

**LONDON BOROUGH OF WALTHAM FOREST**

Committee/Date:	Planning – 4 <sup>th</sup> July 2023
Application reference:	230851
Applicant:	London Borough of Waltham Forest/Sixty Bricks
Location:	Priory Court, Walthamstow E17 5NB
Proposed development:	Clearance of development plots and the construction of three building blocks ranging from five to six storeys in height, comprising 83 residential dwellings (Use Class C3) with associated amenity spaces, play space, disabled parking spaces, refuse and recycling storage facilities and cycle parking together with the provision of a new multi-use games area and comprehensive landscaping and public realm works.
Wards affected:	William Morris
Appendices:	None

**RECOMMENDATION**

1.1 That Planning Permission be GRANTED under reference 230851 subject to conditions, informatives and completion of a Unilateral Undertaking (UU) with the following heads of terms:

**Affordable Housing:**

- The provision of 52% affordable housing on a habitable room basis with a tenure split comprising 56% affordable rent (21 affordable rent units) and 44% intermediate tenure (19 intermediate units).
- Early-Stage Review Mechanism of the development's viability required, based on GLA SPG terms.

**Employment and Training Strategy:**

- Provide a minimum of 30% local labour, 20% local spend, 11 apprentice posts in the construction trade during the Construction Phase of the Development and 4 work placements in the Construction Phase of the Development with such posts being first offered to Local Residents. In the event that obligations towards apprenticeships and work placements remain unfulfilled, then the developer should pay a default payment of £3,234 per work placement towards employment training and business and £16,458 per apprentice, towards employment, training, and business, to be used for residents, payable to the Council upon practical completion of the development.

**Wheelchair Housing:**

- Wheelchair accessible shared-living units to be exclusively marketed to disabled occupiers for a period of 1 year from launch.
- Prepare a Wheelchair Accessible Dwelling Marketing Strategy for the Development that sets out how the wheelchair residential units will be promoted and advertised during the exclusivity period of one year, to be agreed prior commencement.

**Highways and Public Realm:**

- S.278: Highway works will require a S278 agreement and would include but would not be limited to the following works for each development site:

Site 1:

- Any areas of stopping up of adoption to be clearly indicated.
- The renewal of existing accesses and dropped kerbs.
- The provision of new dropped kerbs for bin collection.
- The provision of new landscaping on public highway.
- A review and possible upgrade of all street lighting, including any changes potentially required.
- Any necessary changes to traffic signs, and lines and associated Traffic Management Orders.  
Construction of a blended 'Copenhagen' crossing at the junction of Sherwood Close and Priory Court.  
Sherwood Close:
  - The renewal of carriageway in Sherwood Close including the turning head. (This will not include introduction of a shared surface).
  - The renewal of all footways in Sherwood Close.
  - The renewal of laybys in Sherwood Close.
  - The provision of new tree pits with crated planted systems, sustainable drainage, and new trees, subject to confirmation of viability due to utilities, technical approval for the Highway Authority and utility companies, and comments from the tree team. If these locations are unsuitable, new locations for this number of trees will be found elsewhere on the estate.Priory Court:
  - The renewal of footway on the Priory Court frontage including the footway behind parking bays.
  - Formation of a new layby, with dropped kerb for refuse collection and construction of new area of footway and landscaping behind new layby.

Site 2:

- The renewal of the footway on the Priory Court frontage.
- Formation of a new layby, with dropped kerb for refuse collection.
- TMO, signage and road markings for a loading bay.
- Adjustment and renewal of domestic vehicle crossover
- A review and possible upgrade of all street lighting, including any changes potentially required.

Site 3:

- A review and possible upgrade of all street lighting, including any changes potentially required.  
Priory Court:
  - The potential removal of the vehicle crossover, and provision of dropped kerbs for cycle access.

(Item 4.2)

- Renewal of the footway on the Priory Court frontage.
- Construction of a blended 'Copenhagen' crossing at the junction of Eastleigh Road and Priory Court.  
Eastleigh Road:
  - Renewal of the full extents of the carriageway.
  - Renewal of the public footways on both sides of Eastleigh Road.
  - Construction of new vehicle crossover on Eastleigh Road.
  - Removal of any redundant crossovers.
  - Any other required changes to facilitate servicing and loading to be determined prior to planning decision.
- A financial contribution of £120,000.00 towards improvements to walking and cycling infrastructure to Priory Court to reduce the impact on traffic and improve the active travel and public transport in the area. The financial contribution shall capture £15,000 towards the walking and cycling initiative across the Borough to be distributed as follows: £4,000.00 for cycle school sessions per year for two years, £5,000.00 for cycle training by the Council and approved community groups for using the new Multi-Use Games Area MUGA and £6,000.00 to pay for bike maintenance sessions every two months for two years for residents of the Priory Court area and local community.
- A financial contribution of £30,000.00 towards increased parking enforcement presence within priory Court to ensure that parking and loading is carried out legally on Priory Court, Sherwood Close and Eastleigh Road.
- A financial contribution of £7,500.00 towards monitoring the Construction Logistics Plan.

**Air Quality Contributions:**

- A financial contribution of £8,300.00 towards the implementation of an Air Quality Action Plan. 50% to be paid prior to commencement of development. The remainder of the contribution due prior to first occupation of any part of the development.

**Sustainability:**

- Provide an updated Energy Statement on commencement and completion of development, based on the 'As built' Energy Calculations. A financial contribution towards a carbon offset fund shall be secured if the 'As Built' Energy assessment demonstrates carbon emissions.
- The development should be capable of being connected to a decentralised energy network, including associated reserved areas in the plant room and protected pipework routes within and adjacent to the development.
- Measures to secure post-construction monitoring ("Be Seen").

**Architects:**

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

**Epping Forest Special Area of Conservation (SAC):**

- Financial contribution of £52,041.00 towards the Strategic Access Management and Monitoring Strategy (SAMMS).

**Legal Fees:**

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

**Monitoring Fee:**

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

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 unilateral undertaking and to agree any minor amendments to the conditions or the legal agreement on the terms set out above, and to agree a bespoke SANGS contribution in the event that the no CIL is payable.
3. In the event that the legal agreement is not completed within a reasonable timeframe following the date of Planning Committee, the Assistant Director - Development Management and Building Control is hereby authorised to refuse the application. In the absence of this unilateral undertaking, the proposed development would not be able to deliver the development on the site. Financial contributions towards the following material planning considerations are air quality, carbon offset fund (COF), Epping Forest SAC, sustainability, employment and training strategies and highways, which must be secured by the unilateral undertaking.

**REASONS REFERRED TO COMMITTEE**

4. The case has been referred to Committee due to the nature of the proposal and the scale of the development.

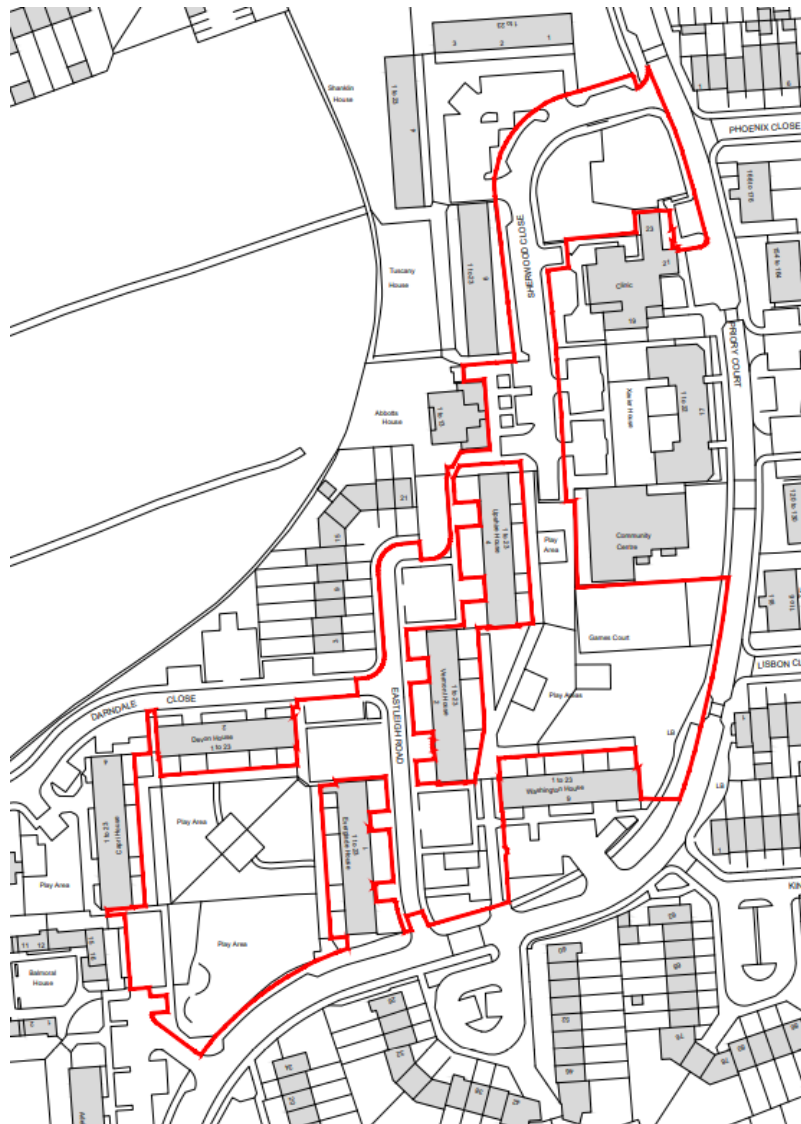
**SITE AND SURROUNDINGS**

*The Site:*

- 2.1 Priory Court is a Council owned residential estate that sits within an irregular plot of land, that runs in a north-south direction along the northwestern side of Priory Court, in Walthamstow. The site has a considerable street frontage along Priory Court of approximately 400 metres and due to its irregular form and the curved profile of the streetscape at Priory Court, the site has a varying width that ranges between 90 metres and 160 metres.
- 2.2 The application sites comprise four plots of land within the Priory Court Estate that have approximately 1.3 hectares in area (altogether), which are accessed via two vehicular access points at Priory Court, through Sherwood Close and Eastleigh Road. The site bounds low-rise residential terraces at Darndale Close and Eastleigh Road to the west side and the Higham Hill Common Allotments further to the west (which are designated as an Allotment Site). Development plots A, C and D are currently clear and contain unused open land within the residential estate. However, plot B contains a games court, which would be removed and replaced as part of the MUGA proposals.
- 2.3 The site currently contains nine six-storey residential blocks that accommodate 190 flats. In addition, the residential estate accommodates a community centre, a pre-

school nursery, a pharmacy, and a multi-use games area (MUGA), that fronts Priory Court. Furthermore, various purpose-built residential blocks adjoin the site, including a four-storey residential building (Xavier House) at the east side, towards Priory Court, which sits between the Community Centre at the south side and the clinic at the north side. The site also bounds a two-storey residential block at Balmoral House, which also fronts Priory Court and the existing play areas at the southwest side of the site.

- 2.4 Priory Court was built as a residential estate between 1946 and 1949 and was formerly part of the grounds of an 18<sup>th</sup> century Manor House, called 'The Priory'. The building configuration and style followed modernist principles formed by linear and uniform free-standing blocks with north-south orientation, in line with the post-war period in which these were built. Due to subsequent poor insulation and water/condensation problems of the building blocks throughout the years, large-scale repair works were carried out across the estate in the 1990's, which involved the internal refurbishment to improve the internal layout of the residential flats and technical repairs to the cladding and roof replacement of the blocks. The works included the demolition of some blocks at the east and south sides, which were replaced with low-rise terraced housing, such as Xavier House and Darndale Close, which adjoin the residential estate at the east and south sides. Additionally, the community centre was also replaced in 2001.
- 2.5 The site has a proposed site allocation (SA44) in the draft Local Plan Part 2 (Regulation 19 Stage, dated November 2021), which seeks for the development and upgrade of the Council's owned estate to provide new residential units to optimise the site capacity and re-provide community space with enhanced pedestrian and cycle connections.
- 2.6 The site is not located within a conservation area and is not within close proximity to statutorily listed buildings. Additionally, the site does not fall within an Archaeological Priority Area and is located within a Flood Zone 1, which indicates a low (less than 1 in 1000) annual risk of flooding. Whilst there are no trees with Tree Preservation Orders (TPOs) within the site, the submitted tree survey identifies 6 trees which are considered to have Category A status. The site is therefore characterised by green vegetation, which results from the modernist design principle across the residential estate, with extensive green spaces between the linear blocks.
- 2.7 There are two sewer line routes across Priory Court, which feature a development constraint that have an impact on the footprint and design of the development proposals within two of the four open plots of land within the site that are identified as suitable for development.
- 2.8 The site has a Public Transport Accessibility Level (PTAL) of 2, which is classified as 'low'. However, bus route W11 operates along Priory Court and there are two additional bus routes W15 and 123, within a walking distance from the site, which run along Forest Road.



Plan 1 - The Site Location Plan

*The Surrounding Context of the Site:*

- 2.9 The surrounding area is predominantly residential in character, with a mix of houses of varied architectural style, height, and style along both sides of Priory Court, which conform a number of residential contemporary blocks. However, the wider context of the site is characterised by being more homogeneous in character, as it contains consistent rows of Victorian terrace houses with similar types of brickwork, architectural features, and roof lines.
- 2.10 The nearest public open space within the context of the site is the Lloyd Park, which can be accessed via Winns Avenue towards the east and features sports, games and garden areas with a café and William Morris Gallery within an historic home. Additionally, there are a range of amenities, including an independent mini market, the Hillyfield Primary School, a medical centre and a public house at Higham Hill Road, which are at a distance of approximately 530 metres from the residential estate.
- 2.11 There are no underground or overground services within a walking distance from the site, as Blackhorse Road is positioned at a distance of approximately 1.4 kilometres

from the site and Walthamstow Central is positioned at a distance of approximately 1.7 kilometres from Priory Court.

- 2.12 Walthamstow Town Centre is positioned at a distance of approximately 1.5 kilometres towards the south side and there are a number of regeneration schemes being developed within the wider area, particularly towards the west side around the Blackhorse Road Underground and Overground Station, where a number of planning applications have been approved for residential-led mixed use schemes with commercial floorspaces and public open spaces, such as 'Blackhorse View' at the TFL Car Park Site, the 'Mandora' development and the co-living residential-led development and music venue at 1 Blackhorse Lane at the former Standard Music Venue site.

### 3 APPLICATION PROPOSAL

- 3.1 The proposed development involves the clearance of four development sites within the application site at the Priory Court Estate, which are identified as suitable for development and labelled as sites A, B, C and D. The proposed clearance would enable the construction of three residential blocks that would range between five and six storeys in height to accommodate 83 residential homes (Use Class C3). In addition, the works include the construction of a new multi-use games area (within site D) with associated amenity spaces, play space, refuse and recycling stores, cycle parking and landscaped public realm improvements for the proposed dwellings. The proposed development is prepared by the London Borough of Waltham Forest and Sixty bricks, which is a housing delivery vehicle for the Borough.
- 3.2 The proposed 83 residential flats would be distributed within three building blocks with the following mix and tenure:

Unit Size	Social Rent	Intermediate	Private Sale	Total	% Mix
1 bed unit	5	5	20	30	36.16%
2 bed unit	7	13	21	41	49.39%
3 bed unit	9	1	2	12	14.45%
<b>Total</b>	<b>21</b>	<b>19</b>	<b>43</b>	<b>83</b>	<b>100%</b>

Table 1 – Unit Mix

- 3.3 The application proposes 52% affordable housing by habitable room. Out of the 231 total habitable rooms within the development, 120 would be affordable. The split of the affordable accommodation would be 56% affordable rent and 44% intermediate.
- 3.4 The development would include 8 homes (10%) that would comply with Building Regulations Part M4(3) ('Wheelchair User Dwellings') that would be distributed within Blocks A and B. The 'Wheelchair User Dwellings' would comprise four two-bed units within Block A (three affordable rent units and one shared ownership unit) and four two-bed units within Block B (two shared ownership and two private units).
- 3.5 The proposed building layout would seek to respond to the constraints of the site and maximise the opportunities of the four development sites within the residential estate, by enhancing permeability, reinforce prominent corners between Priory Court, Sherwood Close and Eastleigh Road and enhance public amenity spaces by creating

a form of cohesion between the different spatial elements of the site with stronger street frontages along Priory Court.

3.6 Although the proposed residential blocks would have a consistent visual articulation, these would vary in terms of layout and building alignment, by reason of the specific constraints of each development site. A detailed description of each residential block is provided below:

- Block A would constitute a five-storey building that would accommodate 19 residential flats and would be positioned at the northern side of the site, towards the junction between Priory Court and Sherwood Close. The building would have a trapezoid form with chamfered corners and would sit at the north side of the existing nursery. The building would introduce private entrances towards Priory Court alongside a principal communal entrance with direct access to the two parking spaces and external cycle store at the rear of the site.
- Block B would comprise a six-storey building that would accommodate 45 residential flats and would comprise an 'L-shaped' building with chamfered corners and a main entrance fronting Priory Court. The building would be located at the north side of a new pedestrian route, between an existing six-storey residential block (Washington House) and the retained community centre.
- Block C would be positioned at the north side of Priory Court, between the existing residential blocks at Washington House, Devon House, and Everglades House. The building would be five-storeys in height and would accommodate 19 residential flats. The layout would also have a trapezoidal configuration with chamfered corners, that would respond to the prominent corner between Priory Court and Eastleigh Road and would therefore be visually linked to Block A.

3.7 85.5% of the residential units would be dual aspect and the maximum number of residential flats served by a stair core would be five. Each residential unit would have an element of private amenity space by either inset or projecting balconies for the upper floor flats and gardens for the ground floor units. Extensive landscaping and public realm works would also be provided for the benefit of future and existing residents of the site with the introduction of a new 'Multi-Use Games Area' (MUGA) and play areas, which would include the construction of a small 'staff hut' in close proximity to the entrance from Priory Court. The existing MUGA (within Site B) would be relocated to Site D, including the existing outdoor gym equipment. The new MUGA would measure 37.00 metres x 18.50 metres and would therefore be larger than the current MUGA.

