Consulting Group 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 'no significant'.
- 10.305. 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. An assessment of the proposed development plant against building emissions benchmarks was not considered required. The proposed development meets the transport benchmarks comfortably and can therefore be considered air quality neutral.
- 10.306. As such, the scheme has demonstrated that it meets adopted and emerging planning policy with regard to being air quality neutral. Notwithstanding this, the site falls within an 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 Air Quality Officer and found 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.
- 10.307. An Outline Construction Environmental Management Plan (CEMP) prepared by Aval Consulting Group has been submitted in support of the planning application which outlines the overarching details and principles 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.
- 10.308. 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.

10.309. As such, subject to conditions and s.106 contributions, it is considered that the proposal complies with London Plan Policy S11, and CS4 and CS13 of the Core Strategy (2012) and the Policy DM24 of the Local Plan (2013).

Contaminated Land

10.310. 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.'

10.311. 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.

10.312. 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.

10.313. Policy 92 of the emerging Local Plan requires development that has the potential to contaminate land, or which is situated in close proximity to sensitive receptors to include mitigation measures to prevent any adverse impacts on people and the environment, and to monitor any impacts where appropriate

10.314. Policy DM24 of the Local Plan (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.

10.315. 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.

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

Flood Risk

- 10.317. 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.
- 10.318. 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.
- 10.319. Policy 93 of the emerging Local Plan requires a flood risk assessment (FRAs) to be undertaken for sites greater than 1 hectare in Flood Zone 1.
- 10.320. The GLA's Sustainable Design and Construction SPG, the Strategic Flood Risk Assessment and the Councils Local Flood Risk Management Strategy are relevant.
- 10.321. 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.*
- 10.322. *For the purposes of this assessment, the proposals for residential 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.”*
- 10.323. The site measures over 0.33 hectares in area and falls within Flood Zone 1 which is considered low risk of tidal and fluvial flooding.
- 10.324. 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.
- 10.325. The LLFA advise that notwithstanding the Environment Agency low flood risk (flood risk 1) the site falls within South Chingford Critical Drainage Area (CDA) and therefore **£75,000** should be secured by s.106 legal agreement towards the provision of Strategic Flood Mitigation. LLFA advise that given the CDA of the site and surrounding areas, there is a need for the Council's proposed flood mitigation scheme to be implemented.
- 10.326. As such, subject to conditions and obligations, 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 SI12, Policy CS5 Core Strategy (2012), Policy DM34 of the Local Plan and the NPPF (2021)

Sustainable Urban Drainage

- 10.327. 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.

- 10.328. Policy CS4 of the 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.
- 10.329. Policy DM34 of the Local Plan (2013) states that flood risk should be managed and maximise sustainable urban drainage systems where possible.
- 10.330. 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.
- 10.331. The application is accompanied by a Surface Water Drainage Strategy prepared by Aval Consulting Group which reports that the proposed development would restrict surface water run off to the public sewer to 56l/s for the site. This proposed flow is unlikely to impact adversely on capacity of existing foul sewer network.
- 10.332. Through the use of SuDS techniques, the surface water management of the proposed site would see a significant improvement from the existing surface water runoff rate. As part of the design for this development, SuDS have been incorporated wherever practicably feasible. Based on local and regional policy, where there is a net increase in impermeable area, at least one 'at source' SuDS measure is to be provided to assist with reducing the volume of run-off. Considering the volume of surface water discharging from the site would be higher than the existing situation, given the increase in impermeable area and considering the existing site is a brownfield site, several SuDS measures are proposed. These consist of attenuation tanks, tree pits, water butts, and brown roofs.
- 10.333. 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.
- 10.334. The Lead Local Flood Authority and drainage officer give their support for the mix of SuDS elements provided within the development.
- 10.335. As such, subject to conditions, it is considered that the proposed development accords with Policy CS5 of the Core Strategy (2012), Policy DM34 of the Local Plan (2013 and Policy S113 of the London Plan (2021).

Archaeology (Buried Heritage)

- 10.336. Paragraph 189 of the NPPF requires applicants to provide an archaeological assessment if their development could affect a heritage asset or archaeological interest.

- 10.337. 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.
- 10.338. 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 the loss of the asset is justified in accordance with national policy, the remains should be appropriately recorded, assessed, analysed, disseminated and the archive deposited
- 10.339. The application is supported by an Archaeological Desk Based Assessment prepared by Archaeological Solutions Ltd. 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).
- 10.340. As part of statutory consultation, Greater London Archaeological Advisory Service (GLAAS) were consulted due to the site measuring over 0.5ha in area. GLAAS acknowledge the site is not within an APZ, and information held in connection with the application, they conclude that the proposal is unlikely to have a significant effect on heritage assess of archaeological interest. For these reasons, GLAAS advise no further assessments or condition are therefore necessary.
- 10.341. As such, it is considered there is no basis to impose a condition to secure an archaeological field evaluation in accordance with paragraph 89 of the Policy CS12 of the Core Strategy (2012) and Policy DM28 of the Local Plan (2013), Policy 75 of the Emerging Local Plan, Policy HC1 of the London Plan (2021) and the NPPF,

O. SAFETY AND SECURITY

Fire Safety

- 10.342. 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.

