

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 5 September 2023
Application reference:	230623
Applicant:	London Green and Satara Projects
Location:	Aston Grange, 484 Forest Road, Walthamstow, London, E17 4NZ
Proposed development:	The demolition of the existing Care Home (Use Class C2), and the construction of a part 3, part 5 storey building (over basement) purpose built communal living (Sui Generis) with associated internal and external amenity space, cycle and refuse stores, landscaping, boundary treatments and other associated works. <i>(For information only: the application proposes 90 shared living rooms)</i>
Wards affected:	William Morris
Background document:	None

1. RECOMMENDATION

- 1.1 That planning permission be GRANTED subject to conditions, informatives and completion of a Section 106 Agreement with the following Heads of Terms:

Affordable homes:

- A financial contribution of £866,198.00 towards offsite affordable housing provision.
- An early-stage review of the development viability would be required if the applicant could not demonstrate substantial implementation of the scheme within 2 years of granting planning permission.
- A Late-stage viability review mechanism.

Marketing of Shared Living Rooms:

- All shared living rooms to be marketed exclusively to key workers and local residents for a period of three months before marketing the shared living rooms on the open market.

Accessibility:

- A wheelchair user dwellings marketing strategy.

- Wheelchair homes delivered as approved.
- The requirement for all wheelchair user dwellings to be exclusively marketed as such for a minimum period of 12 months.
- Prepare a Wheelchair Accessible Dwelling Marketing Strategy for the Development that sets out how the wheelchair shared-living units will be promoted and advertised during the exclusivity period of one year, to be agreed prior commencement.

Architecture:

- The ongoing involvement of APT to monitor design quality through to the completion of the proposed development.

Highways and Public Realm:

- S.278: Highway works will be required upon completion of the works relating to the development prior to occupation. These will require a S278 agreement and would include but would not be limited to:
 - Renewal of the footway and cycle track along the frontage of the site along Forest Road
 - Renewal of the footway and carriageway along the frontage of the site along Hawthorne Road
 - Upgrade of the lantern on the lamp column outside the frontage of the site along Hawthorne Road
 - Review and amendment of the existing waiting, loading and parking restrictions in Hawthorne Road along with the necessary revision to the TTRO traffic order. Possible introduction of double yellow lines and extension of CPZ parking bay.
 - Review and amendment of the waiting and loading restrictions along the frontage of Forest Road to ensure loading is discouraged and the walking and cycle provisions are safeguarded.
 - Removal of all required enabling works installed for construction
- A financial contribution of £15,000 towards walking, cycling and road danger reduction interventions in the residential roads between the site and Hoe Street.
- A financial contribution of £85,000 towards the Council's Forest Road corridor improvement scheme. The proposed scheme covers approximately 2.5km from the Bell Junction to Woodford New Road and aims to further improve accessibility, connectivity, and safety for active and sustainable transport modes, supporting and enabling key developments such as Aston Grange by connecting them to local and strategic destinations, attractions, employment and amenities.

- A financial contribution of £7,500 towards monitoring the Construction Logistics Plan.
- The development would be car free residents will not be entitled to parking permits for any CPZ.
- Car Club membership memberships to be provided for all new residents to a nearby Car Club.

Air quality:

- A financial contribution of £5,000.00 towards mitigating the impact of existing poor air quality on the proposed development.

Energy efficiency and carbon reductions:

- A financial contribution of £34,310 towards a carbon offset fund with 100% upfront payment.
- Second COF payment
- Updated Energy Statements on commencement and completion based on As Built energy calculations.
- Measures to secure post-construction monitoring (“Be Seen”).
 - A. Within 8 weeks of the grant of planning permission, to submit to the GLA accurate and verified estimates of the ‘Be Seen’ energy performance indicators.
 - B. Prior to occupation, the Owner shall provide updated accurate and verified ‘as-built’ design estimates of the ‘Be Seen’ energy performance indicators for each Reportable Unit of the development.
 - C. Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit of the development.
 - In the event that the ‘In-use stage’ evidence submitted under Clause c) shows that the ‘As-built stage’ performance estimates derived from Clause b) have not been or are not being met, the Owner should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the ‘Be Seen’ in-use stage reporting webform. An action plan comprising measures identified in Clause c) shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.)

Epping Forest:

- A financial contribution of £348.33 (pro-rata) per new bedspace towards Strategic Access Management and Monitoring (SAMM) with a total of £31,350.0.

Street Trees:

Any tree losses should be mitigated in a replanting program, the Council's own policy is 5 replacement trees for each tree lost. Any tree losses not compensated by 5 trees would amount to a financial compensation relative to the CAVAT of the said trees. Total amount to be agreed with the Parks and Open Spaces department.