3.8 The proposed MUGA and public realms works would include the provision of new cycle and pedestrian links that would involve re-opening existing closed paths within the estate. The access strategy therefore includes an extension to Sherwood Close along its original alignment as a car-free 'play way', which would be perceived as a 'spine route' within the estate.

3.9 The development would be car-free except for two accessible parking spaces that would be accommodated for each of the proposed residential blocks. Dedicated external cycle stores would be accommodated, with two-tier cycle stands and 'Sheffield' type stands. Internal refuse stores would also be accommodated within each block and two new servicing bays would be incorporated at Priory Court.

#### **4. RELEVANT SITE HISTORY**

##### **4.1 Planning History for the Site:**

No relevant planning history for the site.



#### 4.2 Pre-Application History of the Site:

Reference	Description of Development	Decision Date
Pre_21_0039	Enhancement of community facilities and erection of three building blocks to deliver residential accommodation within the residential estate, including landscaping, public realm and highways works and the replacement of existing multi use games areas.	Pre-planning application advise issued July 2022.

#### 4.3 Planning Enforcement:

No relevant planning enforcement investigations.

#### 4.4 Planning History of Adjoining Sites:

No relevant planning history of neighbouring sites.

#### 5.0 Consultations

##### 5.1 Public Consultation:

Three site notices were displayed on the 12<sup>th</sup> April 2023 around the site and a press advert notice dated the 13<sup>th</sup> April 2023 was published in Waltham Forest News. In addition, 1,145 letters of consultation were sent out on the 11<sup>th</sup> April 2023 to occupiers of neighbouring properties within the wider setting of the site.

5.3 One substantive letter of objection was received in response to the consultation process; two further representations were received, one relating to the purchase of a property in a block opposite and one relating to impact of construction. In addition, one letter of support was received. The issues and comments raised by resident are summarised below:

Objection received	LPA Response
A) The development would have a detrimental impact on neighbouring residents in terms of harm on air quality and excess levels of dust.	The Council's Air Quality Officer supports the application. Dust and air quality impacts should not pose a constraint for the development and would not cause significant impact on amenity. A financial contribution towards the Air Quality Action Plan has been secured and a condition requiring compliance with non-road mobile machinery (NRMM) low emission has also been recommended. Further details with regards to this planning consideration is carried out in Section J of the Committee Report.
B) The proposed buildings would affect the sunlight and daylight of neighbouring buildings.	The proposed development would be acceptable in terms of the impact on residential amenity of neighbouring buildings with regards to sunlight and daylight. The majority of the windows tested on neighbouring buildings would meet or surpass the BRE numerical recommendations. The submitted Daylight and Sunlight Report has been also

	independently verified by Consil UK, who prepared a third-party report dated 22 <sup>nd</sup> June 2023, which confirms that the vast majority of windows assessed on neighbouring residential properties would comply with BRE Guidelines, considering that the BRE factors should be assessed as an indication and flexibly. A more detailed assessment on this planning consideration is carried out in Section G of the Committee Report.
C) The development would cause noise pollution and would affect the living conditions of residents, particularly during the construction phase.	Conditions requiring a Construction Logistics Plan and Construction Method Statement have been included, to assess mitigation measures with regards to noise and disturbance during the construction phase of the development and control the levels of noise that may result from plants and machinery. A more detailed assessment of the environmental impacts of the development are carried out in Section J of the Committee Report.
D) The development would affect the ability of residents to park, including the ability for visitors and carers to park.	The development would be car-free and would aim to address the current parking situation and overspill within Priory Court. A forthcoming CPZ restriction is being progressed following public consultation, to enable parking permit controls within the residential estate and reduce parking demand from vehicle owners around Priory Court, who are subject to CPZ restriction. As such, the development would aim to reduce parking pressure. A detailed assessment of this planning consideration is carried out in Section H of the Committee Report.
E) The uplift of residential units would have a harmful impact existing resident, due to the limited communal amenity spaces.	The development would improve the outdoor communal amenity spaces of Priory Court and a key design consideration involves opening the green open areas and introduce buildings that would provide passive surveillance, as a key design approach to enhance the living environment for residents. A detailed assessment of the design considerations to enhance amenity spaces is carried out in Sections F and J of the Committee Report.

<b>Supporting Representation</b>	<b>LPA Response</b>
The proposed improvements to the landscaping of the local area are	The design approach seeks to improve the landscaping areas of the site by introducing

strongly welcomed, alongside the provision of new homes.	pedestrian and cycle links and extend Sherwood Close to enhance legibility. The comments are noted and consistent with the design considerations included in Section F of the Committee Report.
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5.4 Other Consultation:

<b>Internal Consultation:</b>	<b>Comments:</b>
Urban Design & Conservation Team	No objections. The proposed development follows in principle the key place making objectives with regards to permeability and takes the opportunity to enhance the quality and character of the residential estate. No concerns are raised with regards to height and massing and the proposed approach to activate the frontage at Priory Court is welcomed. A condition requiring details and samples of materials is recommended.
Strategic Regeneration Team	No objections and no concerns raised with regards to strategic planning considerations.
Highways Team	No objections subject to financial contributions and conditions. Details of the S278 Highways Works have been provided for each site within Priory Court and conditions requiring a Car Park Management Plan, a Drainage Strategy, Lighting Strategy highways condition survey, a way finding strategy, a detailed CLP and a Detailed CLP have been included.
Transport Policy Officer	No comments received at the time of writing the committee report.
Parks and Open Spaces	No comments received at the time of writing the committee report.
Sports and Leisure (Open Spaces)	No comments received at the time of writing the committee report.
Sustainability and Energy Officer	No objections subject to financial contribution towards a carbon offset fund and conditions involving CO2 reduction targets, sustainable design standards and details of water use calculations.
Landscaping and Trees Officer	No objections and the outline tree protection plan and Arboricultural Impact Assessment are on balance accepted. Conditions requiring an updated Arboricultural Method Statement is recommended to assess protection measures. Moreover, conditions requiring details of Landscaping Management Plan, specifications of tree planting and habitat enhancements are also recommended.
Trees (Council Owned)	No comments received at the time of writing the committee report.
Waste and Recycling Officer	No comments received. However, a condition

## (Item 4.2)

	requiring a detailed Waste Management Strategy is recommended.
Business Investment and Employment Officer	No objections subject to planning obligations for the provision of a minimum of 30% local labour, 11 apprentice posts and 4 work placements in the construction phase of the development or a financial contribution in case the apprenticeships and work placements remain unfulfilled. Moreover, 20% local spend and commitment to support local businesses is recommended and therefore secured in the heads of terms.
Environmental Health (Air Quality)	No objections subject to financial contribution towards the implementation of the Council's Air Quality Action Plan and conditions regarding Air Quality and emissions from non-road mobile machinery (NRMM).
Environmental Health (Land Contamination)	No objections subject to conditions in connection to asbestos and contamination (requirement for a desk study, remediation measures and verification report).
Housing Delivery	No objections. The proposed 52% affordable housing exceeds the Council's minimum 50% target. Additionally, the delivery of the low cost rented homes at social rent levels is welcomed, by reason that the Council has a need for affordable homes for rent.
Planning Policy Team	No comments received at the time of writing the committee report.
Schools	No objections. There are sufficient school places in the local area to accommodate additional demand.
Early Years, Childcare and Business Development Services	No comments received at the time of writing the committee report.
Council Housing Estates	No comments received at the time of writing the committee report.
Infrastructure Planning	No comments received at the time of writing the committee report.
CIL Officer	No comments received at the time of writing the committee report.
CCTV	Financial contribution of £158,231 requested for installing and maintaining CCTV within the residential estate.  Officer's Response: The development is proposing to carry out substantial public realm improvements, including CCTV operation to the estate as part of their construction costs. The requested obligation within the site would affect the viability of the scheme,

	considering raising build costs. The requested financial planning obligation cannot therefore be secured in this instance, as clarified with the CCTV Team in writing.
Allotments	No comments received at the time of writing the committee report.
Building Control	No comments received at the time of writing the committee report.

<b>External Consultation:</b>	<b>Comments:</b>
Thames Water	No objections subject to a condition requiring a piling method statement.
Transport for London - TfL	No objections.
Sport England	No objections. Whilst some concerns over how the proposed MUGA would be positioned away from the community centre, the construction of the hut to manage and maintain the facilities is accepted. Sport England considers that the scheme would broadly align with their policies to enhance the facilities.
Metropolitan Police	No objections raised subject to conditions requiring Secured by Design accreditation.
London Fire Brigade	No comments received at the time of writing the committee report.
Natural England	No objections subject to mitigation measures that should be secured by a financial contribution towards the Strategic Access Management Measures (SAMM).
Historic England	No objections.
National Highways	No objections.
The Waltham Forest Civic Society	No comments received at the time of writing the committee report.
The Victorian Society	No comments received at the time of writing the committee report.
The Twentieth Century Society	No comments received at the time of writing the committee report.
NHS Northeast London	No comments received at the time of writing the committee report.

## 6. DEVELOPMENT PLAN

- 6.1 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 (LPA) must have regard to considerations including the provisions of the development plan and any local finance considerations, so far as material to the application, and any other material considerations.

- 6.2 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”.
- 6.3 The Development Plan for the site, at the time of this report, comprises the London Plan (2021), and the Waltham Forest Local Plan Core Strategy (2012), and the Waltham Forest Local Plan Development Management Policies (2013). Other planning policies are material considerations.

#### The London Plan (2021)

- 6.4 On the 2<sup>nd</sup> of March 2021, the Mayor of London published the replacement London Plan. From this date, it forms part of the Development Plan for the purpose of determining planning applications. The 2021 London Plan supersedes the 2016 London Plan, which no longer has any effect. The relevant policies within the London Plan 2021 relevant to this application are considered to include but not limited to:

- GG1 – Building Strong and Inclusive Communities;
- GG2 – Making the Best Use of Land;
- GG4 – Delivering the Homes Londoners Need;
- GG6 – Increasing Efficiency and Resilience;
- SD10 – Strategic and Local Regeneration;
- D1 – London’s Form, Character, and Capacity for Growth;
- D2 – Infrastructure Requirements for Sustainable Densities;
- D3 – Optimising Site Capacity Through Design-led Approach;
- D4 – Delivering Good Design;
- D5 – Inclusive Design;
- D6 – Housing Quality and Standards;
- D7 – Accessible Housing;
- D8 – Public Realm;
- D11 – Safety, Security, and Resilience to Emergency;
- D12 – Fire Safety;
- D14 – Noise;
- H1 – Increasing Housing Supply;
- H4 – Delivering Affordable Housing;
- H5 – Threshold Approach to Applications;
- H6 – Affordable Housing Tenure;
- H7 – Monitoring of Affordable Housing;
- H8 – Loss of Existing Housing and Estate Redevelopment;
- H10 – Housing Size and Mix;
- S1 – Delivering London’s Social Infrastructure;
- S4 – Playspace and Informal Recreation;
- HC1 – Heritage, Conservation, and Growth;
- G1 – Green Infrastructure;
- G4 – Open Space;
- G5 – Urban Greening;
- G6 – Biodiversity and Access to Nature;
- G7 – Trees and Woodlands;
- S11 – Improving Air Quality;
- S12 – Minimising Greenhouse Gas Emissions;

- S13 – Energy Infrastructure;
- S14 – Managing Heat Risk;
- S15 – Water Infrastructure;
- S17 – Reducing Waste and Supporting the Circular Economy;
- S18 – Waste Capacity and Net Waste Self-sufficiency;
- S112 – Flood Risk Management;
- S113 – Sustainable Drainage;
- T1 – Strategic Approach to Transport;
- T2 – Healthy Streets;
- T3 – Transport Capacity, Connectivity and Safeguarding;
- T4 – Assessing and Mitigating Transport Impact;
- T5 – Cycling;
- T6 – Car Parking;
- T7 – Deliveries, Servicing, and Construction;
- DF1 – Delivery of the Plan and Planning Obligations; and,
- M1 – Monitoring.

#### Waltham Forest Local Plan Core Strategy (2012)

- 6.5 The Waltham Forest Local Plan Core Strategy (2012) was adopted on 1<sup>st</sup> 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.
- 6.6 The policies considered relevant to this application are the following:
- CS1: Location and Management of Growth;
  - CS2: Improving Housing Quality and Choice;
  - CS4: Minimising and Adapting to Climate Change;
  - CS5: Enhancing Green Infrastructure and Biodiversity;
  - CS6: Promoting Sustainable Waste Management and Recycling;
  - CS7: Developing Sustainable Transport;
  - CS10: Creating More Jobs and Reducing Worklessness;
  - CS13: Promoting Health and Well Being;
  - CS15: Well Designed Buildings, Places and Spaces; and,
  - CS16: Making Waltham Forest Safer.

#### Waltham Forest Local Plan Development Management Policies (2013)

- 6.7 The document was adopted on 1<sup>st</sup> November 2013. The policies considered relevant to this application are the following:
- 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: Coordinating 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;
- DM28: Heritage Assets
- DM29: Design Principles, Standards and Local Distinctiveness;
- DM30: Inclusive Design and the Built Environment;
- 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;
- Appendix 2 – Policies Map Changes;
- Appendix 4 – Parking Standards; and,
- Schedule 11 – Strategic Road Network.

## 7. MATERIAL PLANNING CONSIDERATIONS

### National Planning Policy Framework (2021)

- 7.1 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.
- 7.2 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"*.
- 7.3 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.
- 7.4 The specific policy areas of the NPPF considered to be most relevant to the of this application are as follows:
- Promoting healthy and safe communities;
  - Promoting sustainable transport;
  - Delivering a wide choice of high-quality homes;
  - Achieve well-designed places;
  - Promoting Healthy Communities;
  - Meeting the challenge of climate change, flooding, and coastal change; and,
  - Conserving and enhancing the natural environment.

### National Planning Policy Framework proposed amendments (2023)



- 7.5 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.

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

- 7.6 The Waltham Forest Local Plan (LP1) will replace the current Waltham Forest Local Plan Core Strategy and Development Management Policies. It has undergone consultation and is currently undergoing an Examination in Public. Whilst indicating the intended direction of future policy, its draft policies can only be given limited weight in decision making.

Waltham Forest Local Plan (LP2) – Site Allocations (Proposed Submission Document):

- 7.7 The Site Allocations Document (Draft Waltham Forest Local Plan Part 2: Site Allocations Document (2021 – Reg 19) seeks to ensure that 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 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

Urban Design SPD - 2010

- 7.8 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

- 7.9 The core principles underlying the advice in the SPD are Inclusive Design and the social model of disability.

Waltham Forest Affordable Housing & Viability SPD - 2018

- 7.10 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.

London Plan Affordable Housing and Viability SPG - 2017

- 7.11 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 Planning Obligations SPD - 2017

- 7.12 This document seeks to provide transparent, clear, and consistent information for the negotiation of planning contributions and Section 106 Agreements and how these work alongside the Community Infrastructure Levy (CIL) to help deliver necessary infrastructure in the Borough.

Housing Supplementary Planning Guidance SPG (2016)

- 7.13 The Housing SPG provides guidance on a range of strategic policies including housing supply, residential density, housing standards, build to rent developments, student accommodation and viability.

Housing Design Standard LPG (June 2023);

- 7.14 The GLA recently adopted updated residential design guidance, in response to the impact of the COVID-19 pandemic and the increased shift to homeworking. The guidance provides details of shared and ancillary spatial accommodation and private outdoor space for new residential dwellings.

Waste & Recycling Guidance for Developers (2019)

- 7.15 The Waste & Recycling Guidance for Developers is to help those involved in designing new developments to ensure safe and secure refuse and recycling storage and collection.

Local Finance Considerations

- 7.16 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 CIL. It is noted that:

- It is not thought that there are any grants which have been or will or could be received from central government in relation to this development.
- The Council expects to receive income from LBWF CIL in relation to this development.
- The Council expects to receive income from Mayoral CIL in relation to this development.

## **8. ASSESSMENT**

- 8.1 The main issues which shall be addressed within this report relate to the following:

- A. Principle of Development;
- B. Provision of Affordable Housing;
- C. Density;
- D. Housing Mix;
- E. Standard of Residential Accommodation;
- F. Layout, Scale and Design of Development;
- G. Impact on Amenity;
- H. Transport and Highways;
- I. Waste Management;
- J. The Environmental Impact of the Development;
- K. Sustainable Design and Energy Efficiency;
- L. Trees and Landscaping;
- M. Archaeology and Heritage;
- N. Safety and Security;
- O. Planning Contributions

**A) PRINCIPLE OF DEVELOPMENT**

- 8.2 The National Planning Policy Framework (NPPF) (2021) places a presumption in favour of 'sustainable development' and states that there should be a "golden thread" running through plan and decision making. These principles are reflected in policy GG1 of the London Plan (2021), policy CS1 of the WFLP Core Strategy (2012) and policy DM1 of the WFLP Development Management Policies (2013), which also seek for forms of development proposals to achieve an appropriate balance between physical, social, environmental, and economic considerations to ensure that these deliver key benefits to the locality.
- 8.3 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 to meet the need for homes. Development proposals should therefore promote, and support identified needs for housing and encourage sustainable economic growth, having regard to under-utilised land, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.
- 8.4 Policy H1 of the London Plan (2021) sets a ten-year target for net housing completions that each Local Planning Authority should plan for, which includes a ten-year housing target of 12,640 for Waltham Forest. There is therefore a pressing need for more homes in London, which should promote opportunity and provide a real choice for all Londoners in a way that the housing need is met. The application seeks to deliver 83 residential units and therefore the proposed uplift of residential floor space to provide additional residential units would contribute towards the provision of new housing, in accordance with the aspirations set out in the London Plan (2021).
- 8.5 At a local level, Policy CS2 of the WFLP Core Strategy (2012) requires the Council to facilitate sustainable housing growth by 'creating a mixed and inclusive community by enabling a variety of housing types to meet the identified local needs of the borough's population'.
- 8.6 Locally, the emerging policy 12 of the draft New Local Plan Proposed Submission Document (Regulation 19) also confirms the Council's commitment to deliver 27,000 new homes by 2035, focusing the delivery on opportunity and accessible locations, with the aspiration to increase the supply of homes on all suitable and available sites. Whilst the site falls outside a key opportunity area, the proposed development of the four underused plots within the residential site is welcomed. The delivery of additional housing would be consistent with the draft Local Plan Part 2 (Regulation 19 Stage, dated November 2021), which sets out the strategic target to introduce a minimum of 80 new homes within Priory Court, as specified in the Site Allocation (SA44). The aspirations under the site allocation involve optimising site capacity in a sustainable manner that considers pedestrian and cycle connections.
- 8.7 In the absence of a change of use and considering that the proposed development would be purely residential, the proposed uplift of residential units within the site by 83 units is supported, as it would result in a substantial addition to the housing stock within the borough and would therefore contribute to meeting with the Council's housing target, which is set out by the London Plan (2021).
- 8.8 As such, the principle of development is acceptable and considered consistent with policy H1 of the London Plan (2021), policy CS1 of the WFLP Core Strategy (2012), policies DM1 and DM2 of the WFLP Development Management Policies (2013), policy 12 of the Draft Waltham Forest Local Plan Part 1 (LP1) and the Draft Waltham Forest Local Plan Part 2 (LP2) (Site Allocations).