- 10.343. 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.
- 10.344. The submitted Fire Strategy Statement prepared by suitably qualified Affinity Fire engineers, outlines 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.
- 10.345. The Council's Building Control team have reviewed the proposals and the accompanying statement and consider the scheme acceptable with regard to firefighting access arrangements. Some observations in accordance with BS9991, a project of this nature will require a secondary power supply for the fire safety and life safety elements in the event of a power outage. This will be advised as an informative.
- 10.346. As such, subject to condition, it is considered that the proposed development acceptable in accordance with London Plan (2021) Policy D12, and CS16 of Core Strategy (2012).

Crime Prevention

- 10.347. 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.
- 10.348. Policy CS16 of the 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.
- 10.349. Policy DM33 of the Local Plan (2013) seeks a safe environment with appropriate levels of natural surveillance.
- 10.350. The DAS includes some of the recommendations discussed in the pre-application meeting about Secured by Design (SBD) that informs the submitted scheme. In consultation with the Met Police and Designing Out Crime Officers, 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 the applicant have responded positively to mitigation made and provided justification relating to concerns and security proposals.

10.351. 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;
- Audio-Visual Intercoms
- CCTV surveillance;
- Passive surveillance;
- Amenity space and street furniture;
- Boundary treatment
- Intruder detection;
- Lighting; and
- Security control facilities including access control

10.352. 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 deliver a secure, safe environment for all users of the proposed development. The safety and security measures relating 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 conditions to secure appropriate measures and mitigations in accordance with Policy D11 of the London Plan (2021) and Policy DM33 of the Local Plan (2013).

11. PLANNING OBLIGATION

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 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 (set out in paragraph 1.1 of this committee report) 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 urban regeneration and public benefits, not least including:
- 72 new residential units (27% of which are affordable by habitable room at London Affordable Rent/Intermediate) which contribute towards local housing targets;
 - Deliver as part of a masterplan approach for transitional development;
 - Car-free development except for the provision of wheelchair accessible spaces;

- Promoting sustainable modes of transport with less reliance on the private car;
 - Promoting Active Travel, Mini Holland Borough and Enjoy Waltham programmes;
 - Enhanced cycle facilities;
 - Creation of extensive new public realm spaces
 - Biodiversity Net Gain of 30.62% and 283.53% for Habitats and hedgerows respectively (subject to long-term management).
 - Urban Greening Factor of 0.76
 - New improved public amenity and new walking and pedestrian links to New Road and linked to Larkwood Leisure Complex, ASNW, MOL and LGS.
 - Optimisation of development;
 - 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, Natural England 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 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 an urban 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.
- 13.8. The development would deliver 27% affordable housing at 65% London Affordable Rent and 35% Intermediate housing.
- 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 urban location.
- 13.10. The scheme would directly deliver important walking and cycling improvements and would enhance 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 with a significant reduction (over 50%) in brownfield run off rates.
- 13.12. The proposal would have a low carbon energy strategy comprising Air Source Heat Pumps (ASHP) 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 residential 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

Time Limit

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

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

Approved Plans and Documents

2. The development hereby permitted shall be carried out in accordance with the following approved plans and supporting documents and thereafter maintained as such for the lifetime of the development:

Drawings References:

8126_P500 - 1:1250 A3 SITE LOCATION PLAN
8126_P501 - 1:500 A1 EXISTING SITE PLAN APPLICATION BOUNDARY
8126_P502 - 1:200 A1 EXISTING SECTIONS AA & BB
8126_P503 - 1:200 A1 EXISTING NEW ROAD STREETSCENE
8126_P600 B 1:500 A1 PROPOSED SITE LAYOUT Rev B
8126_P601 B 1:500 A1 PROPOSED SITE LAYOUT IN MASTERPLAN Rev B
8126_P602 - 1:500 A1 SUBSTATION PLANS AND ELEVATIONS
8126_P610 B 1:500 A1 PROPOSED SITE SECTIONS AA & BB Rev B
8126_P700 B 1:100 A1 PROPOSED GROUND FLOOR PLAN Rev B
8126_P701 B 1:100 A1 PROPOSED FIRST FLOOR PLAN Rev B
8126_P702 B 1:100 A1 PROPOSED SECOND FLOOR PLAN Rev B
8126_P703 B 1:100 A1 PROPOSED THIRD FLOOR PLAN Rev B
8126_P704 B 1:100 A1 PROPOSED FOURTH FLOOR PLAN Rev B
8126_P705 B 1:100 A1 PROPOSED FIFTH FLOOR PLAN Rev B
8126_P706 B 1:100 A1 PROPOSED SIXTH FLOOR PLAN Rev B
8126_P707 B 1:100 A1 PROPOSED ROOF PLAN Rev B
8126_P800 A 1:100 A1 PROPOSED NORTH ELEVATION
8126_P801 B 1:100 A1 PROPOSED EAST ELEVATION Rev B
8126_P802 A 1:100 A1 PROPOSED SOUTH ELEVATION
8126_P803 A 1:100 A1 PROPOSED WEST ELEVATION
8126_P810 A 1:100 A1 PROPOSED BLOCK A FACADE STUDY NORTH ELEVATION
8126_P811 A 1:100 A1 PROPOSED BLOCK A FACADE STUDY EAST ELEVATION
8126_P812 A 1:100 A1 PROPOSED BLOCK A FACADE STUDY SOUTH ELEVATION
8126_P814 A 1:100 A1 PROPOSED BLOCK B FACADE STUDY NORTH ELEVATION
8126_P815 - 1:100 A1 PROPOSED BLOCK B FACADE STUDY EAST ELEVATION
8126_P816 - 1:100 A1 PROPOSED BLOCK B FACADE STUDY WEST ELEVATION
8126_P820 - NTS A4 MATERIAL SCHEDULE SECTIONS
8126_P900 A 1:100 A1 PROPOSED BUILDING SECTION AA
8126_P901 A 1:100 A1 PROPOSED BUILDING SECTION BB
AVAL/91714/0000/001 REB B

