

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

**04 July 2023 at 7.06 pm**

**PRESENT:**

**Chair:** Councillor Jenny Gray

**Vice-Chair:** Councillor Sebastian Salek

**Committee Members:** Councillors Afzal Akram and Keith Rayner

**Councillors in Attendance:** Councillor John Moss  
Councillor Catherine Saumarez

**Officers in Attendance:**

Ian Rae	Corporate Director of Regeneration Planning and Delivery
Justin Carr	Assistant Director - Development Management and Building Control
Alpa Depan	Head of Strategic Planning and Design
Stanley Lau	Planning Manager -Majors
Catherine Slade	Deputy Planning Manager – Majors
Scott Hackner	Principal Planning Officer - Majors
Pedro Rizo	Principal Planning Officer - Majors
Conor Keappock	Design and Conservation Lead
Joanna West	Planning Lawyer
Jennifer Richards	Democratic Services Officer

**79. APOLOGIES FOR ABSENCE AND SUBSTITUTE MEMBERS**

Councillor Afzal Akram was present as a substitute for Councillor John Moss who attended as a visiting councillor.

Apologies for absence were received from Councillor Kira Lewis.

**80. DECLARATIONS OF INTEREST**

None.

**81. MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 13 June 2023 were agreed by the Committee.

**82. DEVELOPMENT MANAGEMENT**

The Committee considered applications for planning permission received by the Assistant Director – Development Management & Building Control under the Town and Country Planning Act 1990 and took into account the oral representations made by members of the public and applicants and their agents.

The update report of the Assistant Director – Development Management & Building Control was noted in accordance with the urgency provisions of Section 100 B (4) of the Local Government Act 1972 to ensure that Members had before them all the relevant facts and information about the planning applications set out in the agenda.

The Committee resolved that, in the event of recommendations being amended at the meeting in light of debate, or other representations made by members of the public, applicants or their agents, the task of formalising the wording of conditions and/or reasons for refusal is to be delegated to the Assistant Director – Development Management & Building Control.

### **83. NEW ROAD, LANDSCAPE CONTRACTORS YARD, LAND ADJACENT TO LARKSWOOD LEISURE CENTRE, CHINGFORD, E4 9EY (222505)**

#### **RESOLVED**

That Planning Permission be GRANTED in line with the recommendations and reasons set out in the committee report and update report for application 222505 and subject to the conditions and informatives contained in the committee report and update report and the completion of a Section 106 Legal Agreement (S106) with the following Heads of Terms.

Heads of Terms:

#### **Affordable Housing Provision:**

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

#### **Wheelchair Housing:**

- Wheelchair housing to be exclusively marketed to those who require wheelchair accessible housing in accordance with a Wheelchair Accessible Dwelling Marketing Strategy that sets out how the wheelchair units would be promoted and advertised during the exclusivity period to be agreed prior to commencement of development of the relevant part of the development.
- LBWF to support the developer in the development and execution of the Wheelchair Accessible Dwelling Marketing Strategy.

#### **Highways and Transportation:**

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

Extent of works may include but are not limited to:

- Renewal of the footway along the frontage of the site.

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

### **Car Free Housing**

No residential unit eligible for parking space unless disabled/blue badge holder.

Each new Residential Occupier of the development must be informed prior to occupying any residential unit that the development has no on-site car parking except three accessible bays for blue badge holders only and that they shall not be entitled to a residents parking permit in the surrounding area if a Controlled Paring Zone is introduced at any time in the future unless blue badge holder.

Car club membership for two years with an accredited car club operator. This means 1 transferable membership per household, with a maximum of two years per dwelling in total, regardless of any changes in ownership or occupation of a dwelling during this period

Evidence of car club contract (all reasonable endeavours) to be submitted prior to occupation.