**B) PROVISION OF AFFORDABLE HOUSING**

- 8.9 Policy H4 of the London Plan (2021) seeks to maximise affordable housing to meet the need of approximately 43,500 affordable homes per year, as established in the 2017 Strategic Housing Market Assessment. The policy sets out a strategic target for 50% of all new homes delivered across London to be genuinely affordable. The Mayor's Housing SPG (2016) also provides guidance on the overall approach to estimate the needs of different sorts and the role of planning in facilitating private rented housing.
- 8.10 Policy H5 of the London plan (2021) provides details of the 'threshold approach', which trigger affordable housing requirements with a minimum of 35% affordable housing or 50% affordable housing on public sector land where there is no portfolio agreement with the Mayor.
- 8.11 In addition, policy H6 of the London Plan (2021) also sets out the split of affordable products that should be applied on residential developments, as follows:
1. A minimum of 30% low cost rented homes, as either London Affordable Rent or Social Rent, allocated according to need and for Londoners on low incomes.
  2. A minimum of 30% intermediate products which meet the definition of genuinely affordable housing, including London Living Rent and London Shared Ownership.
  3. The remaining 40% to be determined by the Borough as low cost rented homes or intermediate products (defined in Part A1 and A2) based on identified needs.
- 8.12 At a local level, Policy CS2 of the WFLP Core Strategy (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. Policy CS2 provides flexibility in assessing the level of affordable housing on a site-by-site basis to achieve the maximum available capacity. Given that the site is publicly owned, a high-level of affordable housing is considered appropriate.
- 8.13 The development would deliver 52% affordable housing by habitable room, which exceeds the Council's minimum 50% target for schemes being delivered on public land. The proposed tenure split between the low cost rented and intermediate is 56:44 in favour of low-cost rent. Whilst the tenure split is slightly below the Council's current Local Plan target of 60:40, the scheme is delivering a 52% quantum of affordable housing and wider public benefits across the residential estate. Additionally, the proposed low cost rented homes would be delivered at Social Rent levels, which is strongly supported, by reason of the great need for genuine affordable homes for rent within the Borough. In light of the quantum and type of affordable housing being offered, the split is accepted, as confirmed by the Council's Housing Delivery Team.
- 8.14 The accommodation schedule of the affordable housing offer with details of tenure would comprise as follows:

Unit Type	Social Rent	Intermediate Units	Total	Percentage
1B 2 P	5	5	10	25%
2B 3P	4	6	10	25%
2B 4P	3	7	10	25%
3B 5P	9	1	10	25%
<b>TOTAL</b>	<b>21</b>	<b>19</b>	<b>40</b>	<b>100%</b>

Table 2 – Schedule of Affordable Housing Accommodation

- 8.15 A financial viability report prepared by Turner Morum LLP (dated March 2023) was submitted as part of the application and provides details of revenues, development costs and Viability Benchmark Land Value. Notwithstanding the submission, the development would not require a late-stage viability review, by virtue of the level of the affordable offer, an early-stage review will be required if substantial implementation has not been reached within two years.
- 8.16 As advised by the Council's Housing Delivery Team, the proposed 52% affordable housing (40 affordable units and 120 habitable rooms) is strongly supported and in accordance with the requirements of Policy DM3 of the WFLP Core Strategy (2012), which adopts a pro-active and flexible approach when assessing the delivery of affordable housing, by reason of the significant level of need that local residents have in accessing affordable homes.
- 8.17 The proposed affordable units would be located within Blocks A and C and these two blocks would accommodate shared ownership and affordable rent units. As noted, all private units would be located within Block B, with the exception of two affordable rent units that would be positioned at ground floor level within this block.
- 8.18 All units would be 'tenure blind' with shared common areas with no restricted external amenity spaces to any specific tenure and elevational treatment that does not distinguish tenure. The external amenity spaces would be maintained to the same standard, in accordance with the Landscaping Management Plan, which would also be secured by condition
- 8.19 The proposed 'tenure blind' layout and inclusive access to external amenity spaces within the development site, would ensure a general sense of interaction for residents to deliver a sense of community within the residential estate, which would also co-exist with the existing 190 residential flats within different blocks at Priory Court. In light of the acceptable provision of 52% affordable housing with an acceptable quantum of family-sized affordable units (12 affordable rent and 8 shared ownership family-sized units), the development would be consistent with the requirements of Policies H4, H5 and H6 of the London Plan (2021), WFLP Core Strategy Policy CS2 (2012) and WFLP Development Management Policy DM3 (2013) and the Mayor's Affordable Housing and Viability SPG (2017).

**C) DENSITY**

- 8.20 Whilst the NPPF (2021) does not set out a prescriptive guidance with regards to residential density, it encourages development proposals for residential development to optimise the capacity of sites in a way that these are compatible with the use, character, and urban grain of the surrounding area.
- 8.21 Policy D3 (Optimising site capacity through design-led approach) of the London Plan (2021) also states that all forms of development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. The policy does not contain a density matrix and seeks to ensure that all design options are fully considered in a way that development proposals respond to the context of the surrounding area, with regards to capacity for growth and existing/planned infrastructure.
- 8.22 The site has a Public Transport Accessibility Level (PTAL) of 2, which is low. Although the site sits outside a town or district centre and does not fall within an identified Opportunity Area, the site has a proposed site allocated (SA44) in the draft Local Plan Part 2 (Regulation 19 Stage, dated November 2021), which supports an uplift of residential units by at least 80 dwellings. The four parcels of land within the site are approximately 1.3 hectares in size. The development would therefore result

in a residential density of 63.8 dwellings per hectare and 177.7 habitable rooms per hectare and therefore the development would not result in a substantial densification for the residential estate. The proposed density is assessed as a guidance to assess the intensity that the four parcels of land would be developed in line with the aspirations set out under policy D3 of the London Plan (2013), to ensure that the proposals respond to the context of the surrounding area, which is characterised by extensive green areas and public spaces between uniform linear residential blocks.

- 8.23 As advised by the Council's Transport Policy Team, the development would have no effects on the Strategic Road Network (SRN). The site is not within close proximity to Blackhorse Road or Walthamstow Central Stations and given the number of units, any impact on public transport would be minor. As such, Transport for London (TfL) raised no objections and the Council's School for Places Team confirmed that there is a surplus in primary and secondary placements in the local area so there is therefore no concerns over additional demand. In the absence of an unacceptable impact over surrounding physical infrastructure, the proposed density formed by the development is acceptable and consistent with the housing need within the surrounding area. As such, the development is in accordance with policy D3 of the London Plan (2021), in that the quantum of development would be acceptable.

#### **D) HOUSING MIX**

- 8.24 The NPPF (2019) 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 recognises that 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.
- 8.25 Policy H10 of the London Plan (2021) states that development should generally consist of a range of unit sizes and to determine the appropriate mix of unit sizes, developments should have regard to robust local evidence of need in line with the range of housing need and demand identified by the 2017 London Strategic Housing Market Assessment. The policy adds how developments should deliver mixed and inclusive neighbourhoods by providing a range of unit types at different price points across London, also considering the range of tenures within the same scheme.
- 8.26 At a local level, Policy CS2 of the WFLP Core Strategy (2012) requires mixed and balanced communities and sets out the Council's priority for larger homes (three bedrooms or more) in new developments. Policy DM5 of the WFLP Development Management Policies (2013) supports the aspirations set out by Core Strategy Policy CS2 and outlines the Council's preferred housing mix for residential developments. There should be a varied mix of units across a development, with the preferred percentage being as follows: 20% 1-bedroom units, 30% 2-bedroom units, 40% 3-bedroom units and 10% 4-bedroom units.
- 8.27 Table 1 (paragraph 3.2 of the committee report) sets out the proposed residential mix, which would consist of 36.16% one-bed units 49.39% two-bed units and 14.45% three bed units. Although the percentage of family units would not be entirely consistent with the requirements set out by policy DM5 of the WFLP Development Management Policies (2013), by reason of an uplift of one-bed and two-bed units and the reduction of three-bed units, policy H10 of the London Plan (2021) and the Mayor's Housing SPG (2016) accept a level of flexibility in terms of housing mix and acknowledge the role smaller units may play in freeing up existing family sized housing stock. The provision of a slight increase in number of smaller units can therefore be accepted.

- 8.28 Although the development would not deliver 4-bedroom dwellings, the proposed mix would deliver an acceptable quantum of units able to accommodate a small family, considering that 25 out of the 41 two-bed units would have a capacity to accommodate four people and the provision of 12 three-bed units with a capacity to accommodate five people. On balance, the proposed housing mix is acceptable, by reason that the development would also respond to other needs and cater single occupants, such as younger people willing to access the housing market. The development is therefore in line with the objectives of London Plan Policy H10 (2021), WFLP Core Strategy Policy CS2 (2012) and WFLP Development Management Policy DM5 (2013).

## E) STANDARD OF ACCOMMODATION

- 8.29 London Plan Policies D4 'Delivering Good Design' and D6 'Housing Quality and Standards' (2021) seek to scrutinise the qualitative aspects of a development in terms of living environment, design quality and spatial standards to deliver high quality and functional layouts that are fit for purpose. Additionally, table 3.1 under policy D6 of the London Plan (2021) provides details of the minimum internal floor areas that are expected for the proposed residential units. Furthermore, the GLA recently adopted a revised Housing Design Standards LPG (June 2023), which sets out guidelines for design of public realm, internal spatial standards and shared spaces within dwellings and parking, among other planning considerations.
- 8.30 At a local level, policy CS3 of the WFLP Core Strategy (2012) requires high quality design for new residential developments, which should have an ability to adapt to changing needs for residents and ultimately create healthy and sustainable communities with appropriate spatial standards and adequate levels of amenity.

### *Internal Space Standards:*

- 8.31 The proposed building would accommodate 83 residential flats and the table below sets out the range of floor areas provided per each type of unit by comparing these with the expected floor areas set out by policy D6 of the London Plan (2021):

Unit Type	Accommodation Sizes	Policy Requirement
1 Bed - 2 people (30 units)	50.10 m <sup>2</sup> – 50.60 m <sup>2</sup>	50.00 m <sup>2</sup>
2 bed – 3 people (16 units)	61.40 m <sup>2</sup> – 63.40 m <sup>2</sup>	61.00 m <sup>2</sup>
2 bed – 4 people (25 units)	77.20 m <sup>2</sup> – 86.20m <sup>2</sup>	70.00 m <sup>2</sup>
3 bed – 5 people (12 units)	86.00 m <sup>2</sup> – 98.20 m <sup>2</sup>	86.00 m <sup>2</sup>

*Table 3 – Floorspace by Residential Unit*

- 9.32 The proposed residential units meet the minimum spatial requirements in terms of floor area and the habitable rooms within each unit would also meet the minimum spatial requirements in that double bedrooms would exceed 11.50 square metres and single bedrooms would exceed 7.50 square metres. The floor to ceiling height of each unit would exceed 2.50 metres in height and the flats would also have open-plan living areas with integrated kitchen and dining areas with built-in storage that would exceed the minimum standards, as required by Policy D6 of the London Plan (2021). Additionally, the minimum combined floor area for the open-plan living, dining and kitchen areas would meet the minimum recommendations set out under Policy D6 of the London Plan (2021) and the recently adopted Housing Design Guidance

(June 2023), which requires a minimum of 23.00 sqm of combined area for one-bed units, 27.00 sqm for two-bed units and 29 sqm for three-bed units.

*Dual Aspect Units and Units per Core:*

- 8.33 Policy D6 of the London Plan (2021) states that housing developments should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect units. A single aspect dwelling should only be provided when it can be demonstrated that all habitable rooms contain adequate ventilation, privacy, acceptable levels of daylight and appropriate orientation.
- 8.34 71 residential dwellings would be dual aspect, which would result in an acceptable percentage of 85.5%. There would be no north-facing single aspect units. As noted, the single aspect units would be positioned within Block 2 and these would have an outlook towards the south or east sides of the site, to maximise visual outlook towards the proposed landscaped public realm between the proposed Block B and Washington House, towards Priory Court. The proposed design of the single aspect units would therefore be in accordance with the aspirations set out by policy D6 of the London Plan (2021), in that the habitable rooms and kitchens would have adequate orientation, ventilation, privacy and daylight.
- 8.35 In the absence of north-facing residential units and considering that the proposed landscaping areas between the residential blocks would provide an acceptable visual outlook, the residential living environment for future residents would be acceptable, as the spatial configuration would ensure that future residents are protected from visual intrusion, disturbance, and poor outlook.
- 8.36 The proposed internal layout would also limit the number of residential units per core by a maximum of five dwellings per stair core within Block B. Given that Block B would be six storeys in height and each floor level within this unit would accommodate a maximum of eight flats, the building would contain two stair cores. Blocks A and C would contain one stair core per each floor level, as these building blocks would be five storeys and each floor level would contain four residential units. The stair cores would be suitably sized and given the acceptable number of units per core within the minimum threshold of eight, there are no concerns with regards to the internal layout and the common areas, as these would enable proper evacuation, in accordance with policies D6 and D12 of the London Plan (2021).

*Privacy and Visual Outlook:*

- 8.37 The Mayoral Housing SPG (2016) states that development should maintain between 18.00 metres to 21.00 metres 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. Any impact on amenity in terms of neighbouring properties is assessed in Section G of the committee report (paragraphs 8.91 to 8.96).
- 8.38 The proposed building layout seeks to optimise the living environment for future residents to ensure that proposed windows serving habitable rooms retain an acceptable separation distance that exceeds 18.00 metres or are positioned at an angle to restrict any overlooking. As such, the privacy provided to each residential building is assessed in detail as follows:
- Block A: The proposed south-facing windows within Block 1 would overlook the existing nursery and the proposed west-facing windows would overlook the public realm between the proposed Block 1 and Tuscany House, at a distance that would exceed 18.00 metres. Given that the north and east-facing windows would overlook the street scene and Priory Court and Sherwood Close and would not be overlooked by any windows at a distance



that does not exceed 18.00 metres, the privacy and visual outlook provided to the habitable rooms on Block 1 would be acceptable. As noted, Renfrew House is positioned towards the northwest side of the site along Sherwood Close and sits at a distance that exceeds 18.00 metres.

- Block B: The proposed north-facing windows within Block 2 would overlook the community centre, at a varying separation distance that would range between approximately 8.00 and 12.00 metres. Whilst the setback would fail to meet the recommended guideline of 18.00 metres, the community centre contains windows that are only within the upper floor sections of the south-facing elevations and therefore this building has very limited overlook towards the south-side. Furthermore, the windows at the community centre do not serve domestic uses and Block 2 would contain a very limited number of north-facing windows, by reason that the passageway on the west element of the building would be towards the north and no bedrooms would overlook towards this side.

Although the closest point on the west-facing elevation within Block 2 would be at a distance of approximately 13.50 metres from the east-facing elevation at Upshire House, the proposed building would have no west-facing windows that would be overlooked by Upshire House, by reason that this element within the building block would accommodate a staircase.

The south facing windows within Block 2 would overlook the public realm between Washington House and Block 2, at a distance that would exceed 18.00 metres. Moreover, the east-facing windows would be overlooked by Priory Court and given that the ground floor units have been designed with feature planting and hedges as defensive screening to protect the privacy of these units, there are no concerns raised with regards to any ability to overlook the habitable windows on Block 2.

- Block C: The proposed west-facing windows on Block 3 would be at a distance of approximately 18.00 metres from the east-facing windows on the closest neighbouring block at Everglades House, therefore any ability to overlook from this neighbouring building block would be limited.

Whilst the north-facing windows would have a limited setback from the south-facing elevation at Vermont House, this neighbouring linear block has no windows overlooking the parcel of land that would accommodate Block 3. In terms of the east-facing windows, these would overlook the parking and landscaped areas at the south side of Washington House and in the absence of west-facing windows at Washington House, the proposed east-facing windows would not be overlooked by neighbouring building blocks.

The south-facing windows would overlook Priory Court and would also be screened at ground floor level with appropriate boundary treatment and planting. Due to these considerations, the development would provide adequate levels of privacy to future residents within Block 3, by virtue of the proposed building configuration.

- 8.39 In terms of visual outlook, policy DM32 of the WFLP Development Management Policies (2013) defines outlook as the visual amenity afforded by a dwelling's immediate surroundings. Given the acceptable separation distance between building blocks and the orientation of these with some windows and balconies at a chamfered angle to respond to the prominence of the street junctions, the development raises no concerns in terms of visual outlook. The building blocks would respond to the key design approach to maximise visual outlook towards enhanced communal amenity spaces with appropriate levels of screening along the streetscape.

- 8.40 It is considered that the separation distances between the proposed building blocks and windows serving habitable rooms, would preserve the privacy levels to future residents of the development and would provide acceptable levels of visual outlook, in accordance with policy D6 of the London Plan (2021) and policy DM32 of the WFLP DM Policies (2013).