ACCOMMODATION SCHEDULE REV G

Supporting Documentation:

- Energy and Sustainability Report – AVAL Consulting Group – 91714 Revision C – Dated 02 December 2022
- Delivery and Service Plan – AVAL Consulting Group – 91714
- Fire Strategy Statement – Affinity Fire Engineering – AFF_20736_01_ New Road Chingford_FSS_01 – Dated 23 June 2022
- Financial Viability Assessment – Redloft – Dated 22 August 2022
- Planning Statement – Simply planning Limited – HM20-1010 – Dated August 2020
- Statement of Community Involvement – PLMR Snapdragon – Dated August 2022
- Biodiversity Net Gain Assessment – Middlemarch Environmental – RT-MME-156598-02-Rev B – Dated 26 July 2022
- Ecological Walkover Survey – Middlemarch Environmental - RT-MME-156598-01 – Dated 27 January 2022
- Noise Impact Assessment – AVAL Consulting Group – 91714 Revision A – Dated 17 August 2022
- Outline Residential Travel Plan – AVAL Consulting Group – 91714 Revision A – Dated 19 August 2022
- Arboricultural Impact Assessment – Middlemarch Environmental – RT-MME-156025-02 REV A – Dated 19 August 2022
- Preliminary Arboricultural Assessment – Middlemarch Environmental – RT-MME-156025-01 REV A – Dated 19 August 2022
- Air Quality Assessment – AVAL Consulting Group – 91714 Revision B – Dated 17 August 2022
- Daylight & Sunlight Report – Robinsons Surveyors Limited – Dated 22 July 2022
- Transport Assessment – AVAL Consulting Group – 91714
- Design and Access Statement – Saunders Architecture + Urban Design – Dated August 2022
- Archaeological Desk-Based Assessment – Archaeological Solutions Ltd - Report No: 6129 – Dated 28 October 2020
- Flood Risk, Outline Drainage Strategy and SuDS Assessment – AVAL Consulting Group - 91714 Revision C – Dated 17 August 2022
- Affordable Housing Offer Letter – Lindhill Properties – Dated 11 April 2023
- Landscape Strategy – Liz Lake – 2422A2-LLA-ZZ-00-DR-L-001 P08

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

Materials

3. Prior to the completion of above slab levels and notwithstanding any indications shown on the submitted plans, samples and a schedule of materials to be used in the external surfaces of the development hereby permitted 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 policies DM28 of the Waltham Forest Local Plan – Development Management Policies (2013)

Construction Environmental Management Plan

4. Prior to the commencement of any part of the development, including demolition and site clearance, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include details of the following:
- Works of demolition and construction shall be carried out during normal working hours, i.e. 08:00 to 18:00 hours Monday to Friday, and 08:00 to 13:00 hours on Saturdays, with no noisy working audible at the site boundary being permitted on Sundays or Bank Holidays
 - Construction Vehicle Access Strategy
 - Likely noise levels to be generated from plant
 - Details of any noise screening measures
 - Proposals for monitoring noise and procedures to be put in place where agreed noise levels are exceeded
 - Where works are likely to lead to vibration impacts on surrounding residential properties, proposals for monitoring vibration and procedures to be put in place if agreed vibration levels are exceeded. Note: it is expected that vibration over 1mm/s measured as a peak particle velocity would constitute unreasonable vibration.
 - The method statement shall make reference to and comply with The Mayor of London's supplementary planning guidance (SPG) 'The control of dust and emissions from construction and demolition' <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/control-dust-and-emissions-from-construction-and-demolition>

In particular the applicant shall:

- Submit for approval an Air Quality (dust) risk assessment
- Submit for approval an Air Quality & Dust management Plan
- Equipment and plant used on site shall comply with the requirements for 'Non-Road Mobile Machinery' (NRMM)
- Submit a for approval Dust monitoring programme
- All the above submissions shall have regard to the Mayor's SPG

Reference shall be made to:

- BRE four part Pollution Control Guides 'Controlling particles and noise pollution from construction sites'.

BS 5228: Noise and vibration on construction and open sites Unexploded Ordnance Desktop Survey

REASON: To ensure considerate construction and to protect the amenities of the nearby residents from excessive noise and dust and to comply with Policies CS7 and CS13 of the adopted Waltham Forest Core Strategy (2012) and Policies DM14, DM15, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013)) and comply with the Policy SI1 of the London Plan and the GLA NRMM LEZ.

5. No development shall commence until a detailed Construction Logistics Plan has been submitted to and approved in writing by the local planning authority. The Construction and Logistics Plan and Delivery and Servicing Plan must be submitted using the TfL template and guidance found here: www.constructionlogistics.org.uk. The logistics plan shall include details of site access, journey planning, access routes, hours of deliveries, temporary traffic arrangements or restrictions, site operation times, loading and unloading locations and material storage. All works shall be carried out in accordance with the approved details and the Construction and Logistics Plan should be implemented throughout all demolition and construction works.