### **Employment and Training Strategy:**

- Construction Jobs - Procure that 30% of all jobs available for the construction or fit-out of the Development during the Construction Phase are fulfilled by Local

- Residents. Local Residents defined as residents of residents of Waltham Forest, Hackney and Newham.
- Local Labour – Apprenticeships - Provide a minimum of 10 Apprentice Posts in the construction trade during the Construction Phase of the Development with such posts being first offered to Local Residents through the Council's Employment, Business and Skills Service. Default Payments to be applied if fall short.
- Work Placements - To provide a minimum 3 Work Placements, paid at London Living Wage (LLW) in the construction trade during the Construction Phase of the Development with such posts being first offered to Local Residents through the Council's Employment, Business and Skills Service.
- Employment and Skills Plan - To be negotiated and prepared at least 6 weeks prior to implementation. Provide details of all new jobs created in the development to the Council in reasonable time.
- End Use - To procure that the end user is to liaise with the with the Employment, Business and Skills Service's lead contact to ensure efficient management and supply of local Council residents for employment and training opportunities post Implementation of the Development.
- To ensure that all of the jobs that are generated by the operator to go through the Council's Job brokerage service, Steps Into Work (SiW), in the End User Phase as local labour opportunities for Local Residents
- To use reasonable endeavours to ensure that 50% (fifty percent) of nontechnical jobs are taken up by Local People in the End-User Phase of the Development. If 50% is not achieved, then the Developer shall demonstrate such reasonable endeavours to the Council's satisfaction and agreed in writing by the Council. End Use employment anticipated to be limited - estate management staff
- Default Payments – as set out in LBWF's adopted Planning Obligations SPD if obligations above are not met

#### **Travel Plans:**

- Travel Plan to identify opportunities for the effective promotion and delivery of sustainable transport initiatives.
- Monitoring contribution of £4,000– one off payment

#### **Estate Management Plan**

- To be agreed prior to first occupation. Details of Estate Management company

#### **Air Quality:**

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

#### **Carbon Offset Fund:**

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

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

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

#### **Retention of Architect**

- The applicant shall retain the architect during the build phase until completion unless otherwise agreed in writing by the Council subject to agreement of reasonable fees.

#### **Legal Fees:**

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

#### **Monitoring and Implementation:**

- Payment of 5% of the total amount of S106 contributions towards monitoring, implementation and compliance of the legal agreement or a monitoring fee to be agreed in writing by the LPA.

That authority to be given to the Assistant Director - Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the S106 Agreement and to agree any minor amendments to the conditions or the legal agreement on the terms set out above.

In the event that the S106 Agreement is not completed within a reasonable timeframe following the date of Planning Committee, the Assistant Director - Development Management and Building Control is hereby authorised to refuse the application in consultation with the Chair of the Planning Committee. In the absence of this S106 Agreement, the proposed development would not be able to deliver the mixed-use development on the site. The implication of this happening is that the opportunity for securing the provision of affordable housing would be lost. Additionally, other financial and non-financial commitments would be lost, which otherwise would be secured by the S106 Agreement.

#### **84. PRIORY COURT ESTATE, PRIORY COURT, E17 (230851)**

#### **RESOLVED**

That Planning Permission be GRANTED in line with the recommendations and reasons set out in the committee report and update report for application 230851 subject to the conditions and informatives contained in the committee report and update report and completion of a Unilateral Undertaking (UU) with the following heads of terms:

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.
- 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").
- A financial contribution of £70,395.00 towards a carbon offset fund should be made prior implementation.

**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.

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.

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.

**85. WITHDRAWN - 65 LAWRENCE AVENUE, WALTHAMSTOW, LONDON, E17 5PG**



**86. PUBLIC SPEAKERS**

4.1	New Road, Landscape Contractors Yard, Land adjacent to Larkswood Leisure Centre, E4 9EY	Holly Mitchell Cheryl Cameron Shenise Adam Valdenice Loizou Cllr John Moss Cllr Catherine Saumarez
4.2	Priory Court, Walthamstow E17 5NB	Emma Osmundsen

**The meeting closed at 8.40 pm**

**Chair's Signature** \_\_\_\_\_

**Date** \_\_\_\_\_