*Wheelchair Accessible Units and Inclusive Design:*

- 8.41 Policy D7 of the London Plan (2021) states that 10% of new housing must meet Building Regulations requirement Part M4 (3) 'wheelchair user dwellings' and that all other dwellings should meet the Building Regulations under Part M4 (2) 'accessible and adaptable dwellings'.
- 8.42 The development proposes to deliver 8 wheelchair accessible dwellings that meet the Part M (4) Category 3, which is 10% of overall provision, as set out in Table 4 below; the three low-cost rent wheelchair units will be delivered as accessible from the outset, while the market and shared ownership units will be adaptable. The remaining 90% of flats have been also designed to be accessible, adaptable and would be fully in compliance with Building Regulations Part M4 (2).
- 8.43 The development would deliver accessible homes across the private sale, social rent and shared ownership tenures. The accessible homes would be located within different floor levels of Blocks A and B and would be well linked to the disabled parking areas at the rear sides of these blocks.

	<b>1 Bed 2 Person</b>	<b>2 Bed 4 Person</b>	<b>3 Bed 4 Person</b>
<b>Market</b>	0	2	0
<b>Low-Cost Rent</b>	0	3	0
<b>Shared Ownership</b>	0	3	0
<b>Total</b>	0	8	0

*Table 4 – Schedule of Wheelchair Accessible Units*

- 8.44 The residential lobbies would be accessible by stairs and lifts that would exceed the minimum requirement of 1.10 metres x 1.40 metres with clear landings that would exceed the minimum requirement of 1.5 metres x 1.5 metres. The staircases would meet the recommendations set out in Part M and Part K (General Access Stairs) of Building Regulations with handrails that would continue around half landings. In addition, the internal corridors within the building blocks would also meet the minimum requirement of 1.50 metres in width, to allow convenient access and manoeuvring for wheelchair users.
- 8.45 In summary, the proposed development would provide acceptable inclusive design guidelines and an acceptable quantum, mix and tenure of wheelchair accessible units, in compliance with policy D7 of the London Plan (2021).

*Daylight and Sunlight for Proposed Residential Accommodation:*

- 8.46 An assessment of the impact of the development on the residential amenities of neighbouring sites is included within Section G of this committee report. However, the provision of internal daylight and sunlight for future occupiers of the development is also reviewed against the submitted 'Daylight and Sunlight Report' (within development (dated 23<sup>rd</sup> September 2022) which provides a detailed examination of the amount of daylight as well as the distribution of daylight within the habitable rooms of development.

- 8.47 The habitable rooms within the lower ground floors of the residential blocks have been examined against the daylight factor scores in accordance with the BRE recommendations, that are assessed as a guidance when reviewing the levels of sunlight and daylight provided to habitable windows. The report concludes that 81% of all rooms would achieve or surpass the minimum recommendations of illuminations and 64 out of the 79 habitable rooms within ground and first floor levels would surpass the recommended targets. In overall terms, the daylight factor scores meet the BRE recommendations, considering the adequate internal layout and depth of the habitable rooms, which include combined living/dining/kitchen areas with good proportions of natural light distribution.
- 8.48 In terms of overshadowing, the “Daylight and Sunlight Report’ (within development (dated 23<sup>rd</sup> September 2022)’ confirms that at least 65% or more of the communal amenity areas would receive at least two hours of sunlight on 21<sup>st</sup> March, exceeding the BRE recommendations that set a guideline of at least 50% of any garden or amenity area, which should receive at least two hours of sunlight on 21<sup>st</sup> March. In light of the acceptable building height and configuration, the proposed development would not raise concerns with regards to overshadowing. The proposed public realm would therefore enjoy adequate levels of sunlight throughout the year, in accordance with the BRE guidelines.
- 8.49 Given the above, the development would provide very good levels of residential amenity in terms of daylight, sunlight, and visual outlook. As such, the dwellings and amenity spaces would meet the requirements of policy H6 of the London Plan (2021), which seeks for new residential developments to provide acceptable levels of amenity with a high level of compliance with the BRE recommendations, as set out in the BRE guide “Site Layout Planning for Daylight and Sunlight’.

*External Amenity Space and Children’s Play Space:*

- 8.50 Policy D6 of the London Plan (2021) states that where there are no higher local standards in the Borough Development Plan Documents, a minimum of 5.0 square metres of private outdoor space should be provided for 1 – 2 person dwellings with an extra 1 square metres for additional occupant, with a minimum depth and width of 1.5 metres. In addition, policy S4 of the London Plan (2021) states that formal play area provision should normally be made on-site and should provide at least 10.00 square metres per child to satisfy child occupancy and play space requirements.
- 8.51 At a local level, policy DM7 of the WFLP Development Management Policies (2013) states that 10.00 sqm of amenity space should be provided per bedroom and balconies should have a minimum size of 5 sqm. Each flat should include an element of private amenity space, but the overall provision can be a combination of private and communal space. The development would have a total requirement to deliver 1,480 sqm of external amenity space and would therefore deliver a total of approximately 2,197.00 sqm of additional and usable external amenity space of which 557.00 sqm would be through private balconies and ground floor terraces and 1,640.00 sqm would be through publicly accessible open space that would improve the outdoor amenity spaces, by introducing a new path system to improve connectivity.
- 8.52 In light of the above provision of outdoor amenity space, the development would have a surplus of approximately 717.09 sqm that would seek to enable new connections between the residential blocks, in response to the existing segregation, particularly on the outdoor amenity spaces for the Everglades, Devon and Capri Houses, which are underused, by reason of poor circulation, permeability and means of enclosure. Given that the development would introduce new and publicly accessible communal open spaces that would ultimately benefit future and existing residents in Priory Court, the proposed uplift of communal amenity space is welcomed.

- 8.53 In terms of children play space, London Plan Policy S4 (2021) requires the provision of 10.00 sqm of play space per child. The requirements have been calculated using the proposed housing mix and the GLA's Population Yield Calculator, which resulted in a child yield of 47 children, which equates to 470 sqm of play provision. Whilst it is not possible to establish the number of children currently living within the residential estate, it is noted that the proposed development would highly exceed the 470.00 sqm requirement in floor area, by introducing play space opportunities within a 'play way' area that would create a better link along Sherwood Close and through the residential estate.
- 8.54 The natural play features along the 'play way' would provide informal spaces for children of the estate, that would enhance community interactions. Given the existing play space provision that is associated to the housing blocks (approximately 2,296 sqm in area) that contain a toddler multi-play unit and two springers set on rubber crumb, it is considered that the proposed improvements with regards to connectivity would enhance the play space and public realm. As such, the play strategy is supported, as this would respond to the hierarchy of spaces and play requirements within the different sections of the development. Details with regards to the play space equipment would be assessed at condition stage.

Conclusion on Standard of Accommodation:

- 8.55 Overall, the proposed development would deliver an acceptable living environment for future residents. The proposed residential units would meet the minimum requirements in terms of floor space and would enjoy acceptable levels of visual outlook and sunlight/daylight. In addition, the development would have a surplus of communal amenity space and no concerns are raised with regards to overshadowing on communal amenity spaces, by virtue of building layout and height. As such, the internal and external living accommodation would meet the requirements set out by Policies D6, D7 and S4 of the London Plan (2021) and policy DM7 of the WFLP Development Management Policies (2013).

**F) LAYOUT, SCALE AND DESIGN OF DEVELOPMENT**

- 8.56 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 on sustainable development, to ensure that any form of development creates better places that improve the way these function by promoting a strong sense of place and identity.
- 8.57 Policy D3 of the London Plan (2021) seeks to enhance the local context by delivering buildings and spaces that respond positively to local distinctiveness through layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions. The design-led approach should optimise the capacity of sites in response to an evaluation of the site's attributes, its context and its capacity for growth to determine the appropriate form of development for a specific site.
- 8.58 In addition, policy D4 of the London Plan (2021) states that the design of development proposals should be thoroughly scrutinised, and borough and applicants should make use of the design review process to assess and inform design options early in the planning process. The policy states how boroughs and applicants should make use of the design review process to assess and inform design options during the planning process. The format of design review should consider the following guidelines:

- Design review should be carried out transparently by independent experts in relevant disciplines.
- Design review comments should be mindful of the wider policy context and focus on interpreting policy for the specific scheme.
- Where a scheme is reviewed more than once, subsequent design reviews reference and build on the recommendations of previous design reviews should be noted.
- Design review recommendations should be appropriately recorded and communicated to officers and decision makers.
- Schemes show how they have considered and addressed the design review recommendations.
- Planning decisions demonstrate how design review has been addressed.

8.59 At a local level, policies CS2 and CS15 of the WFLP Core Strategy (2012) require development proposals to be of a high standard and design quality that respond to the local context and the character of the surrounding area, while promoting local distinctiveness and a strong sense of place. Policies DM29 and DM30 of the WFLP Development Management Policies (2013) also seek for high standard of urban and architectural design for all new forms of development, particularly with regards to how a new building can maximise the capacity of a site in a sustainable manner.

8.60 Furthermore, the site has a proposed site allocation (SA44) in the draft Local Plan Part 2 (November 2021), which seeks to optimise site capacity in a way that enhanced connectivity is considered.

8.61 The development proposals were reviewed at an initial stage by the Design Council in April 2020 and a number of inputs with regards to design and place-making principles were addressed in writing after the design review in a letter dated 6<sup>th</sup> May 2020. The key considerations when assessing the design aspects of the development against the requirements of the policies listed above are addressed as follows, in response to the inputs given by the Design Council.

*Building Layout and Spatial Configuration:*

8.62 The proposed building arrangement would respond to the capacity of the four areas that have been identified as suitable for development within Priory Court, in terms of addressing the site constraints, that include existing sewer and gas pipelines, the proximity of the sites to existing buildings such as the community centre and the character of the contextual buildings. The proposed layout would follow key design and place-making principles, to maximise the opportunities of each parcel of land in a way that the configuration enhances articulation and permeability. The building layout would therefore follow the following principles:

- Deliver a place-making strategy that responds to the fragmented public realm and poor surveillance by enhancing movements and accessibility. The proposed extension of Sherwood Close would therefore be car-free and used as a new 'play-way' that would be perceived as a 'green spine' within the residential estate to re-open south/north pedestrian movements.
- Improve the car dominated public realm by prioritising pedestrian paths to connect the different sites within the residential estate. Highways works would therefore re-align vehicular movements with defined carriageways and footways.
- Support existing community facilities, such as the nursery, MUGA and community centre by greater social visibility and connectivity that remains directly linked to Priory Court as the main access point to the residential estate.

- Provide a greater sense of openness by removing a number of enclosures within the public realm to optimise the use of external amenity spaces as a design approach to reduce anti-social behaviour.
  - Consider a landscape-led design approach that supports tree planting as a way-finding strategy. The proposed external amenity spaces between each building block would seek to provide a sense of identity within the residential estate and uplift biodiversity.
  - Reinforce building frontages to define and activate the streetscape at Priory Court by positioning secondary entrances towards the rear with more private elements for parking and outdoor amenity spaces for residents towards the rear.
  - Respond to the prominence of corners between Priory Court, Sherwood Close and Eastleigh Road by articulating the buildings with chamfered corners, change in materials, slightly lower building height and additional glazing around the corners to reinforce visual interest.
- 8.63 The development would respond to the above spatial principles by maximising the capacity of each individual site and by following the existing linear building typology of the residential estate in a way that it acknowledges street junctions, key building frontages, separation between buildings and permeability between each development site. Whilst the existing linear post-war building typology would be acknowledged, the proposed visual articulation to break the existing homogenous building formation is welcomed, as the height variation, reinforcement of corners by variation of window design and balconies, varied materiality, provision of private gardens and introduction of roof canopies to define entrances would provide a stronger sense of identity and reinforce visual interest, as a way to respond to pre-existing design issues of the residential estate.
- 8.64 Additionally, the proposed development is assessed as an opportunity to open up routes to provide a clearer street layout that links the different sites within the residential estate, in line with the design guidelines set out by the proposed Site Allocation under the draft Local Plan Part 2 (November 2021), which emphasises connectivity as a key design guideline. The proposed 'play way' and extension of Sherwood Close would be perceived as a new 'green spine' that would link the north and south areas of the estate in a more legible way, ultimately allowing a better flow of movements from the access points as a way to resolve the existing perception of territories within the open public spaces to ultimately provide a stronger sense of community cohesion between the different building blocks. The proposed improvement of the car dominated public realm is therefore welcomed and consistent with the aspirations for the development sites, by prioritising pedestrian movements in a way that parking can be better defined and organised.
- 8.65 The proposed building configuration would seek to reinforce a landscape-led green character that is more legible, accessible, and inclusive. The proposed spatial layout and design approach to open the outdoor amenity spaces is strongly supported as an appropriate strategy to re-connect the different sites within the estate and define Priory Court as the main public access point. In addition, the enhanced public realm around the building blocks would ultimately respond to the existing natural features of the estate and avoid a perception of over-dominating building elements that could result from infilling the opportunity sites within the residential estate.
- 8.66 In light of the above considerations, the proposed spatial layout and building configuration is supported and considered consistent with policies D3 and D4 of the London Plan (2021) and policy DM29 of the WFLP Development Management Policies (2012), in that the building typology and configuration would respond to the features of the entire residential estate, which include existing building typology,

condition of the open spaces and the post-war modern character of the existing blocks within the residential estate.

*Height, Massing and Building Articulation:*

- 8.67 Policy D3 of the London Plan (2021) states that buildings should respond to the existing character of a place by identifying its characteristics that contribute to the local character. The proposed height and massing of new buildings should therefore respond to the surrounding context and address visual, functional, and environmental impacts.
- 8.68 At a local level, policy CS15 of the WFLP Core Strategy (2012) directs tall buildings to key growth areas, such as the Walthamstow Town Centre, Blackhorse Lane and the Northern Olympic Fringe Area Action Plan area. Policy DM31 of the WFLP DM Policy (2013) also adds how tall buildings should maximise the use of land and create sustainable buildings at locations that are well-served by public transport and local services.
- 8.69 The site is not identified as suitable for additional height. As such, the proposed five to six storeys building height is acceptable and consistent with the limited densification approach for the residential estate, in line with the guidelines set out by the proposed Site Allocation (SA44) in the draft Local Plan Part 2 (November 2021). The proposed height, massing and articulation of each building element is therefore assessed as follows:

*Block A:*

- 8.70 Block A would be located at the northeast side of the estate and would have five storeys in height. The building would be lower than the typical six storeys that conform the residential blocks at Priory Court. Given its limited footprint and public realm towards the rear of the building along Sherwood Close and front towards Priory Court, any sense of massing would not raise a concern under a design point of view. The building would retain an acceptable setback from neighbouring buildings at the north, west and south sides and due to the visual articulation at the corner to acknowledge the prominence of the junction between Priory Court and Sherwood Close, the proposed building block would achieve an acceptable relationship with the streetscape and green areas of the residential estate.
- 8.71 The proposed building articulation would include a defined base at ground floor, that would enable private entrances to the ground floor flats. The corner elements would be defined by a slightly lower height, additional glazing, larger balconies and change in materiality. Overall, the proposed articulation is acceptable and would contribute to the identity of the residential estate.

*Blocks B:*

- 8.72 Block B would have an 'L-shaped' layout to maximise the active frontage at Priory Court. The building would be six storeys in height and would therefore conform with the predominant building height of the residential estate. Given the inset element between the two distinct parts of the building and considering that the front element would be articulated in terms of building form with the other proposed building blocks (by adding chamfered and prominent corners and matching materiality), the proposed height, massing and articulation would be acceptable and respond to the requirement to maximise the capacity of the site.
- 8.73 The proposed layout would be defined by the public frontage along Priory Court and the more private environment towards the rear, with disabled parking, cycle parking and servicing arrangements placed towards the rear in a way that these are integrated to the external amenity spaces of the estate with passive surveillance from the proposed flats.

*Block C:*

- 8.74 Block C would be five-storeys in height and would be positioned towards the south side of the residential estate, along the northern side of Priory Court. The building block would be positioned at the junction between Priory Court and Eastleigh Close. The building would therefore mirror in terms of layout, façade articulation and design guidelines the principles set out in Block A, considering that both buildings would respond to their corner position. The proposed height, massing and articulation is therefore accepted and supported by the Council's Design and Conservation Team.
- 8.75 Due to the acceptable height and massing, the proposed design approach that results from active frontages, definition of corners and distinction between front and rear sections is supported. The proportions and scale of the building blocks have been developed in a way that these would suit the surrounding context of the sites and conform with the predominant building height of the residential estate. Given the proposed separation distance between building blocks, the integrity of neighbouring blocks would be respected and overall, the development would raise no concerns with regards to scale and bulk.

*Townscape Views:*

- 8.76 Policy HC3 of the London Plan (2021) states that several views make a significant contribution to the image of London at a strategic level and that these contribute to the legibility of the city and form part of the key landmarks that form the broader townscape. The character of the surrounding area is mixed, with varied townscape values formed by modern residential blocks within Priory Court, lower two to three storeys in height residential brick blocks at the opposite side of Priory Court and some rows of terrace and groups of semi-detached residential houses within the wider setting.
- 8.77 Notwithstanding the prominence of the proposed residential blocks within the streetscene at Priory Court, it is not considered that the development would have significant visual effects on townscape views when viewed from public vantage points around the development sites. The development would reinforce the domestic character of the residential estate and would enhance permeability, resulting in new views within the estate, that would introduce surveillance resulting in a beneficial impact on the character of the townscape and its wider setting. Given the limited building height and considering that the visual character of Priory Court would be strongly enhanced by street activation and passive surveillance, any impact on townscape views would be positive, in line with the requirements of policy HC3 of the London Plan (2021) and policy DM31 of the WFLP DM Policies (2013).