REASON: To ensure considerate construction and to protect the amenities of the nearby residents to ensure that disruption is kept to a minimum and does not affect highway traffic flows to comply with Policies CS7 and CS13 of the adopted Waltham Forest WFLP Core Strategy (2012) and Policies DM14 DM15, DM24 and DM32 of the adopted Waltham Forest Local Plan– Development Management Policies (2013) and Policy T7 of the London Plan (2021)

Highways Condition Survey

6. Prior to the commencement of any development on the site including demolition and site clearance, but excluding site preparation and enabling works, a specification for a highway 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 highway condition 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 re-instated 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).

Non-Road Mobile Machinery

7. 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 line with the Mayor's SPG: The Control of Dust and Emissions during Construction and Demolition, to comply with Policy SI1 of the London Plan (2021). 10. Air Quality and Air Quality Neutral Assessment The development should be built out in accordance with the findings of the submitted Air Quality and Air Quality Neutral Assessment.

REASON: To ensure that air quality is not adversely affected by the development in line with the Mayor's SPG: The Control of Dust and Emissions during Construction and Demolition.

Asbestos

8. 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 an 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 (LPA) 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: 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 adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM24 and DM34 of the adopted Waltham Forest Local Plan – Development Management Policies (2013)

Contamination

9. 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) A Desk Study report including a preliminary risk assessment and conceptual site model.

- B) 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.
- C) 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.
- D) 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 discharged 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 adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM24 and DM34 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Infiltration of Surface Water

- 10. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework, in accordance with London Plan (2021), Policy SI12; WFLP Core Strategy (2012) Policy CS4 and WFLP DMP (2013) Policy DM34.

Car Parking Management Plan

- 11. Prior to first occupation of the residential development hereby approved a Car Parking Management Plan for that component shall be submitted to and approved in writing by the Local Planning Authority. The Car Parking Management Plan for each component shall include but not be limited to the following:

- Outline the process for allocating bays to blue badge holders (including passive bays should they be required);
- Details on how enforcement will manage the authorised bays;
- Details on how enforcement will manage unauthorised parking and loading;
- Details on how loading will be managed, including what happens if any parked vehicles become blocked in; and
- Details on how residents will be charged for the use of the electric vehicle charge points, which should be an individual charge for each use of the charge point, in line with other public network charges.

The blue badge car parking spaces shall be laid out and allocated in accordance with the approved Management Plan(s) and shall be made available for the purposes of parking vehicles in association with the development and for no other purpose. The development shall be implemented in accordance with the approved details and retained as such 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) and Policies T6, T6.1, T6.2, T6.3 and T6.5 of the London Plan (2021) 18. Prior to commencement of development (other than demolition, enabling and groundworks and development below DPC level) and notwithstanding any indication on the submitted drawings, details of electric vehicle charging point locations and technical specifications 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 retained as such thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interest of effective provision of safe and well designed parking facilities in accordance with Policies CS7, CS15 and CS16 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM16 of the Waltham Forest Local Plan Development Management Policies (2013).

Cycle Parking

12. Notwithstanding the cycle parking detail provided on the approved plans, prior to the commencement of any above ground slab level works the applicant will provide detailed and scaled drawings of the proposed cycle parking provision. The cycle parking details shall provide for a proportion of Sheffield stands and shall demonstrate how no less than 5% of all provision for cycle parking is provided on Sheffield stands with wider spacing (1.8m spacing, or 900mm side space if wider cycles are expected just on one side of a stand), and that any door to a cycle parking area will be automated, in accordance with the London Cycling Design Standards. The cycle parking thereby approved shall be retained and not used for any other purpose and maintained in good working order.

REASON: To comply with London Cycle Design Standards, Policy CS7 of the Waltham Forest Local Plan – WFLP Core Strategy (2012), Policy DM14, DM15 and

DM32 of the Waltham Forest Local Plan Development Management Policies (2013), and Policy T5 of the London Plan (2021).

Delivery and Servicing Plan

13. A Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation 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), Policies DM13, DM14, DM23 of the Waltham Forest Local Plan Development Management Policies (2013) and Policy T5 of the London Plan (2021).

Stage 1 Road Safety Audit

14. No development, with the exception of site preparation and enabling works, shall take place until a Stage 1 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).

Noise

15. Prior to occupation of each Block, the mitigation measures set out in the approved Noise Assessment prepared by Aval Noise Assessment for that block will be implemented.

REASON: To ensure considerate construction and to protect the amenities of the nearby residents from excessive noise and dust and to comply with Policies CS7 and CS13 of the adopted Waltham Forest Core Strategy (2012) and Policies DM14, DM15, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013)) and comply with Policy D14 of the London Plan (2021).n and the GLA NRMM LEZ.

16. Noise from all new building services plant for the lifetime of the development shall be controlled to a level not exceeding the typical underlying background noise level (LA90) during the time of plant operation at a position one metre external to the worst affected' window of the noise sensitive dwelling. The underlying

background LA90 shall be determined in the absence of the new plant noise. This assessment shall be completed in accordance with BS4142: '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), and Policy D14 of the London Plan (2021).

Sound Insulation

17. Prior to the commencement of the development above slab level for any block, a sound insulation scheme shall be submitted to and approved in writing by the Local Planning Authority for that block, which will incorporate details of sound insulation to be installed in order to manage noise and disturbance. The scheme of noise insulation measures shall be prepared by a suitably qualified consultant/engineer and shall demonstrate that the proposed sound insulation will achieve a level of protection which is at least +5dB above the Approved Document E standard (Dwelling houses and flats) for airborne sound insulation and -5dB for impact sound insulation. The development shall be carried out in accordance with the approved scheme and shall be fully implemented prior to the development hereby approved first being brought into use and shall thereafter maintained as such for the lifetime of the development.