Training, employment, and business:

- An Employment and Skills Plan.
- The provision of 31 apprentice posts for local residents in the construction trade during the construction phase of the development.
- The provision of seven work placements for local residents in the construction trade during the construction phase of the development.
- Measures to encourage applications for jobs during the construction phase of the development from local residents, with a target of offering 30% of all such jobs to local residents.
- Alternative financial contributions in the event of non-compliance with the recommended apprentice post, work placement, and jobs planning obligations.
- Measures to ensure that all suppliers during the construction phase of development are local to the London Borough of Waltham Forest, with a minimum of 20% being local suppliers, and including attendance at four "Meet the Buyer" events.
- The provision of monitoring information in relation to training and employment planning obligations.

S106 preparation, completion, implementation, monitoring, and compliance:

- The payment of the Council's legal fees for the preparation and completion of the S106.
- A financial contribution towards the implementation and monitoring of and securing compliance with the S106, equal to £32,641.0)

- 1.2 That authority be given to the Assistant Director of Development Management and Building Control, in consultation with the Council's Legal Services, for the sealing of the S106 and to agree any minor amendments to the conditions, informatives, and/or the S106 heads of terms.

- 1.3 If the S106 is not completed within a reasonable timeframe following the date of Planning Committee, that the Assistant Director of Development Management and Building Control is hereby authorised to refuse this application, if appropriate, in consultation with the Planning Committee Chair. In the absence of the S106 the proposed development would not be able to secure the provision of compatibility with the extant planning permission scheme; affordable homes; accessible homes; high-quality design; appropriate transport mitigation; air quality mitigation; energy efficiency and carbon reductions; acceptable impacts on Epping Forest; and local training, employment, and business opportunities.

2. REASONS REFERRED TO COMMITTEE

- 2.1 Due to the level of public interest.
- 2.2 Due to Officer consideration.

3. SITE AND SURROUNDINGS

- 3.1 The application relates to an irregular shaped site south of Forest Road, west side of its junction with Hoe Street/Chingford Road. The site comprises Aston Grange Care Home, a three-storey, T-shaped block to the northeast end of the site and side facing Forest Road. Parking sits to its northwest side, accessed from Hawthorne Road, and the rear of the site comprises a small triangular rear garden.
- 3.2 The rear triangle of the site has its east arm to the rear of building on Hoe Street and its west side arm to the end of dwellinghouses gardens along Hawthorne Road.



Figure 1: Site Location Plan

- 3.3 The site context is two-storey residential looking buildings, some of which have ground-floor retail frontages on Hoe Street and Forest Road. The site is not in a conservation area; however, it sits in proximity to the following heritage assets:

- Lloyd Park conservation area
 - William Morris Gallery – Grade II listed building
 - K6 Telephone Kiosk – Grade II listed building
 - Salvation Army Building – Locally listed building
 - The Bell Public house – Locally listed building.
- 3.4 The site has PTAL output 4, as bus stops on Forest Road are directly outside, as well as cycleway C24. Walthamstow station is 13 minutes' walk, and Blackhorse Lane station is 21 minutes' walk. The site has a low risk of flooding from all sources, including surface water and groundwater flooding.
- 3.5 Epping Forest SSSI sits approximately 6.2km from the site. The site is of limited ecological value as it has full hardscape coverage, and none of the existing trees are under tree protection order. The site is in the Waltham Forest Air Quality Management Area, which covers the entire Borough and is understood to be in place mainly due to vehicle emissions.

4. APPLICATION PROPOSAL

- 4.1 The proposed development comprises the demolition of the existing Care Home (Use Class C2) and the construction of a part-three and part-five storey building (over basement) comprising a purpose-built communal living for 90 shared living accommodation, with associated internal and external amenity space, cycle and refuse stores, landscaping, boundary treatments and other associated works.
- 4.2 The proposed building would occupy most of the site with a T-shaped form; the entrance would sit on the Forest Road-Hawthorne Road corner, and the main frontage would face Forest Road. The proposal would step away from the south edge at the ground, first and fourth floors, from the west edge on the third and fourth floors, and from the east edge on the fourth floor. The small basement level would only have plant and sprinkler tank systems.
- 4.3 The ground floor would comprise the main communal amenities for the building and would appear as an interconnected series of different spaces. The main entrance lobby to the west would lead to several seating areas between Forest Road, linear garden to the rear, and the front-facing stair core. These areas would lead to larger sofa areas and an enclosed gym. The lift and a second stair core would separate the former areas from two separate kitchen spaces, connected with table seating areas with different settings for table arrangements. The kitchens would lead to two separate external amenity spaces to the west and the rear. The ground floor would also comprise a bin store to the east, accessed from Hawthorne Road and a large cycle store to the east, accessed from Forest Road and a laundry room behind the bigger kitchen space.