*Materiality and Façade Articulation:*

- 8.78 The proposed building blocks would have two primary features that would aim to respond to the character of the surrounding area. These would be formed by brickwork and metal balconies/fenestration. The buildings would also have three key façade brick elements formed by a darker brickwork at ground floor, buff brickwork with horizontal banding in the middle section and a top protruding brickwork at parapet to create visual interest. The proposed concept of introducing base, middle and top sections for the buildings and a variation of brickwork would seek to reduce a sense of massing and enhance visual interest, which would be reinforced by the inset elements on the floor plans that would accommodate recessed balconies. The proposed approach is welcomed and considered suitable for the residential estate in order to break the existing homogeneity of the existing residential blocks.
- 8.79 Furthermore, the proposed balcony strategy would combine recessed and projecting features that would be visually related to the neighbouring building blocks within the residential estate. The proposed balconies would therefore reduce the sense of



massing and bulk and would be well integrated to the base of the buildings, by reason that the communal entrances and small canopies would be built in similar metalwork that would reinforce legibility and visual interest at street level.

- 8.80 Overall, it is considered that the building blocks would be visually integrated and there would be an acceptable visual consistency through different tones, material features and façade articulation, which would also result from vertical groups of windows and balconies. The proposed palette would contain a combination of darker and lighter tones to achieve visual interest and reduce a sense of massing. Final details of external materials, including balustrades, metalwork, cladding and mortar joints would be secured by condition. Due to the above considerations, the development would be acceptable in terms of elevational treatment and materials and would be in accordance with policy D4 of the London Plan (2021) and policy DM29 of the WFLP Development Management Policies (2013).

*Public Realm and relocation of MUGA:*

- 8.81 Policy D8 of the London Plan (2021) states that every form of development should contain well-designed, safe, accessible, inclusive, and well-connected public spaces, with appropriate landscaping treatment, planting, street furniture and surface materials that are durable and sustainable. The design of the public amenity spaces is a key place-making principle for the development and seeks to respond to the existing fragmented open green spaces of the residential estate.
- 8.82 In order to address current issues and fragmentation and considering that the development would result in an increased level of movement through the residential estate, the proposed works on the public realm would involve re-aligning key routes, which would ensure that secured access for existing residential blocks is retained. The design approach aims to change the car dominance over the public realm by prioritising pedestrian paths and removing existing parking courts in a way that these are linked between the north and south sides of the estate via a new 'play way' at Sherwood Close, that would function as a 'linear spine' within the estate to support legibility.
- 8.83 Additionally, due to the proposed building layout and active frontages with clearer rear sections with passive surveillance, the proposed strategy would reinforce security and surveillance along the pedestrian routes to ensure that these are safer and more inviting throughout the day and night.
- 8.84 Given that the development would maximise a focus on soft landscaping to reinforce connections and security within the different sites that conform the estate, the design approach to recognise the development as an opportunity to improve the quality of the public realm by addressing existing issues is strongly supported, as this would result in a key benefit for existing and future residents of Priory Court. The proposed elements of public realm around Blocks A and B would be well integrated to the entrances to the buildings and would therefore achieve a positive relationship between the building elements, the streetscape and the outdoor amenity spaces.
- 8.85 The proposed works to the public realm include the re-location of the existing Multi-Use Games Area (MUGA) from 'Site 2' to 'Site 4', which include the construction of a small 'staff hut', in close proximity to the entrance with full visibility of the MUGA. The proposed facilities would be used for storage and WC and should provide improved security for activities around the MUGA, with new CCTV operation and lighting. The proposed green spaces around the facilities would accommodate areas for spectators, as part of community activities that would be carried out within these spaces and these would have passive surveillance from Capri, Devon and Everglades Houses, which would overlook the MUGA at an acceptable separation distance, to deter anti-social behaviour.

- 8.86 The proposed MUGA would have recessed football areas and fixed basketball hoops to accommodate two half courts. The surfaces would have a type 4 polymeric surface in rubber crumb to absorb shocks and would therefore have less friction when compared to the existing type 3 MUGA. The court would be enclosed with 3.0 metres in height weldmesh fence with netted roof enclosure. The proposed lighting would enable the use of the MUGA during winter months and these would also serve the proposed outdoor gym equipment, which would be reinstated at the south side of the MUGA at a considerable setback from the street frontage along Priory Court. Given the new connections at the south end of Sherwood Close and the introduction of natural play features, the proposed public realm and re-location of the MUGA would support community interactions by creating informal outdoor amenity spaces.
- 8.87 Due to the above, the proposed public realm, outdoor play areas and new MUGA are supported and considered consistent with policies D4 and S4 of the London Plan (2021) in that these would increase opportunities for play in a more accessible manner as an integral element of the residential estate.

Conclusion on Layout, Scale and Design:

- 8.88 The proposed development would be acceptable under design, visual and spatial layout considerations, in that it would respond to the existing constraints of the site by creating new links to open the different sites of the residential estate, in accordance with the 'placemaking plan' under the draft Local Plan (LP2) – Site Allocations (2021), which aims for an enhanced pedestrian and cycle connectivity that addresses the overspilling of parking around Priory Court. The proposed building configuration and articulation is accepted, as it would respond to the scale and massing of the existing family of buildings within Priory Court and its wider context and would therefore be consistent with policies D3 and S4 of the London Plan (2021), policies CS2 and CS15 of the WFLP Core Strategy (2012) and policies DM29 and DM32 of the WFLP Development Management Policies (2013).

**G. IMPACT ON AMENITY**

- 8.89 Policy D6 of the London Plan (2021) states that design of development should provide sufficient daylight and sunlight to new and surrounding housing, including amenity space, and should therefore be appropriate within its context. New development proposals should minimise overshadowing and maximise outdoor amenity spaces. Whilst there is no policy for assessing the impact on any loss of daylight and sunlight on neighbouring sites, guidance is provided within the 'BRE – Site Layout Planning for Daylight and Sunlight'.
- 8.90 Policy DM32 of the WFLP Development Management Policies (2013) states that when considering the impact of a new development on neighbouring amenity, the Council should have regards to (among other aspects) access to daylight and sunlight and shall only find development acceptable where it would not cause a detrimental impact on amenity of adjoining or future occupiers. The main issues with regards to the requirements of policies D6 of the London Plan (2021) and DM32 of the WFLP Development Management Policies (2013) with regards to impact on amenity are reviewed as follows:

*Privacy and Overlooking:*

- 8.91 The Mayoral Housing SPG (2016) states that development should maintain a distance between habitable windows that exceeds 18.00 metres. The SPG adds how there should be adequate levels of privacy in relation to neighbouring properties, the street scene, and other public places. The proposed building blocks raise no concerns in terms of impact on privacy and overlooking on neighbouring sites, by reason that the proposed building line would have an acceptable separation from

neighbouring residential blocks at the north, west and south sides of the three development sites where building blocks 1, 2 and 3 would be built.

- 8.92 As reviewed in Section E of the committee report (paragraphs 8.37 – 8.40), the three proposed blocks would not be overlooked by neighbouring buildings, by virtue of the acceptable setback from neighbouring habitable windows. Under these terms, the proposed residential flats would have no ability to overlook neighbouring buildings.
- 8.93 Although Block A would have the ability to overlook the neighbouring nursery at the south side, this building contains no north-facing windows along its northern boundary. Moreover, Block A is positioned at a distance that exceeds 18.00 metres from Tuscany House towards the west side and therefore the privacy of this neighbouring block would remain protected.
- 8.94 In terms of Block B, this building would overlook the existing community centre at the north and the separation distance would vary, by reason of the building's configuration. Notwithstanding the fact that the separation distance would not exceed 18.00 metres, it is noted that the community centre primarily contains windows on its upper sections therefore any ability to overlook the internal spaces would be extremely limited. Whilst the separation distance from the closest building block at the west (Upshire House) would also fail to meet the 18.00 metres recommendation, the proposed west elevation on Block B contains no windows, as it accommodates a staircase. As such, no concerns with regards to visual intrusion on Upshire House are noted. Furthermore, the south-facing windows on Block B would retain a separation distance that would exceed 18.00 from Washington House towards the south side, raising no concerns with regards to harm on privacy.
- 8.95 Furthermore, Block C would retain a considerable setback from neighbouring residential blocks at the west (Everglades House) and would have no ability to overlook the habitable windows of Vermont House towards the north, by reason of the building orientation and the fact that these windows are positioned at a 90 degrees angle from the proposed block. As such, no concerns with regards to visual intrusion should be raised, by virtue that the building configuration seeks to protect amenity in terms of outlook and privacy.
- 8.96 In light of the above considerations and considering that other residential properties towards the east side of Priory Court are located at an acceptable setback of approximately 18.00 to 21.00 metres, the proposed building blocks would have no harmful impact on residential amenity in terms of loss of privacy. On this basis, no objections have been raised from neighbouring residents on this regard and the development would meet the requirements of policy D6 of the London Plan (2021) and the Mayor's Housing SPG (2016), which recommends a minimum separation of 18.00 to 21.00 metres between habitable windows to ensure protection of privacy for residents.

*Daylight, Sunlight and Overshadowing:*

- 8.97 A 'Daylight and Sunlight Report' for neighbouring properties (dated 19<sup>th</sup> July 2022) provides a detailed assessment of the impact that the development would cause on neighbouring residential and non-residential properties, including amenity spaces. The submitted report undertakes an assessment of the impact on properties at 1 – 4 Lisbon Close, 1 – 4 Phoenix Close, 1 – 23 Upshire House, 1 – 23 Vermont House, 1 – 23 Washington House and a number of properties at Priory Court, (which include 17 - 23, 26, 60, 118 - 120, 130, 154 – 164 and 166 – 176 Priory Court), including the impact on the neighbouring community centre.
- 8.98 The submitted assessment considers two key tests to review impact on daylight, which include the Vertical Sky Component (VSC) and the no-skyline daylight distribution (NSL). The guidance suggests that daylight will be adversely affected if

any window achieves a VSC below 27% and has its levels reduced to less than 0.8 times its former value. Additionally, the distribution of daylight is calculated by plotting the 'no skyline', which separates areas of the working plane that do not have a direct view of the sky. The daylight can therefore be adversely affected if, after the development, the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value. Additionally, the sunlight availability is reviewed against a window when calculating if it receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21<sup>st</sup> September and 21<sup>st</sup> March, received less than 0.8 times its former sunlight values during either period or has a reduction in sunlight received over the whole year greater than 4% of annual probable hours.

8.99 The report includes an overshadowing assessment with an analysis that follows the above guidelines, which suggest that if at least 50% of an amenity area receives at least 2 hours of sun on the 21<sup>st</sup> March, then it is likely to be adequately lit throughout the year. Notwithstanding the recommendations under the BRE guidelines and numerical values, it is important to note that this guideline is not mandatory and is only seen as an instrument to assess any impact on natural lighting. For that reason, the BRE factors should be interpreted in a flexible manner.

8.100 The 'Daylight and Sunlight Report' provides detailed results of the daylight and sunlight assessments in the context of neighbouring buildings. The assessment is therefore carried against a total of 684 windows within the neighbouring sites and the following findings are noted:

120 – 130 Priory Court:

8.101 The sixteen windows tested pass the BRE VSC test and the sunlight recommendations.

118 Priory Court:

8.102 Nine out of the twenty-nine windows tested fall short of the BRE VSC recommendations. However, five of these nine windows experience marginal shortfalls against the BRE 0.8 recommendation, achieving ratios that range between 0.71 and 0.79. As noted, the most significantly impacted window is positioned below a projecting canopy at the front of the property. With regards to sunlight, six out of the twenty-nine windows would fall short of the recommendations. However, three of these would meet the sunlight recommendations annually and only fall short during the winter months. The three other windows are positioned below the existing canopy and as per the VSC factor, these windows are hampered by the overhang.

1 – 4 Lisbon Close:

8.103 Five out of the thirty-four windows tested within the properties fall short of the BRE VSC recommendation at No. 1 Lisbon Close. However, the shortfall is marginal as these windows would achieve ratios that would range between 0.7 and 0.74. Notwithstanding the minor impact on five windows, the thirty-four windows would pass the sunlight recommendations.

1 – 23 Washington House:

8.104 Thirty-four windows out of the 130 windows tested fall short of the BRE VSC recommendations, which are at ground, first and second floor levels. Given that the ground floor windows are recessed and the fact that there is a projection above the windows, the reduction in VSC is unavoidable. Whilst some windows at first floor would fail the BRE VSC recommendation, the ranges would remain acceptable between 23.8% and 26.4%, resulting in marginal shortfalls. With regards to sunlight, only one window would fall short (2%) of the Annual Probable Sunlight Hours recommendation.

60 Priory Court:

- 8.105 The eleven windows tested pass the BRE VSC test and the sunlight recommendations.

26 Priory Court:

- 8.106 The twelve windows tested pass the BRE VSC test and the sunlight recommendations.

1 – 23 Everglade House:

- 8.107 The ground floor windows (25 windows) and some windows at first floor (18 windows) would not meet the BRE recommendations. However, the windows at ground floor are under a projection that has been built above the windows and therefore the shortfall is unavoidable. Notwithstanding the shortfall on the first floor, the VSC ranges would remain acceptable between 20.3% and 25.2%. Additionally, six windows at second floor would also experience very marginal shortfalls against the BRE 0.8 recommendation, with before/after ratios between 0.7 and 0.78. In terms of sunlight, the windows would still meet the recommendations.

1 – 23 Vermont House:

- 8.108 A total of 109 windows have been examined and the ground floor windows (23 windows) would not meet the BRE recommendations. This shortfall is similar as the shortfall in Everglade House and Washington House, as the windows at ground floor are under a projection that has been built above the windows and therefore the shortfall is unavoidable. With regards to sunlight, only two windows fail to meet the sunlight recommendations. However, these shortfalls would not be annually and only the winter months.

Priory Court Community Centre:

- 8.109 Thirty-four windows have been tested. Whilst a number of these windows do not comply with the BRE requirements, these do not serve domestic habitable rooms and therefore the impact on amenity is limited.

17 - 23 Priory Court:

- 8.110 The forty-eight windows tested pass the BRE VSC test and the sunlight recommendations.

1 – 23 Renfrew House:

- 8.111 Only one window out of the 27 windows tested doesn't meet the BRE VSC recommendation, by reason that the window is hampered by a projection directly above. Notwithstanding this, the window appears to be one of three windows that serve a habitable room, which meet the BRE VSC recommendations. All windows would meet the sunlight recommendations.

1 – 4 Phoenix Close:

- 8.112 Twenty-three windows have been tested and only four windows at 1 Phoenix Close would fall short of the BRE sunlight recommendations. However, these windows would achieve high levels of sunlight annually with ranges between 30% and 35% and would only fall short during the winter months.

166 – 176 Priory Court:

- 8.113 Four out of the thirty windows tested would not meet the BRE VSC recommendations. However, the shortfalls would be marginal between 0.72 and 0.77. Additionally, three windows would fall short of the BRE sunlight recommendations, as these are positioned alongside a projecting wing of the building adjacent to the entrance.

1 – 23 Upshire House:

- 8.114 As per other buildings, the only windows that would fall short of the BRE VSC recommendation are at ground floor. Forty-three windows have been tested and nine windows at ground floor would fall short of the recommendations, by reason of the recessed layout of the ground floor within the building block. The windows would pass the BRE sunlight recommendations.

154 – 164 Priory Court:

- 8.115 The thirty windows tested pass the BRE VSC test and the sunlight recommendations.

Conclusion on Impact on Amenity:

- 8.116 On balance, the proposed development would be acceptable in terms of the impact on residential amenity of neighbouring buildings with regards to privacy, loss of sunlight/daylight and visual outlook. As noted above, the majority of the windows tested on neighbouring buildings would meet or surpass the BRE numerical recommendations. Whilst some of the windows would not meet the recommendations, the results are not unusual, considering the context of the residential estate and the layout of the building blocks with recessed ground floor levels.
- 8.117 The submitted Daylight and Sunlight Report has been independently verified by Consil UK, who prepared a third-party report dated 22<sup>nd</sup> June 2023, that confirms that the vast majority of windows assessed on neighbouring residential properties would comply with BRE Guidelines for daylight and sunlight residential amenity and that where transgressions of the numerical guidelines occur, the majority of the cases are of a minor significance and that the windows would retain levels of daylight and sunlight that are consistent with the urban nature of the site.
- 8.118 On this basis, the proposed building blocks would not represent an un-neighbourly form of development, considering that the proposed buildings would have no ability to overlook neighbouring habitable windows and would have no adverse impact on the visual outlook provided to residential properties surrounding the site. As such, the development would accord with policy D6 of the London Plan (2021) and policy DM32 of the WFLP Development Management Policies (2013) and would be also on balance consistent with the advice given by the Mayoral Housing SPG (2016).

## **H) TRANSPORT AND HIGHWAYS**

- 8.119 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, and public transport by 2041. Policy T1 also requires development proposals to make the most effective use of land, in a way that these acknowledge the connectivity and accessibility of existing and future transport links, walking and cycling routes to ensure that any impact on the London's transport networks and supporting infrastructure is mitigated. In addition, policy T6 of the London Plan (2021) encourages car-free forms of development as a starting point for all development proposals in places that are well connected. Car-free developments should still provide disabled parking.
- 8.120 At a local level, Core Strategy Policy CS7 (2012) sets out that the Council will promote sustainable travel by guiding developments to accessible locations, to reduce the need to travel by car and to encourage walking, cycling and the use of public transport. Additionally, policy DM14 of the WFLP Development Management Policies (2013) states that the Council will encourage sustainable modes of travel.

Major developments should be developed and contribute to a well-connected network of streets to optimise permeability and legibility.