REASON: To protect the amenities of occupiers and the surrounding area, in order to comply with Policies CS13 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012), and Policies DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013)

Estate Management Plan

18. Prior to occupation, a statement will be provided detailing the Estate Management Strategy including details of CCTV; and should clarify the access and a management arrangements for the public access routes through the site, and will be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details maintained for the lifetime of the development.

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

19. Prior to occupation of each block, details relating to the entrances, including gates, entry control system, display of postal numbers and position of letter box facilities for that block shall be submitted to and agreed in writing by the Local Planning Authority. The agreed measures shall be fully implemented as approved 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).

Fire Statement

20. Prior to commencement of development, notwithstanding demolition, site clearance and preparation, ground works, additional measures and information in order to fulfil the firefighting access arrangements for the development shall be submitted to the local planning authority for approval. These measures may include the following: provision of sprinkler system/firefighting shafts/dry rising mains. The submitted details will be subject to approval by the Fire Authority.

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) and Policies D5 and D12 of the London Plan (2021).

Lighting

21. Prior to the commencement of the development, notwithstanding site investigation and clearance works, demolition and groundworks to slab level, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority, which shall incorporate measures to ensure that light from the luminaires would not exceed 10 EV(lux) when measured at any residential or light sensitive window overlooking the development, all luminaries shall be oriented and designed in such a way to minimise light spillage beyond the site boundary and prevent glare to the windows of residential or light sensitive properties identified. The lighting scheme shall be implemented in accordance with the agreed details and thereafter maintained as such for the lifetime of the development.

REASON: To protect the amenities of adjoining occupiers and the surrounding area, to comply with Policies CS13 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Safety and Security

22. Prior to the Practical Completion of the development hereby approved, evidence that the scheme has achieved a Certificate of Compliance to the relevant Secure by Design Guide(s) or alternatively achieve Crime Prevention Standards, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police. 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

23. 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), DM Policies DM7 and DM9 of the Development Management Plan (2013 and Policy D7 of the London Plan (2021).

4 of the private and intermediate residential units hereby permitted shall be built shall be built to The Building Regulations (2010) Access to and use of Buildings, Approved Document M (2015 as amended), Volume 1: Dwellings, M4(3): Wheelchair user adaptable dwellings. Three of the London Affordable Rent units hereby permitted shall be built shall be built to The Building Regulations (2010) Access to and use of Buildings, Approved Document M (2015 as amended), Volume 1: Dwellings, M4(3): Wheelchair user accessible 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) and Policy D7 of the London Plan (2021).

24. The private / communal amenity spaces 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).

Children's play

25. Prior to occupation of the development details of the proposed children's play equipment in relation to play areas shown on the approved plans will be submitted to and approved in writing by the local planning authority. The details must demonstrate that playspace and equipment within the development is available to all and is not segregated by tenure.

- a) All children's play equipment will be installed in accordance with the information approved under part A and retained and maintained in perpetuity for the lifetime of the development.

REASON: In order to ensure adequate and appropriate children's play equipment is provided in accordance Policy S4 of the London Plan (March 2021).

Wayfinding strategy

26. 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.

REASON: To ensure the safe movement of pedestrians and cyclists in accordance with WFLP CS7, CS13, and WFLP DM Policy DM14.

Habitat boxes

27. Prior to the commencement of development on site, notwithstanding site investigation and clearance works, demolition and constructions to slab level, details of the bat/bird/ habitat boxes shall be submitted to and approved in writing by the local planning authority. The bat/bird/ habitat boxes shall be installed prior to first occupation of the development hereby approved and shall thereafter be maintained in accordance with the approved details in perpetuity.

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

Ecological Assessment

28. Prior to the commencement of the development an ecological assessment to be carried out by a suitably qualified person and shall include a site survey, statement of the site, assessment of impact and mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved ecological assessment recommendations and any necessary mitigation measures shall be provided and thereafter retained in perpetuity.

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

Protected species mitigation strategy & monitoring

29. No development shall take place on site until nesting birds and bats surveys, mitigation strategy, monitoring scheme and implementation programme has been submitted and approved by the local planning authority. The development shall be carried out in accordance with the approved mitigation strategy, monitoring scheme and implementation programme and any mitigations be thereafter retained in perpetuity.

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

30. Prior to the commencement of the development, notwithstanding site investigation and clearance works, demolition and groundworks to slab level, bat survey shall be completed by a suitably qualified Ecologist, in accordance with Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition) - Bat Conservation Trust, to determine the potential presence of bats on and immediately contiguous to the site. (The survey will set out how and when the survey was completed, what was found, the impact of the development on bats and their recommendations. If bats are present a 'mitigation strategy' will need to be developed, which may require development taking place at certain times of the year, the use of certain materials and/or specific provision to allow bats to continue to use the original or replacement roost).

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

Hard and Soft landscaping

31. Prior to the commencement of development on site, details of the hard and soft landscaping to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of the retained and proposed planting around the site, along with the requirement to demonstrate any permeable areas. The development shall be carried out solely in accordance with the approved details and all approved planting shall be carried out in the first planting season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedges, shrubs, and greenspaces forming part of the approved scheme which within a period of five years, dies, is removed, or becomes seriously damaged or diseased shall be replaced with others of similar size and species.