Figure 2: Ground floor Plan and Landscaping

4.4 The proposed building would have the following schedule:

First floor	29 rooms
Second floor	28 rooms
Third floor	20 rooms
	Communal Kitchen
	Roof terrace to the east side.
Fourth Floor	14 rooms
	Roof terrace to the south
	Roof plant to the east edge

5. RELEVANT SITE HISTORY

5.1 Planning history

- 1999/0681 – Erection of a three-storey building to form a 40-bedroom nursing home with associated car parking and landscaping – Approved 03/11/1999.
- 1983/0133 – Continuation of use of land for car hire business & retention of ancillary office & vehicular access (land subject of P/P 73/0382) – Approved 12/04/1983.
- 1977/1027 – Continuation of use of land for car hire business & retention of ancillary office & vehicular access (land subject of P/P 73/0382) – Approved 10/02/1978.

- 1973/0382 – Use of site for car parking in connection with use of adjacent site as car hire firm – Approved 20/11/1973.
- 1970/0050 – Erection of building for use to servicing & cleaning of own fleet of vehicles – Approved 20/03/1970.

Pre-application

- 5.2 The applicant has undertaken extensive pre-application discussions with officers, meeting on 17 December 2021; 017 March, 29 April, 31 May, 6 September, 06 October and 28 November 2022. These pre-application discussions were an opportunity for officers to review proposals and seek improvements prior to the submission of the application. Topics discussed included: procedural matters; the principle of development; servicing and delivery strategies, housing quality; layout, scale and massing, and architectural approach; landscaping; transport; and impact on neighbouring amenity; and community engagement.
- 5.3 The independent Waltham Forest Design Advice Panel (WFDAP) considered the scheme on 12 July 2022. The WFDAP members generally supported the proposal as it would contribute to the diversity of tenures and housing typologies in the borough. Notwithstanding this, they advised improving the standard and quality of the co-living model and its architecture. The applicant developed the design for the proposed development considering the WFDAP's advice across further three pre-application meetings.
- 5.4 The applicant also undertook community engagement prior to the submission of this application, which included a consultation website, an in-person exhibition on 12 July 2022, a virtual consultation with one webinar event on 19 July 2022., All advertised through newsletters and paper feedback forms to 1,283 properties on 2 July 2022.

6. PUBLIC CONSULTATIONS

- 6.1 Following the validation of this application, the Council sent notification letters to circa 110 neighbouring addresses on 16 March 2023. The Council posted three notices around the site on 14 March 2022 and a press notice was published on 24 March 2023. The council received seven letters from four different addresses, the table below summarises their comments:

Public Comment	Officers' Response
Principle of Development	
Loss of care home which is needed by the community.	The CQC rated the care home inadequate in 2015 and archived it in January 2017, and the care home had been closed ever since.
Better to adapt existing building than rebuilding a new one.	Lack of ensuite bathrooms and size of existing building would not make it viable for adapting to a new use.
Development would cause homelessness as it would remove existing guardians.	Property guardians currently live on the premises through a property guardian company. The agreement with this

	company is a 28 days' notice and the company is responsible for the relocation of the living-in guardians.
Development would negatively impact house prices.	This is not a material planning consideration
Co-living is experimental with unknown risk and issues.	Co-living is a new residential product acknowledge under the London Plan. Its nature as a purpose built would address many of the concerns that are typical with non-purpose-built HMO's.
Co-living development do not address housing needs.	Co-living as a module of housing does exist and is part of housing provision to address housing needs.
Future building management already has issues on other sites.	This is not a material planning consideration.
Design and Character	
Lack of internal communal space on each floor risk the development not being in line with future policies and subsequently not sustainable.	The proposal would be in line with the latest published and known future published policies and guidance which would be sufficient to make it acceptable in planning terms.
Neighbour Amenity	
Properties 10-22 (even numbers) are very close to the site boundary.	Detailed assessment of impact on neighbouring amenity under section 10G of this report.
Proposal would be intrusive.	
Proposed building would block more sunlight of 14 Hawthorne Road.	
Existing building at three-storey already overlooks houses and gardens.	
Proposed building would be overbearing to adjoining houses at its rear.	
Experiencing anti-social behaviour from living-in guardians, especially from existing fire escape staircase. Which could be similar to proposed development roof terrace.	
Potential anti-social behaviour from co-living residents.	
Proposed roof terraces would result in noise and loss of privacy to adjoining houses.	
Some proposed rooms overlook adjoining gardens.	
Sunlight Report focuses on sunlight and but doesn't focus on general daylight.	