- 8.121 Waltham Forest is currently designing the Lloyd Park and Higham Hill Improvement Scheme to address on-going concerns around the volume, speed and impact of traffic. A financial contribution of £120,000.00 has therefore been secured, to support the second phase of the scheme within the Priory Court area and ensure that any impact of the development is properly mitigated by improvements on walking and cycling infrastructure to the residential estate. In addition, proposed developments should seek to enhance the walking and cycling environment of the areas surrounding the application sites. The key highways and transport issues are reviewed below as follows:

*Highways Works:*

- 8.122 The Council's Highways Team have considered the application and no objections are raised, subject to identified S278 works, and S106 contributions, which are outlined in Section 1 of the committee report. Given that the proposal involves the construction of three building blocks within different development sites at Priory Court, the S278 agreement should secure the following works, which are specified in response to the extent of works for each site as follows:

Site 1:

- Any areas of stopping up of adoption to be clearly indicated.
- The renewal of existing accesses and dropped kerbs.
- The provision of new dropped kerbs for bin collection.
- The provision of new landscaping on public highway.
- A review and possible upgrade of all street lighting, including any changes potentially required.
- Any necessary changes to traffic signs, and lines and associated Traffic Management Orders.
- Construction of a blended 'Copenhagen' crossing at the junction of Sherwood Close and Priory Court.  
Sherwood Close:
  - The renewal of carriageway in Sherwood Close including the turning head. (This will not include introduction of a shared surface).
  - The renewal of all footways in Sherwood Close.
  - The renewal of laybys in Sherwood Close.
  - The provision of new tree pits with crated planted systems, sustainable drainage, and new trees, subject to confirmation of viability due to utilities, technical approval for the Highway Authority and utility companies, and comments from the tree team. If these locations are unsuitable, new locations for this number of trees will be found elsewhere on the estate.Priory Court:
  - The renewal of footway on the Priory Court frontage including the footway behind parking bays.
  - Formation of a new layby, with dropped kerb for refuse collection and construction of new area of footway and landscaping behind new layby.

Site 2:

- The renewal of the footway on the Priory Court frontage.
- Formation of a new layby, with dropped kerb for refuse collection.
- TMO, signage and road markings for a loading bay.
- Adjustment and renewal of domestic vehicle crossover

- A review and possible upgrade of all street lighting, including any changes potentially required.

Site 3:

- A review and possible upgrade of all street lighting, including any changes potentially required.  
Priory Court:
- The potential removal of the vehicle crossover, and provision of dropped kerbs for cycle access.
- Renewal of the footway on the Priory Court frontage.
- Construction of a blended 'Copenhagen' crossing at the junction of Eastleigh Road and Priory Court.  
Eastleigh Road:
- Renewal of the full extents of the carriageway.
- Renewal of the public footways on both sides of Eastleigh Road.
- Construction of new vehicle crossover on Eastleigh Road.
- Removal of any redundant crossovers.
- Any other required changes to facilitate servicing and loading to be determined prior to planning decision.

8.123 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.

Car Parking:

- 8.124 Priory Court is not within a Controlled Parking Zone (CPZ) or permit zone, but it is surrounded by other local controlled parking zones. As such, the current parking condition of the site is a key issue in relation to the existing estate and the proposed development. The proposed development would be car-free and would ensure that no additional parking is provided except for disabled parking spaces, which would be linked to the eight wheelchair accessible dwellings. A Car Parking Management Plan is therefore secured by condition, to ensure that the proposed car-free restriction is enforceable to reduce current levels of parking from non-residents of the residential estate.
- 8.125 Double yellow lines were introduced in 2021 along both sides of Priory Court, at the south side of Sherwood Close and east side of Eastleigh Road to ensure that emergency vehicles are able to access the estate. A full parking survey was also carried out in June 2021 and the findings show that 250 cars were parked overnight. Given that Priory Court currently accommodates 190 dwellings, the data suggests that there is 1.32 parked cars per household, which indicates that the additional cars parked are likely to belong to owners living in the surrounding area that are subject to controlled parking restrictions.
- 8.126 The process of implementing an estate parking permit scheme for Priory Court, which followed public consultation, is currently being progressed for implementation, to ensure that the estate is subject to parking permit controls. It is therefore expected that a new Priory Court Estate CPZ will be formalised in advance of the proposed development being occupied, to reduce parking demand from vehicle owners from the surrounding area. A financial contribution of £30,000.00 has also been secured to increase parking enforcement presence, to ensure that parking and loading is carried out legally. The development is therefore being reviewed in a way that the proposed



car-free restriction operates in accordance with the existing parking condition of the site to address existing issues in connection to overspilling.

- 8.127 Policy T6 of the London Plan (2021) requires 3% disabled parking provision from the outset, with scope for a further 7% to be provided in the future as demand dictates. The development would deliver six disabled parking spaces from the outset, which represents 7.5% with available space to provide two additional spaces (2.5%) in the future. The disabled parking spaces would be provided with 'active' electric vehicle charging points. The proposed provision would be in line with the Council's estate parking permit scheme, which would secure 177 parking spaces and 22 blue badge bays, that would provide sufficient capacity to accommodate the existing 143 cars that are owned by estate residents, as suggested by the Census data that was carried out on Priory Court. Whilst 12 parking spaces would be lost to allow the construction of Block C, the proposed permit scheme would still provide sufficient capacity for residents.
- 8.128 The Council's Highways Team have considered the proposed car parking layout and no objections are raised, subject to minor revisions that have been carried out with regards to layout. The proposed disabled parking spaces would be linked to the wheelchair accessible residential units. Subject to the identified S278 works, and S106 contributions, the proposed parking provision is accepted and would be in accordance with the aspiration to control parking as outlined in the proposed parking permit scheme for Priory Court.
- 8.129 With regards to servicing, a loading bay has been included for each building. Whilst concerns were raised over the absence of a servicing bay for Block C, revisions to address this point of concern have been received to ensure that servicing is delivered within the existing servicing arrangement at the east side of the site, which currently serves Washington House. Further details with regards to servicing would be reviewed at condition stage, as a Servicing and Delivery Plan is recommended by condition.

*Cycle Parking:*

- 8.130 Table 10.2 under London Plan Policy T5 (2021) sets out the minimum standards for new developments. At a local level, WFLP Core Strategy Policy CS7 (2012) sets out that cycle parking should be provided in accordance with the minimum standards set out in the London Plan. In addition, WFLP Development Management Policy DM16 (2013) mentions that the Council would seek to effectively manage parking to ensure the provision of safe and attractive parking facilities by requiring development proposals to provide well-designed, high-quality parking stores in accordance with the Council's minimum cycle parking standards.
- 8.131 The quantum of residential cycle parking has been appropriately set out within the submitted Transport Assessment dated March 2023. The development would deliver the following quantum of cycle parking per block:

	<b>Long Stay</b>	<b>Short Stay</b>	<b>Total</b>
<b>Block 1</b>	36	2	38
<b>Block 2</b>	84	2	86
<b>Block 3</b>	44	2	46
<b>Total</b>	164	6	170

*Table 5 – Quantum of Cycle Parking*

- 8.132 The cycle parking provision for Block A would be situated externally within a secured cycle store on the landscaped area at the rear of the block. Blocks B and C would

have combined internal and external secured cycle stores to meet minimum standards, as set out by policy T5 of the London Plan (2021), which requires one space per one-bedroom dwelling and two spaces for any other dwellings (long stay) and two spaces for 5 to 40 two-person dwellings and one additional space per 40 dwellings (short stay).

- 8.133 Notwithstanding the acceptability of the proposed quantum of cycle parking provision and considering that the proposed stores would be safe and secured, a cycle parking strategy is recommended by condition, to ensure that there is an adequate provision of two-tier stands, Sheffield stands and to assess the details of the proposed external cycle stores with regards to design and accessibility. Although the security measures of the external stores would be assessed by condition, it is considered that these would have adequate passive surveillance, by virtue of their position within the external amenity spaces of the blocks.

*Trip Generation:*

- 8.134 The submitted Transport Assessment dated March 2023 provides full details of trip generation forecasts, based on a Census Method of Travel to Work Areas (2021), the development is expected to generate a total of 497 total person trips per day (AM and PM), which could result in 323 public transport trips, 8 taxi trips, 4 motorcycle trips, 10 car passenger trips, 21 cycle trips, 79, walk trips and 54 disabled car driver trips a day. The development would not represent a significant increase in trips and over 80% of the trips would be active and under public transport modes, in accordance with the Mayor's Strategic Transport target, which seeks to increase walking, cycling and public transport. TfL therefore has raised no concerns in terms of impact on the highways network, considering the location of the site at a distance from Blackhorse Road and Walthamstow Central Stations.

*Construction Arrangements:*

- 8.135 Enabling works will be required for temporary physical changes to be made to the highway to enable construction works. An Outline Construction Logistics Plan has been submitted and reviewed by the Highways Team, and a detailed CLP will be reviewed at condition stage, prior to commencement. A financial contribution of £7,500.00 has also been secured to monitor the CLP.

Conclusion on Highways and Transport:

- 8.136 In light of the above considerations, Highways Services have no objections against the proposed development, subject that a Section 278 notice is secured for the works, which would be required on completion with financial contributions and conditions that are also recommended. The proposed highways works on Priory Court, Eastleigh Road and Sherwood Close and the proposed disabled parking and cycle parking provision are accepted, as these would be consistent with the view to control parking within the residential estate and would ultimately result in an improvement to the existing movements around the site. The development would therefore be consistent with London Plan Policies T1 and T6 (2021) and policies DM13, DM14 and DM16 of the WFLP Development Management Policies (2013).

**I) WASTE MANAGEMENT**

- 8.137 Policy SI7 of the London Plan (2021) requires design of developments to incorporate adequate, flexible, and accessible waste storage space and collection systems. At a local level, WFLP Core Strategy Policy CS6 (2012) promotes the prevention and reduction of waste and requires development proposals to provide well-designed

internal and external storage facilities for residual waste and recycling. Moreover, Policy DM32 of the WFLP Development Management Policies (2013) states that new developments should ensure that the provision of adequate facilities for the storage, collection and disposal of waste is secured.

- 8.138 Refuse stores would be accommodated in each building block, which would be linked to the proposed refuse vehicle bays within refuse collection areas at Priory Court. The submitted Delivery and Servicing Plan (DSP) dated February 2023 provides details of how the delivery and servicing requirements would operate, within acceptable drag distances in line with the requirements set out by the 'Waste and Recycling Guidance for Developers' (2019). The submitted details of the swept path analysis, which has been submitted within the Transport Assessment, confirms that the proposed refuse servicing can operate without harmful impact on other road users.
- 8.139 Although the proposed refuse and recycling provision is sufficient for the development, a condition is recommended, in order to review a detailed refuse strategy for the physical operation of the site to be reviewed in compliance with the requirements of Policy DM32 of the WFLP Development Management Policies (2013). These details should include specifications of ventilation, security, accessibility and should also include arrangements of collection in compliance with the Council's 'Waste and Recycling Guidance for Developers, Storage and Collection Requirements' (2017).

## **J) ENVIRONMENTAL IMPACT OF THE DEVELOPMENT**

- 8.140 Policy D14 of the London Plan (2021) seeks for any form of development to reduce, manage, and mitigate noise and disturbance to improve the quality of life on residential proposals. Additionally, policy DM24 of the WFLP Development Management Policies (2013) seeks to control and mitigate pollution in all its forms, including noise, vibration, lighting, smell as well as land, water, and air-based considerations. The Council's Environmental Health Team reviewed the proposed development and considered that the development would be acceptable subject to mitigation measures to reduce any detrimental impact on amenity. The environmental issues of the development are therefore reviewed as follows:

### *Noise:*

- 8.141 Policy D14 of the London Plan (2021) requires mitigation measures on existing and potential adverse impacts in terms of noise as a result of new development to enhance the acoustic environment of a site and its surroundings. The submitted 'Site Noise Level Survey and Assessment' dated 22<sup>nd</sup> April 2022 provides details of the proposed external building fabric with respect to internal noise requirements and its performance to ensure that the development achieves adequate levels of internal noise. The acoustic performance of the proposed glazing, façade and ventilators are in principle accepted and the noise levels of all residential environments would fall within the range of BS9233. As concluded, no further mitigation measures would be required to protect the habitable rooms from external noise.
- 8.142 Given that the internal noise levels can be effectively controlled, the Council's Environmental Health Team raises no objections against the development, subject to conditions requiring the submission of a Construction Environmental Management Plan, details of noise mitigation measures and noise levels controlled from plants and machinery. As such, and considering that mitigation conditions are recommended, the development would be acceptable in terms of noise and vibration and consistent with Policy D14 of the London Plan (2021) and Policy DM24 of the WFLP Development Management Policies (2013).

*Air Quality:*

- 8.143 Policy SI1 of the London Plan (2021) sets out the requirements for new development to address poor air quality. All forms of development must be at least air quality neutral. At a local level, Policy DM24 of the WFLP Development Management Policies (2013) states that new developments should neither contribute nor suffer from unacceptable levels of air pollution. All major applications should demonstrate appropriate mitigation measures through an Air Quality Assessment.
- 9.144 The site is located within an air quality management area (AQMA) to reduce the level of nitrogen dioxide and other particulate matter emissions. An 'Air Quality Assessment' dated October 2022 has been submitted with the application, which has been reviewed by the Council's Air Quality Officer. As advised, the assessment is considered satisfactory and therefore air quality would not pose a constraint for the development, subject to a financial contribution of £8,300.00 (£100 per dwelling) towards the implementation of the Air Quality Action Plan, which shall ensure maintenance of the Air Quality monitoring network and Air Quality modelling. In addition, a condition requiring compliance with the non-road mobile machinery (NRMM) Low Emission Zone is recommended.
- 9.145 Due to the above considerations, the development would be consistent with Policy SI1 of the London Plan (2021) and Policy DM24 of the WFLP Development Management Policies (2013), subject to the condition and a financial contribution that would ensure that the development protects the amenity and health of neighbouring residents in terms of air quality and pollution.

*Contaminated Land:*

- 8.146 Policy CS13 of the WFLP Core Strategy (2012) sets out that the Council will aim to create and develop healthy and sustainable places and communities. Development proposals are required to meet appropriate standards that address the risks arising from contaminated land and hazardous substances. In addition, Policy DM24 of the WFLP Development Management Policies (2013) states that sites which are potentially contaminated should identify risks to water quality posed by the development and agree on a strategy to overcome any risk.
- 8.147 The submitted Phase 1 Land Contamination Assessment dated 28<sup>th</sup> January 2020 and Phase 2 Land Contamination Assessment dated 11<sup>th</sup> February 2020 were reviewed by the Council's Land Contamination Officer. The reports cover details of the desk study report, preliminary risk assessment and ground investigation based on the desk study report. Whilst these reports are accepted by the Land Contamination Team, a condition is recommended, which should provide details of the results of the investigations and remediation measures that should form part of a remediation strategy together with a verification report to demonstrate that the works set out in the remediation strategy are complete. Additionally, a condition requiring an asbestos survey is recommended, as asbestos fibres were identified in one of the eight samples that were tested, as per the findings of the submitted reports.
- 8.148 Given that the development would address the risks associated with land contamination and would therefore protect pollution of groundwater, the Council's Land Contamination Officer supports the proposed development, subject to a condition requiring details that ensure that the development would not pose a risk on contamination for future residents. The development would therefore be consistent with Policy SD1 of the London Plan (2021), Policy CS13 of the WFLP Core Strategy (2012) and Policy DM24 of the WFLP Development Management Policies (2013).

*Flood Risk:*

- 8.149 The site is located within a Flood Zone 1 and therefore there is a low probability of surface water flooding. Policy SI12 of the London Plan (2021) requires development proposals to ensure that appropriate measures are incorporated to minimise and mitigate any flood risk.
- 8.150 A 'Flood Risk Assessment' (dated 10<sup>th</sup> January 2023) was submitted, which concludes that in flood risk context, the proposed development is safe and appropriate and would not cause increased risks of flooding. The development would therefore be consistent with the requirements of Policy SI12 of the London Plan (2021) and Policy CS5 of the WFLP Core Strategy (2012) in that it would not pose a risk of flooding by incorporating acceptable mitigation measures.

*Sustainable Urban Drainage:*

- 8.151 The submitted 'Flood Risk Assessment' dated 10<sup>th</sup> January 2023, which has been reviewed with the submitted 'Drainage Strategy Report' dated 13<sup>th</sup> January 2023, set out the principles in connection to drainage and the proposed approach to manage the foul and surface water produced by the development. The documents also demonstrate how the Sustainable Urban Drainage Systems (SuDS), will be incorporated into the development, and outline the pollution prevention measures that will be used within the site. Although the site is assessed as being at a low risk of flooding from most sources, there is some risk of surface water flooding. As such, where possible, the finished ground floor levels have been raised by at least 300 mm above the surrounding ground levels, to minimise any risk of any minor localised flooding or overland flow of water affecting the proposed buildings.
- 8.152 In addition, the submitted 'Drainage Strategy Report' dated 13<sup>th</sup> January 2023 provides details with regards to the introduction of Sustainable Urban Drainage Systems (SuDS), which have been considered as part of the design process. The key SuDS component would be porous paving, that would be fundamental for water flow attenuation. Given the design measures, introduction of SuDS and considering the acceptable levels of greenfield run-off rates within the site, the proposed urban drainage system is considered adequate and ensures that the development is safe and does not increase the risk of flooding within the sites or elsewhere within the residential estate.
- 8.153 Notwithstanding the acceptability of the principles that are set within the proposed drainage strategy, a drainage condition is recommended, as advised by the Council's Highways Team, to assess in detail the soakage rates where soil conditions are suitable for infiltration and to review the specifications of the SuDS features for the development in detail. Additionally, a condition that requires the submission of a final drainage strategy is recommended, in accordance with Policy SI12 of the London Plan (2021) and Policy CS5 of the WFLP Core Strategy (2012).

*Water Efficiency:*

- 8.154 Policy SI5 of the London Plan (2021) states that development should minimise the use of mains water in line with the Operational Requirements of the Building Regulations to achieve mains water consumption of 105 litres or less per head per day. In addition, Policy DM34 of the WFLP Development Management Policies (2013) states that every form of development should implement water efficiency measures to achieve usage of less than or equal to 105 litres per person per day for residential use and to incorporate measures for saving water for any new development involving more than 100 square metres, as required by the London Plan.
- 8.155 Although the submitted Sustainability Report dated 31<sup>st</sup> January 2023 provides detailed specifications over measures for sustainable drainage and makes reference to the requirements under Policy SI5 of the London Plan (2021), the statement

provides no details in how the development would meet water efficiency targets. As such, a condition requiring details of measures to reduce water use within the development is recommended by the Energy and Sustainability Team, to meet the requirements of Policy DM34 of the WFLP Development Management Policies (2013) and Policy SI5 of the London Plan (2021).