REASON: To ensure a satisfactory appearance and in the interest of local amenity and biodiversity in accordance with Policies CS5 and CS15 of the adopted Waltham

Forest Local Plan Core Strategy (2012), and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Landscape management plan.

32. Prior to the commencement of the development on site, notwithstanding site investigation and clearance works, demolition and construction to slab level, a Landscape Management Plan, which includes long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved Landscape Management Plan shall be implemented prior to the first occupation of the development hereby approved and thereafter maintained for the lifetime of the development

REASON: To ensure the well-being of the trees and in the interest of biodiversity, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Arboricultural Method Statement. (AMS) - Tree protection

33. No site clearance, preparatory work or development shall take place (excluding erection of site hoarding) until a scheme for the protection of any retained trees (the Tree Protection Plan) on and close to the site, and the appropriate working methods (the Arboricultural Method Statement) in accordance with British Standard BS5837 – 2012. Trees in Relation to design, demolition, and construction – Recommendations has been agreed in writing by the local planning authority.

REASON: To ensure the well-being of the trees and in the interest of biodiversity, 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).

34. Prior Submission - Tree Surveys (prior to commencement of development) - The following details shall be submitted to and approval in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details, that is:
- a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;
 - b) details of the species, diameter (measured in accordance with paragraph a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs

- c) and d) below apply; c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree, or any tree on land adjacent to the site] [within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree];
- e) details of the specification and position of fencing [and of any measures to be taken] for the protection of any retained tree from damage before or during the course of development.

REASON: To ensure the well-being of the trees and in the interest of biodiversity, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Arboricultural appraisal and method statement

35. The development shall fully conform with the recommendations of the Arboricultural Impact Assessment and Method Statement, submitted with this application dated [August 2022]. The development shall be carried out solely in accordance with the approved details, and all works shall comply with BS 3998:2010(Tree Work - Recommendations) and shall be supervised by a suitably qualified Arboriculturalist and any post-construction mitigation measures shall thereafter be maintained for the lifetime of the development.

REASON: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Tree planting

36. All trees shall be planted in accordance with the approved details, plans, specifications, and times [2422A2-LLA-ZZ-00-DR-L-0001 P07 Landscape Strategy and relevant documents] and in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General landscape operations.

REASON: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Replacement of damaged trees, hedges, and soft landscaping

37. If within a period of 5 years from the date of planting trees, hedges, and soft landscaping or any replacement planting, is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree, hedge or associated soft landscaping with the scheme, of the same size and species as that originally planted shall be planted at the same place within the first available planting season, unless the local planning authority gives its written consent to any variation.

REASON: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Retention of existing trees, hedges, and soft landscaping

38. The existing trees, hedges and other soft landscaping features on the site shall not be removed, felled, topped, lopped, or disturbed in any way as a result of the development hereby granted, without the prior written consent of the Local Planning Authority. This includes no damage caused to the roots of the trees/hedges within or adjacent to the boundary of the application site. If any trees, hedgerow, or soft landscaping is removed, felled, topped, lopped, or disturbed without consent then another of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction, or death of the original unless the local planning authority gives its written consent to any variation.

REASON: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Tree protection

39. There shall be no burning of materials on site during the demolition and construction works of the development hereby granted, which would fall within the canopy and route spread of any trees located within or adjacent to the boundary of the development site. In addition, no fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree, no equipment, machinery, or structure shall be attached to or supported by a retained tree and no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.

REASON: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies CS5, CS13 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29, DM32 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Boundary Treatment

40. Prior to the construction of roof slab level, 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 use 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, and amenity of neighbouring occupants, in accordance with Policies CS13 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Energy and Sustainability

41. Prior to the commencement of above ground works, the applicant should confirm the assumed heat pump SCOP, SEER, flow temperature, and percentage of heat supplied to the development, and submit details to the Local Planning Authority and the GLA. Corresponding CO2 emissions for the Be Green stage of the energy hierarchy should be submitted. The approved details shall be implemented and installed prior to the development hereby approved first being occupied and shall thereafter be fully retained and maintained accordingly for the lifetime of the development or where replaced by a lower carbon energy source or external heat network approved by the Local Authority.

REASON: To ensure the development is sustainable and complies with 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).and Policy SI2 of the London Plan.

42. Prior to the occupation of any part of the development hereby permitted, a report demonstrating how the scheme reduces the carbon dioxide emissions of the development by at least 35% compared to the 2021 Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority. 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.

REASON: In the interests of the sustainability and energy efficiency of the development and to meet the requirements of policy SI2 of the London Plan and Waltham Forest Policy DM10 and Policy CS4 of the Waltham Forest Local Plan Core Strategy.

43. Prior to commencement completed tables 9 and 10 of the GLA Energy Assessment guidance must be completed and approved by WFBC detailing energy demand, availability and flexibility.”

REASON: In the interests of the sustainability and energy efficiency of the development and to meet the requirements of policy SI2 of the London Plan and Waltham Forest Policy DM10 and Policy CS4 of the Waltham Forest Local Plan Core Strategy.

44. Prior to commencement a full overheating report and modeling must be provided and approved by WFBC detailing the buildings performance and Demonstrating TM52/TM59 targets are met under DYS1 weather conditions. DSY2 and DSY3 modeling must also be provided. This must demonstrate that the risk of overheating in these scenarios has been reduced as far as practical and that all passive measures have been explored if required to reduce risk, including reduced glazing and increased external shading.”