Houses on Hawthornrne Road would be affected.	
Proposed narrow rear garden could cause loitering and cause of disruption, asking to block access to future residents.	This area is marked as inaccessible on the ground floor plan, the landscape plan shows big boulders and grass occupying its space. There are no plans to make it accessible for residents.
Impact on Transport	
Impact on onstreet parking	The proposal would be car-free and future occupiers would not have access to parking permits in nearby controlled parking zones.
Provision for deliveries and drop-offs is insufficient as it would be more than existing building.	This provision is agreed with the highways department and based on delivery and servicing plans with corroborated delivery and servicing data from similar developments.
Lack of short-term parking for visitors and workers.	Short term parking is not a policy requirement.
Construction Work Impacts	
Construction noise and dust affecting health and wellbeing of residents	A decision notice would include a condition for Construction Method Statement to deal with these concerns prior to commencement of development.
Experiences with neighbouring project was negative	This is not a material planning consideration.
Aston Grange construction damaged nearby houses, potential of similar impact from new development.	Construction issues are covered by different legislation to planning.
Any survey relevant to development needs to be transparent with residents	Any additional surveys would not affect neighbour amenity and under planning legislation would not be required to have public consultations.
Other consideration	
Impact on flooding	The site does not fall within any flooding sources.
Development should have better drainage.	The Council's LLFA agreed with the submitted materials and mitigation measures.

7. OTHER CONSULTATIONS

7.1 The table below summarises the comments received from London Borough of Waltham Forest (LBWF) officer consultees, including some statutory consultees.

LBWF Consultee	Comment
Conservation	Please refer to subsection 10F of this report.

Design	Please refer to subsections 10D, 10E and 10F of this report.
Employment, Business, and Skills	Requested planning obligations related to training, employment, and business opportunities for local residents as part of the s.106.
Environmental health	Please refer to subsections 10L of this report.
Highways	Please refer to subsections 10H of this report.
Lead Local Flood Authority (LLFA)	Please refer to subsections 10K of this report.
Sustainability and energy	Please refer to subsections 10J of this report.
Transport policy	Please refer to subsections 10H of this report.
Tree preservation and urban greening	Please refer to subsection 10I of this report.

7.2 Notifications were also sent to a number of other LBWF officer consultees, but no further responses had been received at the point that this report was submitted for publication.

7.3 The table below summarises the comments received from external consultees, which include some statutory consultees.

External Consultee	Comment
Environment Agency (EA)	No response.
Historic England (HE) Greater London Archaeology Advisory Service (HEGLAAS)	HE GLAAS advised that archaeological remains may exist on site and the development could result in some harm to them. However, given the likely level of significance, it has no objection subject to a condition and informative to ensure appropriate field evaluation and mitigation.
London Fire Brigade (LFB)	No response.
Metropolitan Police Service (MPS)	The MPS advised that it has no objection subject to an appropriate Secured by Design (SbD) condition.
Natural England (NE)	No objection subject to appropriate mitigation being secured.
Thames Water (TW)	TW confirmed sufficient surface and foul wastewater sewerage infrastructure capacity in the existing network for the proposed development but requested a condition to ensure that suitable water supply infrastructure is in place prior to the development being occupied. It also requested an informative to advise that the site is located near to existing underground wastewater and water assets.

	<p>TW initially requested clarifications in relation to surface wastewater drainage, which were provided by the applicant and deemed to be satisfactory.</p>
<p>Transport for London (TfL) Infrastructure Protection</p>	<p>TfL note that site bounded by the A503 Forest Road (SRN) to the north, Hawthorne Road to the west and residential properties to the south and east. Hoe Street is part of the Strategic Road Network (SRN) which is approximately 20m to the east of the site. The LPA is securing financial contributions to walking, cycling and road safety improvement schemes which is welcomed and supported by London Plan policy.</p> <p>Long stay cyclist access would be gained from the frontage of Forest Road. Given the site constraints, TfL consider this acceptable.</p> <p>Trip generation and amount of cycle parking is deemed acceptable.</p> <p>Whilst the DSP trip generation is low, the applicant should demonstrate vehicles would be able to enter and egress Forest Road in forward gear. It is also unclear on the neighbouring site on Forest Road may impact the site.</p> <p>The final Travel Plan should provide more aspirational mode share targets and more detailed initiatives to reach the targets, with the Travel Plan being secured by condition.</p> <p>TfL welcome the car free nature of the proposal. However, with regard to the blue badge parking, the applicant should confirm that should any demand from future occupiers arise, a blue badge space should be able to be accommodated and the occupier provided with the relevant permit.</p> <p>Construction Logistics Plan should be secured via condition and discharged in consultation with TFL.</p>

7.4 Notifications were also sent to the London Fire Brigade, NHS East London CCG, TFL, but no further responses had been received at the point that this report was submitted for publication.