*Ecology:*

- 8.156 London Plan Policy G6 (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'*. Policy DM35 of the WFLP Development Management Policies (2013) seeks for the avoidance of detrimental impacts in designated sites of ecological importance. The policy also states that development proposals should provide measures to support species and habitats using appropriate landscaping strategies.
- 8.157 Priory Court comprises a family of residential blocks, hardstanding, grass areas, shrubs, and scattered trees of varying categories. As advised in the submitted 'Ecological Appraisal' dated 20<sup>th</sup> October 2022, there are opportunities to enhance the ecological value of the site and its biodiversity. Recommended enhancements include the creation of new species-rich hedgerows, dead wood features, bird and bat boxes, hedgehog domes and the inclusion of green infrastructure, which would result in ecological enhancements that would offer an opportunity to provide better habitats for wildlife. A condition requiring details of a 'Habitat Enhancement Report' is therefore recommended, to assess the number, position and types of measures to support the ecological value of the site.
- 8.158 The sites also fall within 0 to 3 kilometres from the zone of influence to the Epping Forest SAC and therefore poses an effect to the SAC. Natural England provided comments and raised no objections, subject to a financial contribution that has been secured towards the Strategic Access Management Measures (SAMM), to ensure that the development incorporates appropriate mitigation measures on the SAC. Suitable Alternative Natural Greenspace (SANGS) to address recreational pressure on the Forest will be delivered in accordance with the SANGS Strategy and funded from Community Infrastructure Levy, or a bespoke section 106 contribution is CIL is not payable.
- 8.159 Subject to a condition requiring a Habitat Enhancement Report, the development would provide net gains in ecological value and biodiversity. In the absence of objections from Natural England and due to the financial contribution of £52,041.00 that has been secured towards the SAMM to ensure that the development incorporates appropriate mitigation measures on the SAC, the development would be acceptable with regards to ecological considerations and consistent with London Plan Policy G6 (2021) and Policy DM35 of the WFLP Development Management Policies (2013).

**K) SUSTAINABLE DESIGN AND ENERGY EFFICIENCY**

- 8.160 London Plan Policy SI2 (2021) sets out a CO<sub>2</sub> reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013 using SAP10 carbon factors as calculated using the GLA Energy Reporting Tool. The application was assessed by the the Council's Energy and Sustainability Consultant, who provided detailed comments in relation to carbon emissions, sustainable design standards, energy demand reduction measures (Be

Lean), overheating, low carbon energy supply (Be Clean), water efficiency, renewable energy supply (Be Green) and reporting (Be Seen). Planning obligations, conditions and informatives are recommended, in line with the observations and recommendations given by the Energy and Sustainability Team.

*Carbon Emissions:*

- 8.161 The submitted 'Energy and Sustainability Report' dated 31<sup>st</sup> January 2023 has been reviewed by the Council's Energy and Sustainability Consultant. The development is predicted, under SAP 10, to achieve 67% CO<sub>2</sub> reductions in regulated emissions against the Part L 2021 and therefore would exceed the London Plan's minimum of 35% and guide target of 50% for residential schemes. Although the Energy and Sustainability Report estimates an offset contribution of £70,395 based on an offset rate of £95.00 per tonne over 30 years and this calculation is in principle agreed with the Energy and Sustainability Consultant, the current modelling does not provide assurance at this stage that the sample of units represents the layout, orientation, and location of the residential development. As such, the heads of terms allow for an offset payment to be secured once the 'As Built' updates have been provided with an updated energy report, to demonstrate that these achieve zero carbon on site and are consistent with the modelling.

*Sustainable Design:*

- 8.162 Given that the development would be purely residential, no reference to a full BREEAM pre-assessment has been carried out.

*Energy Reduction and Overheating (BE Lean):*

- 8.163 The 'Energy and Sustainability Report' confirms that the demand reduction measures would deliver a 10% saving against the baseline and would therefore meet the 10% target. As advised by the Energy and Sustainability Consultant, the U-values proposed are of a good standard. Overall, the proposed mechanical ventilation with heat recovery is also welcomed. Moreover, the proposed approach to lighting and lighting controls are acceptable.
- 8.164 The proposed development also seeks to address the cooling hierarchy and reduce heat by appropriate shading, which would result from the overhangs in the balconies and appropriate solar control glazing. Given that there would be an acceptable strategy to achieve appropriate ventilation by the high level of dual aspect units that would facilitate cross ventilation and the openable windows at first floor and above, the proposed cooling hierarchy strategy is also accepted.
- 8.165 With regards to overheating, it is advised that the assumptions contained within the proposed thermal modelling are reasonable, which confirm that there would be no significant risk of overheating, by virtue of the proposed cooling hierarchy.

*Low Carbon Energy Supply (Be Clean):*

- 8.166 The 'Energy and Sustainability Report' confirms that it is not feasible to connect to an existing District Heating Network (DHN) and therefore proposes a secondary local network by heat pumps. However, the Energy and Sustainability Consultant advised that full consideration needs to be made about potential provision of a shared heat network with adjacent sites. As a minimum, the site should be made 'future-proofed connection ready' and this requirement is secured in the heads of terms and by condition, which would require detailed drawings demonstrating space for heat exchangers in the energy centre and a safe guarded pipe route to the site boundary.

*Renewable Energy Supply (Be Green):*

- 8.167 Policy DM11 of the WFLP Development Management Policies (2013) requires developments of one or more units or greater than 100 sqm to reduce the site's

carbon emissions through on-site renewable energy. As such, the development would provide solar PV installation and air source heat pumps (ASHP). The proposed plan strategy includes the installation of 20 PV panels in Block A, 46 PV panels in Block B and 20 PV panels in Block C. As confirmed by the Council's Energy and Sustainability Consultant, the proposed strategy and size/output of the PV system is accepted, and no further action is required on renewable energy supply for the development.

*Energy Report (Be Seen):*

- 8.168 The submitted 'Energy and Sustainability Report' confirms that the development would enable post construction monitoring and that the information set out in the 'be seen' guidance will be made available. As such, the requirement to cover within eight weeks of planning permission, prior to occupation and after one year of occupation is secured in the Section 106 Agreement.

**L) TREES AND LANDSCAPING:**

- 8.169 Policy D8 of the London Plan (2021) requires development proposals to encourage and explore opportunities to create new public realm where appropriate. Development proposals should provide well-designed, safe, accessible, inclusive, and attractive public realm spaces that relate to the local context of the site. Landscaping proposals, including planting, street furniture and surface materials should be of good quality and sustainable. Additionally, lighting should be well-designed to minimise light pollution and reduce intrusive forms of illumination. The proposed landscaping strategy is a key design guideline, considering that the issues with regards to permeability and legibility within the building blocks that conform Priory Court.
- 8.170 At a local level, policy DM12 of the WFLP Development Management Policies (2013) states that development proposals should optimise physical and visual access between the built environment and open spaces. 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.
- 8.171 The submitted 'Landscape Strategy' (revised 22<sup>nd</sup> March 2023) provides details of the proposed 'play way' along Sherwood Close and the introduction of a new Multi-Use Games Area that would be linked to new public spaces and facilities that seek to improve the environmental condition of the site. The proposed pedestrian and cycle links are a key element of the strategy, in order to ensure that outdoor amenity spaces within the residential estate are well integrated with enhanced levels of passive surveillance.
- 8.172 Additionally, the submitted 'Arboricultural Report' dated December 2022 provides details of a tree survey that was carried out within the estate and provides details of 6 Category A trees (high quality), 90 Category B trees (moderate quality), 108 Category C trees (low quality) and 4 Category U trees (poor quality) within the Priory Court residential estate. The development would involve the removal of 31 trees (1 Category A, 10 Category B, 18 Category C and 2 Category U), to facilitate the development, as these are either positioned within the footprint of the proposed building blocks or within the space that has been designated for building the new Multi-Use Games Area (MUGA).
- 8.173 The removal of these trees has been examined by the Council's Tree and Landscaping Officers. On balance, the landscaping works are accepted, by reason that the impact would be mitigated by the planting of 53 new trees with mixed vegetation, that would be carried out with the introduction of additional native and evergreen hedging, shrub planting and wildflower meadow areas, resulting in a net



gain of 22 trees. Notwithstanding the acceptability of the removal of 31 trees and planting of 53 new trees, a condition requiring a revised 'Arboricultural Report' with detailed tree protection measures is recommended, to assess the protection measures that would be in place for the trees that would be retained and to review the selection of native hedges, shrubs and other planting that is being proposed in detail, as the selection of species has not been agreed at this stage.

- 8.174 Furthermore, details with regards to foundation design, root barriers and other steps for adequate protection should be assessed by condition requiring the revised Arboricultural Report. This concern follows the fact that the net gain will take time to achieve and the proposed mitigation measures as a consequence of the removal of some trees will also take time. The affected trees that fall outside the boundary of the site have been subject to review by the Trees Section, who have raised no issues in principle with regards to the trees chosen for the public highways.
- 8.175 Overall, the proposed soft and hard landscaping approach, which seeks to improve the frontage along Priory Court and introduce the 'play way' area as a central space that would open Sherwood Close to provide better connectivity within the residential estate is supported. The monetary impact of the loss of trees is estimated to be £238,000.00. However, the proposed tree planting as shown in the landscaping strategy is estimated to have a forecasted value of approximately £350,000 (in ten years).
- 8.176 The development would achieve an Urban Greening Factor (UGF) score of 0.46, which is supported, by virtue of the landscape-led design approach that would result from the planting of trees and permeable paving. Notwithstanding the landscaping improvements, the Tree and Landscaping Officers recommend a greater level of detail of all new planting, tree protection measures and the submission of a Habitat Enhancement Report, which have been secured by condition, by reason that the development is assessed as an opportunity to create new and richer biodiversity for the site, to achieve local and national biodiversity targets.

## **M) ARCHAEOLOGY AND HERITAGE**

- 8.177 Policy HC1 of the London Plan (2021) states that development proposals affecting heritage assets and their setting should be sympathetic to the assets' significance and appreciation within their surroundings. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations in the design process. In addition, policy DM28 of the WFLP Development Management Policies (2013) states that the Council will ensure the preservation, protection and where possible, the enhancement of the archaeological heritage of the Borough.
- 8.178 The submitted 'Archaeological Desk Based Assessment' dated January 2023 provides a detailed assessment of archaeology and heritage and given that the site does not contain designated heritage assets and does not sit within a conservation or an archaeological priority area, there is moderate likelihood of archaeological remains. The site was in fields prior to the construction of the Priory Court Residential Estate, and it is likely that any archaeological remains would have been removed during construction of the existing access roads and landscaping works.
- 8.179 Historic England has raised no objections, by reason that the site falls outside an Archaeological Priority Area and there is low potential of archaeological remains within the site. As such, further investigation by an approved Written Scheme of Investigation (WSI) is not recommended in this instance.
- 8.180 With regards to build heritage, there are no listed buildings, designated or undesignated heritage assets within the sites or within the immediate context. The

sites are at a considerable distance from the William Morris Gallery at Forest Road, which is Grade II Listed. However, the development would have no detrimental effects on the significance or setting of this heritage asset and would be consistent with policy HC1 of the London Plan (2021), policy CS12 of the WFLP Core Strategy (2012) and policy DM28 of the WFLP DM Policies (2013), which seek to manage growth and change in a way that conservation, enhancement, and enjoyment of heritage assets is secured.

## **N) SAFETY AND SECURITY**

### *Secured by Design*

- 8.181 Policy D11 of the London Plan (2021) sets out policy requirements that ensure all new forms of development to incorporate acceptable levels of safety and security measures and ensure that buildings remain resilient to emergencies. Moreover, policy DM33 of the WFLP Development Management Policies (2013) seeks for a safe environment with appropriate levels of natural surveillance.
- 8.182 The submitted 'Design and Access Statement' dated March 2023 sets out measures to tackle crime prevention, which follow discussions with the Design Out of Crime Officer, between the applicant and the Metropolitan Police. The key points that have been addressed with regards to safety and security include measures to increase surveillance within the public realm and parking areas, CCTV coverage, access control system to residential blocks and means of enclosure to prevent anti-social behaviour and crime, particularly during night hours.
- 8.183 The proposed mitigation measures to avoid crime and anti-social behaviour are accepted by the Metropolitan Police. Whilst concerns have been raised over the design approach to open the communal amenity areas and green spaces and remove a number of enclosures, the building configuration would enhance passive surveillance towards amenity spaces. The Metropolitan Police raises no objections, subject to a condition that secures SBD accreditation. In addition, further safety, and security measures, including details of boundary treatment and external illumination would also be dealt with by conditions. The development would therefore meet the requirements of policy D11 of the London Plan (2021) with regards to security and design out of crime.

### *Fire Safety:*

- 8.184 Policy D12 of the London Plan (2021) requires the submission of a 'Fire Safety Statement' for all major forms of development proposals. This strategy should be produced by a third-party, independent, and suitably qualified assessor and should aim for design proposals that incorporate appropriate features to reduce the risk of a fire. The strategy should include appropriate fire alarm systems, measures for minimising the risk of fire spread, details of means of evacuation and passive/active fire safety measures. The London Fire Brigade have been consulted, but no comments were received during the consultation process.
- 8.185 A 'Fire Statement (dated January 2023) has been submitted the follows the London Plan guidance and provides details of construction, compartmentalisation, fire detection, evacuation routes and exits and fire-fighting access and equipment. A condition is recommended, requiring an updated Fire Strategy in consultation with the London Fire Brigade, to ensure that the specifications of fire detectors, alarm systems, internal fire spread prevention measures and accessibility measures for firefighting rescue vehicles and access points to each block are examined in detail to ensure that appropriate safety measures are incorporated in the development.

## **O) PLANNING CONTRIBUTIONS**

- 8.186 Section 106 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.
- 8.187 In terms of the S106 Agreement, the required Heads of Terms, having regard to planning policy, the Waltham Forest Supplementary Planning Document “Obligations” (2017) and the Waltham Forest Supplementary Planning Document “Affordable Housing and Viability” (2018), for this development relate to:
- Affordable Housing;
  - Local Labour and Employment Strategy;
  - Highways Infrastructure;
  - Strategic Access Management and Monitoring (SAMM);
  - Carbon-Off-Set Fund (if required);
  - Air Quality Action Plan;
  - Monitoring, implementation, and compliance of the S106 Agreement;
  - Wheelchair Accessible Dwelling Marketing Strategy;
  - Retention of Architect; and,
  - Legal Fees.
- 8.188 The details of these requirements are set out in the recommendation section of this report, paragraph 1.1.

## **9. CONCLUSION**

- 9.1 The principle of development is strongly supported and considered consistent with local and regional policies. The optimisation of the four sites within Priory Court, which would involve a contribution towards housing delivery and the re-provision of an enhanced multi-use games area (MUGA) would benefit the key site and would be in line with the objectives set out in the draft Local Plan Part (Regulation 19 Stage, dated November 2021), which seeks to optimise the capacity of the site.
- 9.2 The proposed three buildings would have proper regard to scale, height and massing. The design of the development would be of high quality and would incorporate appropriate design principles, such as responding to prominent street corners and street activation along Priory Court. The proposed buildings would therefore respond to the context of the site by reinforcing a sense of place for the residential estate and the wider locality.
- 9.3 The proposed development would offer an acceptable quantum of affordable housing, tenure split and housing mix. The proposed residential dwellings would provide good standard of residential accommodation in terms of size, visual outlook, external amenity space and provision of daylight/sunlight. In addition, the development would deliver an acceptable quantum of wheelchair accessible units, that would be well-designed and linked to wheelchair accessible parking bays.
- 9.4 The development would be acceptable in terms of impact on residential amenity of neighbouring properties and would respect the privacy and visual outlook of

neighbouring residents. Although the development would be broadly in line with BRE guidance, the development would cause some reduction in sunlight/daylight of neighbouring properties. However, any impact on sunlight/daylight would be inevitable in this instance, by reason of the context of the sites within the residential estate and the high baseline conditions, considering that the existing development sites contain no building structures.

- 9.5 The proposed development would have an acceptable impact on highway safety and would involve highways works that would aim to enhance the public realm and the pedestrian safety of residents. The proposed parking strategy is welcomed, by virtue that it would address the current condition and overspilling of parking within the residential estate. The development would provide acceptable waste/refuse, cycle parking and disabled parking facilities, which are considered adequate and in proportion with the scale of the development.
- 9.6 The development would incorporate the highest environmental standards and would be sustainable, in that it would deliver acceptable energy reduction measures and meet the required carbon dioxide reduction targets. In addition, the impact on air quality, flood risk, contamination and sustainable drainage systems are considered acceptable. Conditions are recommended requiring further details on these planning considerations to ensure that the development meets the highest standards in terms of sustainability.
- 9.7 The development would involve the removal of 31 trees that range in quality. However, the development would introduce 53 new trees that would seek to improve the biodiversity of the site. The proposed landscaping strategy would therefore introduce varied habitats and planting that would enhance the green infrastructure of the site and its surroundings.
- 9.8 The development would achieve appropriate safety and security measures and a condition requiring Secured by Design certification is recommended to ensure that suitable crime prevention measures are fully incorporated as part of the development. Additionally, a condition requiring details of a lighting strategy is recommended.
- 9.9 Overall, it is considered that the committee report provides a comprehensive assessment of the planning application and supporting documentation. All material planning considerations have been considered, including responses to consultation. Whilst concerns over harm on residential amenity are noted, it is considered that there are no material planning considerations in this scheme that would warrant a refusal. The conditions and planning obligations set out in the Heads of Terms would ensure that any adverse impact of the scheme is mitigated against. Officers are therefore satisfied that the development would deliver significant benefits.

## **10. ADDITIONAL CONSIDERATIONS**

### Public Sector Equality Duty

- 10.1 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 not considered that the recommendation to grant permission in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights:

10.2 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.

10.3 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 a proportionate response to the submitted application based on the considerations set out in this report.