REASON: In the interests of the sustainability and energy efficiency of the development and to meet the requirements of policy SI2 of the London Plan and Waltham Forest Policy DM10 and Policy CS4 of the Waltham Forest Local Plan Core Strategy.

Overheating

45. No occupation for each block shall take place until internal blind details or alternative to address overheating for specified residential units in that block have been submitted to and approved in writing by the local planning authority.

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), Policy DM10 of the Waltham Forest Local Plan Development Management Policies (2013) and Policy SI4 of the London Plan (2021).

CIL Phasing

46. For the purposes of the Community Infrastructure Levy Regulations 2010 (as amended) only, prior to commencement of development a CIL Phasing Plan shall be submitted to and approved by the Council and once approved each CIL phase approved by this condition shall be considered a separate chargeable development for the purposes of calculating Community infrastructure Levy. The discharge of this Condition will dictate the 'Time Planning Permission First Permits Development' for all CIL phases (for the purposes of Regulation 8 of the CIL Regulations 2010 (as amended)). The CIL Phases defined within this condition do not affect the planning phasing of this consent as set out within Condition 45 and do not affect any other phasing set out within the Conditions or the Deed of Planning Obligation.

REASON: To assist with the identification of each chargeable development (being the CIL Phase) and the calculation of the amount of CIL payable in respect of each chargeable development in accordance with the CIL Regulations 2010 (as amended). To establish the Time at which Planning Permission First Permits Development for purposes of Regulation 8 of the CIL Regulations 2010 (as amended).

Waste Management

47. Prior to first occupation of any part of the development hereby permitted, a Waste Management Strategy (for residential and nonresidential), 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

48. Prior to the commencement of development (excluding demolition, site preparation and enabling works, a scheme detailing measures to reduce water use within the development, to meet a target water use of 105 litres or less per person, per day, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme and thereafter retained.

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

49. Prior to the construction of roof slab level of the final phase, 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 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).

Thames Water Conditions

50. No construction shall take place within 5m of the water main without the written agreement with Thames Water. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

REASON: To prevent the increased risk of flooding, both on- and off-site 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). 58. No piling shall take place (except for that related to Blocks C and D) 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 water 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 prevent the increased risk of flooding, both on- and off-site 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).

Digital Connectivity

51. 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 ensure a satisfactory appearance in accordance with Policies CS12 and CS15 of the Waltham Forest Local Plan Core Strategy (2012) and policies DM28 of the Waltham Forest Local Plan – Development Management Policies (2013).

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 submitted Construction Environmental Management Plan 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 Copy of an asbestos survey. Unexploded Ordnance Survey
4. The application is subject to both the Mayoral and the Waltham Forest Council Community Infrastructure Levy.
5. A phase of development relates to a phase defined by planning condition (CIL condition), or any subsequent construction sub-phase agreed with the Local Planning Authority.
6. 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 condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

7. 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 Councils Street Naming/Numbering Officer.
8. The LPA wishes that the rich history and prehistory of the site and its surroundings be conveyed to the public. The interpretation scheme should be researched and designed by a recognised historical or archaeological interpretation specialist with appropriate experience
9. A detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out. This increased provision of information by the applicant reflects the potentially greater risk to the water environment. The DQRA report should be prepared by a 'competent person', e.g. a suitably qualified hydrogeologist. In the absence of any applicable on-site data, an arrange of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment. GP3 version 1.1 August 2013 provided further guidance on setting compliance points sin DQRAs. This is now available as online guidance: <https://www.gov.uk/guidance/land-contamination-groundwater-compliancepointsquantitative-risk-assessments> Where groundwater has been impacted by contamination on site, the default compliance point for both Principal and Secondary aquifers is 50 metres. Where leaching tests are used it is strongly recommended that BS ISO 18772:2008 is followed as a logical process to aid the selection and justification of appropriate tests based on a conceptual understanding of soil and contaminant properties, likely and works-case exposure conditions, leaching mechanisms, and study objectives. During risk assessment one should characterise the leaching behaviour of contaminated solid using an appropriate suite of tests. As a minimum, these tests should be: Up flow percolation column test, run to LS 2 – to derive kappa values; pH dependence test if pH shifts are realistically predicted with regard to soil properties and exposure scenario; and LS 2 batch test – to benchmark results of a simple compliance test against the final step of the column test. Following the DQRA, a Remediation Options Appraisal to determine the Remediation Strategy in accordance with CRL
10. The verification plan should include proposals for a groundwater-monitoring programme to encompass regular monitoring for a period before, during and after ground works. E.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9month period. The verification report should be undertaken in accordance with

guidance Verification of Remediation of Land Contamination:

<http://publications.environment-agency.gov.uk/pdf/SCHO0210BRXF-e-e.pdf>

11. Piling works: With respect to any proposals for piling through made ground, the EA refer the applicant to the EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention". NGWCL Centre Project NC/99/73. Approval of piling methodology should be further discussed with the EA when the guidance has been utilised to design appropriate piling regimes at the site. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters. Considering the site sensitivity, a groundwater monitoring/ sampling program should be implemented prior/ during and after piling works.
12. Environmental Permitting Regulations: The Environmental Permitting (England & Wales) Regulations 2016 make it an offence to cause or knowingly permit a groundwater activity unless authorised by an Environmental Permit which we will issue. A groundwater activity includes any discharge that will result in the input of pollutants to groundwater.
13. Requirement for an Environmental Permit As stated above, the infilling of the gasholder associated with this development will require an Environmental Permit from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted. Groundwater protection We would like to refer the applicant/enquirer to our groundwater position statements in 'The Environment Agency's approach to groundwater protection', available from gov.uk. This publication sets out our position for a wide range of activities and developments, including: Waste management Discharge of liquid effluents Land contamination Ground source heat pumps Drainage
14. 14. Waste on-site The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/ or land development works are waste or have ceased to be waste. Under the Code of Practice: excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution treated materials can be transferred between sites as part of a hub and cluster project some naturally occurring clean material can be transferred directly between sites Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
15. The EA recommends that developers should refer to: the position statement on the Definition of Waste: Development Industry Code of Practice The waste management page on GOV.UK 16. Waste to be taken off-site Contaminated soil

that is (or must be) disposed of as waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes: Duty of Care Regulations 1991 Hazardous Waste (England and Wales) Regulations 2005 Environmental Permitting (England and Wales) Regulations 2016 The Waste (England and Wales) Regulations 2011 Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

16. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit "<http://nrmm.london/>".
17. 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):
 1. A summary of work to be carried out;
 2. 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;
 3. Inventory and timetable of all dust and NOx air pollutant generating activities;
 4. List of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment;
 5. Details of any fuel stored on-site;
 6. Details of a trained and responsible person on-site for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions);
 7. Summary of monitoring protocols and agreed procedure of notification to the local authority; and
 8. 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. Developments assessed to be medium risk or greater for any of the steps required in an Air Quality and Dust Risk Assessment (AQDRA) regular or continuous PM10 monitoring should be carried out on site. Baseline monitoring should commence 3 months 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. No demolition or development shall commence until all necessary precommencement 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.

18. Air Quality ADMS-Roads input data and output files must be provided to LB of Waltham Forest on validation of the planning application. AQ modelling must be based on transport related inputs which have been approved by LB of Waltham Forest Transport Assessment team. It is essential that junctions and heavily congested roads are modelled accurately, and this is reflected in the choice of relevant node spacing and vehicle speed inputs – clearly showing the node distance with speed reduction as the vehicle approaches the area of congestion/junction. This also applies to pedestrian crossings, roundabouts and any street layout which causes congestion such as single lanes with a bus stop. Where under predictions occur nodes must be scrutinised and where necessary vehicle speeds adjusted to reflect queuing. It is the responsibility of the applicant to ensure that their appointed consultants' modelling verification is robust and adjustment factors clearly explained and justified, calculations and graphs must be provided at validation. Margin of error must not exceed 4 (refer to LAQM guidance as best practice). Contrary to the values given in the EPUK guidance a magnitude of change greater than 0.5 µg/m³ is considered significant in areas where present concentrations are approaching / breaching limit values and shall be assessed as such. Any other scenarios should be considered which are relevant to this site.
19. The design of an odour control system needs to address two phases of contamination in any 'kitchen' exhaust; particulate (grease, smoke, hydrocarbons/VOCs) and gaseous (odour). The design requires an adequate level of particulate and odour control but also stack dispersion. Overall performance will be based on the arrestment plant and where the system discharges. As a rule, the more complicated the arrestment plant the more onerous the future maintenance (required to ensure it continues to work effectively).
20. Dispersion through stacks increases initial atmospheric mixing and spread. Stacks are inherently simple and in effect this simplicity provides a reliable and lower input method of mitigating odour with less maintenance and management. Well designed stack dispersion can even allow for some short term reduction in the performance of any odour abatement plant. For these reasons high-level dispersion is always advocated where practicable. Optimising stack height and dispersion arrangements should be one of the first design decisions.
21. Where suitable high-level dispersion is not possible a much higher level of odour abatement plant will be required; this is likely to be expensive and require a significant commitment to ongoing maintenance.

22. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
23. If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.
24. 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 or 0208 217 3813. 28. You have been granted planning permission for a development in a flood risk area. We strongly advise that you sign up to the free Flood Warning Direct service. Potential Existing Utility Services
25. The developer is responsible for a detailed services survey to locate the position, type of services, including buried services, in the vicinity of railway and development site. Any utility services identified shall be brought to the attention of Senior Asset Protection Engineer (SAPE) in Network Rail if they belong to railway assets. The SAPE will ascertain and specify what measures, including possible re-location and cost, along with any other asset protection measures shall be implemented by the developer. Fencing 30. In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point during or post construction should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation within Network Rail's land boundary must not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment. Plant & Materials
26. All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 4m of the boundary with Network Rail. Operation of mobile cranes should comply with CPA Good Practice Guide 'Requirements for Mobile Cranes Alongside Railways Controlled by Network Rail'. Operation of Tower Crane should also comply with CPA Good Practice Guide 'Requirements for Tower Cranes Alongside Railways Controlled by Network Rail'. Operation of Piling Rig should comply with Network Rail standard 'NR-L3-INI-CP0063 - Piling adjacent to the running line'.

27. The applicant / developer must provide all construction methodologies relating to works that may import risks onto the operational railway and potential disruption to railway services, the assets and the infrastructure for acceptance prior to commencing the works. All works must also be risk assessed to avoid disruptions to the operational railway.