## **11. RECOMMENDATION**

11.1 The Planning Committee Planning Committee is recommended to grant planning permission subject to conditions and informatives below and the prior completion of a Unilateral Undertaking with the agreed Heads of Terms, as set out in paragraph 1.1 of this committee report.

### **Conditions**

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.

2. The development hereby approved shall be carried out in accordance with the following drawings and documents:

### **Documents:**

Cover Letter dated 30<sup>th</sup> March 2023; Planning Statement dated March 2023; Design and Access Statement dated March 2023; Viability Report dated March 2023; Air Quality Assessment dated October 2022; Travel Plan dated March 2023, Transport Assessment dated March 2023; Statement of Community Involvement dated 20<sup>th</sup> February 2023; Site Noise Level Survey and Assessment dated 22<sup>nd</sup> April 2022; Fire Statement dated 17<sup>th</sup> January 2023; Landscaping Strategy dated 22<sup>nd</sup> March 2023;

External Lighting Assessment Report dated 29<sup>th</sup> September 2023; Phase 1 Land Contamination Assessment dated 28<sup>th</sup> January 2020; Phase 2 Land Contamination Assessment dated 11<sup>th</sup> February 2020; Update Preliminary Ecological Appraisal dated 20<sup>th</sup> October 2022; Drainage Strategy dated 13<sup>th</sup> January 2023; Delivery and Servicing Plan (DSP) dated February 2023; 'Daylight and Sunlight Report' (within development (dated 23<sup>rd</sup> September 2022)); 'Daylight and Sunlight Report' for neighbouring properties (dated 19<sup>th</sup> July 2022); Biodiversity Net Gain Plan dated 17<sup>th</sup> November 2022; Health Impact Assessment dated May 2023; Update Preliminary Ecological Appraisal dated 20<sup>th</sup> October 2022; Energy and Sustainability Report dated 31<sup>st</sup> January 2023; Flood Risk Assessment dated 10<sup>th</sup> January 2023; Outline Construction Logistics Plan dated February 2023; 'Archaeological Desk Based Assessment' dated January 2023 and Arboricultural Report dated December 2022.

Drawings:

20.112-ONA-ZZ-00-DR-A-0001 (Rev. 002); 20.112-ONA-ZZ-00-DR-A-0100 (Rev. 003); 20.112-ONA-B1-00-DR-A-0200 (Rev. 002), 20.112-ONA-B1-01-DR-A-0201 (Rev. 002); 20.112-ONA-B1-01-DR-A-0203 (Rev. 002); 20.112-ONA-B1-01-DR-A-0204 (Rev. 002); 20.112-ONA-B1-01-DR-A-0205 (Rev. 003); 20.112-ONA-B1-EL-DR-A-0300 (Rev. 003); 20.112-ONA-B1-EL-DR-A-0301 (Rev. 003); 20.112-ONA-B1-SE-DR-A 0400 (Rev. 003); 20.112-ONA-B2-00-DR-A-0200 (Rev. 003); 20.112-ONA-B2-00-DR-A-0201 (Rev. 003); 20.112-ONA-B2-05-DR-A-0205 (Rev. 003); 20.112-ONA-B2-R0-DR-A-0206 (Rev. 003); 20.112-ONA-B2-EL-DR-A-0300 (Rev. 003); 20.112-ONA-B2-EL-DR-A-0301 (Rev. 003), 20.112-ONA-B2-SE-DR-A 0400 (Rev. 003); 20.112-ONA-B3-00-DR-A-0200 (Rev. 002); 20.112-ONA-B3-01-DR-A-0201 (Rev. 002); 20.112-ONA-B3-04-DR-A-0204 (Rev. 002); 20.112-ONA-B3-R0-DR-A-0205 (Rev. 003); 20.112-ONA-B3-EL-DR-A-0300 (Rev. 003); 20.112-ONA-B3-EL-DR-A-0301 (Rev. 003); 20.112-ONA-B3-SE-DR-A 0400 (Rev. 003); 20.112-ONA-B4-XX-DR-A-0200 B (Rev. 002); 20.112-ONA-B5-XX-DR-A-0200 (Rev. 002); 1956-WWA-LS-ZZ-DR-L-0107 (Rev. P09); 1956-WWA-ZZ-ZZ-DR-L-0701 (Rev. P04); 1956-WWA-LS-ZZ-DR-L-010 (Rev. P06) and 1956-WWA-ZZ-ZZ-DR-L-0115 (Rev. P04).

REASON: To ensure a satisfactory appearance in accordance with Policy CS15 of the Waltham Forest Local Plan Core Strategy (2012).

**Materials:**

3. Prior to commencement of the development (excluding ground works and substructure), 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), policy DM28 of the Waltham Forest Local Plan – Development Management Policies (2013) and policy D4 of the London Plan (2021).

**Highways and Parking:**

4. Prior to commencement of the development hereby approved, a detailed 'Construction Logistic Plan' to cover construction works of the development is required to be submitted for approval by the Local Planning Authority prior to

commencement of works and using the TfL template and guidance, which include inter alia:

- Journey planning, highlighting access routes.
- Method of access and parking of construction vehicles.
- Measures to prevent deposition of mud on the highway.
- Site operation times.
- Loading and unloading locations, taking into consideration existing parking restrictions.

The development shall be implemented in accordance with the approved details.

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).

5. Prior to the commencement of development, a specification for a highway 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 and the condition survey report shall include a site location plan highlighting the location of the photographs. 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).

6. Prior to occupation of the development hereby approved, a 'Car Parking Management Plan' shall be submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall be laid out and allocated in accordance with the approved management plan and shall be made available for the purposes of parking private motor 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).

7. Prior to first occupation of the development and notwithstanding any indication on the submitted drawings, a schedule showing the number and location of all cycle parking spaces and details of secure and sheltered cycle storage facilities, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed cycle schedule shall be fully implemented prior to occupation and shall be permanently retained thereafter.

REASON: In the interest of security and sustainable development, in compliance with Policies CS6, 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).

8. Prior to first occupation of the development, a detailed 'Servicing and Delivery Plan' shall be submitted to and approved in writing by the Local Planning Authority. The DSP shall make reference to safety measures that will be in place to reduce conflicts between service vehicles 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 interest of highway safety, in compliance with Policies CS6, 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).

9. Prior to the commencement of development (other than site clearance and preparation, ground works and development below DPC level), a drainage strategy detailing any on and/or off-site drainage works, shall be submitted to, and approved by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. The development shall be carried out in accordance with the approved details and thereafter retained as such for the lifetime of the development.

REASON: In the interests of future health of occupiers of the development and to Waltham Forest Local Plan – Core Strategy (2012) and policies DM23, DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

10. Prior to occupation, details of any form of external illumination and / or private lighting strategy on the buildings and around the site including any street lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of any part of the development hereby permitted and retained 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).

11. Prior to commencement of development (other than 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).

12. Prior to occupation of the development, a wayfinding strategy shall be submitted to and approved in writing by the Local Planning Authority. All wayfinding will be paid for by the developer whether on private land or on public highway.

REASON: To ensure the safe movement of pedestrians and cyclists in accordance with Policies CS7 and CS13 of the Waltham Forest Local Plan – Core Strategy



(2012) and Policy DM14 of the Waltham Forest Local Plan – Development Management Policies (2013).

13. Prior to occupation, arrangements shall be agreed with the Council in writing and put in place to ensure that, with the exception of disabled persons, no resident of the development shall be able to obtain a resident's parking permit within the controlled parking zone [either by an amendment to the traffic management order or restrictions included in tenancy agreements].

REASON: In the interest of pedestrian and highway safety, to comply with Policy CS7 of the Waltham Forest Local Plan – WFLP Core Strategy (2012) and Policy DM14, DM15 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

#### **Air Quality and Noise:**

14. Prior to commencement of development (other than enabling and groundworks and development below DPC level), a Construction Method Statement in connection to the construction phases of the development 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., 8:00 – 18:00 Mondays to Fridays and 8:00 – 13:00 Saturdays with no noisy working audible at the site boundary being permitted on Sundays and Bank Holidays.
- Haulage routes.
- Likely noise levels being generated by plants.
- Details of any noise screening measures.
- Proposals for monitoring noise and procedures to be put in place where agreed noise levels are exceeded.
- When 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 vibrations levels are exceeded. Note: It is expected that vibration over 1 mm/s measured as a peak particle velocity would constitute unreasonable vibration.

All the above submissions shall have regard to the Mayor's SPG.

The development shall be carried out in accordance with the hours of operation stated in this condition and the approved construction and demolition statement hereby required.

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 CS13 of the Waltham Forest Local Plan Core Strategy (2012) and policies DM14, DM15 and DM24 of the Waltham Forest Local Plan - Development Management Policies (2013).

15. No non-road mobile machinery (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 London Plan policy 7.14 and the Mayor's SPG: The Control of Dust and Emissions during Construction and Demolition.

16. No development shall commence until full details of the proposed mitigation measures for impact on air quality and dust emissions, in the form of an Air Quality and Dust Management Plan (AQDMP), have been submitted to and approved in writing by the local planning authority. In preparing the AQMDP the applicant should follow the recommendations outlined in the AQ assessment submitted with the application and the guidance on mitigation measures for sites set out in Appendix 7 of the Control of Dust and Emissions during Construction and Demolition SPG 2014. Both 'highly recommended' and 'desirable' measures should be included. If the development is in or near an air quality focus area the applicant should follow the guidance on mitigation measures for **Medium Risk** as a minimum.

REASON: To manage and mitigate the impact of the development on the air quality and dust emissions in the area and London as a whole, and to avoid irreversible and unacceptable damage to the environment in accordance with London Plan Policies 5.3 and 7.14 (2016), and the London Plan SPGs for Sustainable Design and Construction and Control of Dust and Emissions during Construction and Demolition.

17. The noise of all new plant shall be 10dB(A) below the underlying background noise level (LA90) during the time of plant operation at a position one metre external to the nearest noise sensitive premises. The underlying background LA90 shall be determined in the absence of the new plant noise. This assessment must be completed in accordance with BS4142: 2014 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).

#### **Landscaping:**

18. Prior to the occupation of the development a scheme of hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Soft landscape works shall include planting plans, and schedules of plants, noting species, plant sizes and proposed numbers/densities within a planting schedule, also the method of planting including soil composition, tying, and staking, a maintenance care regime including mulching and watering and the replacement of any species that die within 5 years of planting. The development shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.

REASON: To ensure a satisfactory appearance and in the interest of local amenity and biodiversity in accordance with Policies CS15 of the Waltham Forest Local Plan Core Strategy (2012), and Policies DM23, DM32, DM35 of the Waltham Forest Local Plan Development Management Policies (2013).

19. Prior to the commencement of the development (other than groundworks and substructure), a Landscape Management Plan, which includes long-term design objectives, management responsibilities and maintenance schedules for all landscaping 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).

20. All planting, seeding, or turfing comprised in the approved details of landscaping shall be carried out not later than the first planting and seeding seasons prior to the completion of the development. Any new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the Local Planning Authority agrees any variation in writing.

REASON: To ensure a satisfactory appearance and in the interest of local amenity and biodiversity in accordance with Policies CS15 of the Waltham Forest Local Plan Core Strategy (2012), and Policies DM23, DM32, DM35 of the Waltham Forest Local Plan Development Management Policies (2013).

21. All trees shall be planted in accordance with British Standard BS4043 - *Transplanting Root-balled Trees* and BS4428 - *Code of Practice for General*.

REASON: In the interest of biodiversity and local amenity, 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).

22. Prior to the occupation of the development, a Habitat Enhancement Report shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the number, positioning and type of habitat bricks, boxes, and hibernacula proposed for birds, bats, and invertebrates.

REASON: In the interest of biodiversity in accordance with Policies CS15 of the Waltham Forest Local Plan Core Strategy (2012), and Policies DM23, DM32, DM35 of the Waltham Forest Local Plan Development Management Policies (2013).

23. Prior to the construction of roof slab level, details relating to the siting, design, 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 residents, in accordance with Policies CS13 and CS15 of the Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

24. Notwithstanding the submitted Arboricultural Method Statement, prior to commencement of the development (other than site clearance and preparation, groundwork) an updated Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The details shall include

protection measures, foundation design, root barriers and any other steps required to ensure the protection of the highways and trees adjacent to the site.

REASON: To ensure a satisfactory appearance in the interest of local amenity and biodiversity in accordance with Policies CS15 of the Waltham Forest Local Plan Core Strategy (2012), and Policies DM23, DM32, DM35 of the Waltham Forest Local Plan Development Management Policies (2013).

**Waste Management:**

25. Prior to occupation of the development hereby approved, an updated Waste Management Strategy 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 the occupation 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).

**Energy and Sustainability:**

26. 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 2013 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 interest of sustainability and energy efficiency of the development and to meet the requirements of policy SI2 of the London Plan (2021) and policy DM10 of the Waltham Forest Development Management Policies (2013).

27. Prior to the commencement of development hereby permitted (other than enabling and ground works and substructure), evidence of how the development would be 'future-proofed for connection ready' for future connection to an Energy Centre/District Heating System serving the local area shall be submitted to and approved in writing by the Local Planning Authority. The details shall include specifications of the plant and equipment and pipe routes to be installed in the energy centre building/plant room. The development shall be implemented in accordance with the approved details.

REASON: In the interests of sustainability and energy efficiency of the development, in accordance 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).

**Water and Drainage:**

28. Prior to the commencement of development (other than demolition, site clearance and preparation, ground works and substructure), 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 as such for the lifetime of the development.

REASON: To minimise the water use of the development, in accordance with the requirements of policy SI5 of the London Plan (2021).

29. No piling shall take place 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 sub-surface water infrastructure and the programme of 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: In the interests of future health of occupiers of the development and to protect pollution of groundwater in accordance with policies CS4 and CS13 of the Waltham Forest Local Plan - Core Strategy (2012) and policies DM23, DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

**Contamination:**

30. Prior to commencement of development, evidence that the site building(s) were built post 2000 or alternately a pre-demolition and refurbishment asbestos survey in accordance with HSG264 shall be submitted and approved by the Local Planning Authority. 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).

31. 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).

**Safety and Security:**

32. Prior to commencement of development (other than site clearance and preparation, groundwork, and development below DPC level), details of measures to be incorporated into the development demonstrating how the development can achieve Secure by Design Certification, shall be submitted to, and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out of Crime Officers. The development shall be carried out in accordance with the agreed details and maintained as such thereafter.

REASON: In the interest of security and to protect the living conditions of existing and future residents in the locality in accordance with Policy D11 of the London Plan (2021) and Policy DM33 of the of the Waltham Forest Local Plan Development Management Policies (2013).

33. Prior to commencement of development, notwithstanding demolition, site clearance and preparation, ground works, an updated Fire Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement should detail how the development proposal will function in terms of:

1. The building's construction: methods, products and materials used;
2. The means of escape for all building users: stair cores, escape for building users who are disabled or require level access, and the associated management plan approach;
3. Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these.
4. How provision will be made within the site to enable fire appliances to gain access to the building.

The development shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.

REASON: In order to protect the living conditions and safety and security of the occupants in line with London Plan Policy D12 (2021).

**Play Space:**

34. Prior to occupation of the development, details of the proposed children's play equipment shall be submitted to and approved in writing by the Local Planning Authority. The plans must demonstrate that play space and equipment within the development is available to all and is not segregated by tenure. Children play space shall be installed in accordance with the information approved 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 with Policy S4 of the London Plan (2021).

35. The private / communal amenity spaces and children's play areas 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 with the Local Planning Authority.

REASON: To protect the amenities of adjoining occupiers and the surrounding area and in order to meet the requirements of Policies 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).

**Accessible & Adaptable units and Wheelchair User Units:**

36. Seventy-five dwellings shall be constructed to the Building Regulations 2010, Access to and use of Buildings, Approved Document M, Volume 1: Dwellings (2015 edition incorporating 2016 amendments) optional requirement M4 (2), Sections 2A and 2B as a minimum. Eight of the residential units hereby permitted shall be built in accordance with the Building Regulations 2010, Access to and use of Buildings, Approved Document M, Volume 1: Dwellings (2015 edition incorporating 2016 amendments), optional requirement M4(3); of these, the three affordable rent units hereby permitted shall be built in accordance with the Building Regulations 2010, Access to and use of Buildings, Approved Document M, Volume 1: Dwellings (2015 edition incorporating 2016 amendments), optional requirement M4(3) (2) (b) accessible.

Circulation areas in blocks with M4(3) dwellings will be built in full accordance with Part M4(3), as referred to in publication London Plan para 3.7.2. This includes the entrance and circulation area doors which will have to be fully compliant with the relevant sections of Approved Document M. Details which are to be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. All wheelchair user dwellings must provide sufficient footprint and drawings must demonstrate that they can achieve a fully accessible layout.

REASON: To ensure inclusive development in accordance with Policy D7 of the London Plan (2021), Policy CS15 of the Waltham Forest Local Plan Core Strategy (2012) and DM Policies DM7 and DM9 of the Development Management Plan (2013).

**Informatives**

(Item 4.2)

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 developer is to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).
4. The application is subject to both the Mayoral and the Waltham Forest Council Community Infrastructure Levy.
5. If approved 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.
6. The proposed development is located within 15 metres of Thames Waters underground assets. As such, the development could cause the assets to fail if appropriate measures are not taken. Please read the guide 'working near our assets' to ensure works are in line with the necessary processes that should be followed if it's considered working above or near Thames Water Pipes or other structures.  
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>
7. 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 in DQRAs. This is now available as online guidance: <https://www.gov.uk/guidance/land-contamination-groundwater-compliance-points-quantitative-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 11.

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 9-month period. The verification report should be undertaken in accordance with guidance **Verification of Remediation of Land Contamination:**

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

8. No demolition or development shall commence until all necessary pre-commencement 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.
9. The applicant must seek the advice of the MPS 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](mailto:DOCOMailbox.NE@met.police.uk) or 0208 217 3813.
10. The applicant/occupants should phone Flood line on 0345 988 1188 to register for a flood warning or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It’s a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message.