8. DEVELOPMENT PLAN

8.1 Section 70(2) of the Town and Country Planning Act (1990) (as amended) sets out that in considering and determining applications for planning permission, the Local Planning Authority (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.

8.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that "if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

8.3 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)

8.4 The London Plan is the overall strategic plan for London, and sets out an integrated economic, environmental, transport, and social framework for the development of London over a 20 to 25-year period.

8.5 The policies considered relevant to this application include:

- D2 - Infrastructure Requirements for Sustainable Densities
- D3 - Optimising Site Capacity through the Design-Led Approach
- D4 - Delivering Good Design
- D5 - Inclusive Design
- D6 - Housing Quality and Standards
- D7 - Accessible Housing
- D8 - Public Realm
- D9 - Tall Buildings
- D11 - Safety, Security and Resilience to Emergency
- D12 - Fire Safety
- D13 - Agent of Change
- D14 - Noise
- H1 - Increasing Housing Supply
- H4 - Delivering Affordable Housing
- H5 - Threshold Approach to Applications
- H16 Large-scale purpose-built shared living
- S3 - Education and Childcare Facilities
- S4 - Play and Informal Recreation
- E11 - Skills and Opportunities for All
- HC1 - Heritage Conservation and Growth
- G1 - Green Infrastructure
- G4 - Open Space
- G5 - Urban Greening
- G6 - Biodiversity and Access to Nature
- G7 - Trees and Woodlands
- SI 1 - Improving Air Quality
- SI 2 - Minimising Greenhouse Gas Emissions
- SI 3 - Energy Infrastructure

- SI 4 - Managing Heat Risk
- SI 5 - Water Infrastructure
- SI 6 - Digital Connectivity Infrastructure
- SI 7 - Reducing Waste and Supporting the Circular Economy
- SI 12 - Flood Risk Management
- SI 13 - Sustainable Drainage
- T1 - Strategic Approach to Transport
- T2 - Healthy Streets
- T4 - Assessing and Mitigating Transport Impacts
- T5 - Cycling
- T6 - Car Parking
- T6.1 - Residential Parking
- T7 - Deliveries, Servicing and Construction

Waltham Forest Local Plan Core Strategy (2012)

8.6 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 seek to direct and manage development and regeneration activity to 2026.

8.7 The policies considered relevant to this application include:

- CS1 - Location and Management of Growth
- CS2 - Improving Housing Quality and Choice
- CS3 - Providing Infrastructure
- 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
- CS12 - Protecting and Enhancing Heritage Assets
- CS13 - Promoting Health and Well-Being
- CS15 - Well Designed Buildings, Places and Spaces
- CS16 - Making Waltham Forest Safer

Waltham Forest Local Plan Development Management Policies (2013)

8.8 The Development Management Policies document sets out the borough-wide policies that implement the Core Strategy and deliver the long-term spatial vision and strategic place-shaping objectives.

8.9 The policies considered relevant to this application include:

- DM1 - Sustainable Development and Mixed Use Development
- 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
- DM12 - Open Space, Sports and Recreation
- DM13 - Co-ordinating Land use and Transport
- DM14 - Sustainable Transport Network
- DM15 - Managing Private Motorised Transport
- DM16 - Parking
- DM17 - Social and Physical Infrastructure
- DM21 - Improving Job Access and Training
- DM23 - Health and Well Being
- DM24 - Environmental Protection
- DM28 - Heritage Assets
- DM29 - Design Principles, Standards and Local Distinctiveness
- DM30 - Inclusive Design and the Built Environment
- DM31 - Tall Buildings
- DM32 - Managing Impact of Development on Occupiers and Neighbours
- DM33 - Improving Community Safety
- DM34 - Water
- DM35 - Biodiversity and Geodiversity
- DM36 - Working with Partners and Infrastructure

9. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework (2021)

- 9.1 The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions but does not change the legal status of the Development Plan. It contains a presumption in favour of sustainable development, described as at the heart of the framework.
- 9.2 For decision-taking, the NPPF states that the presumption means "approving development proposals that accord with an up-to-date development plan without delay; or 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: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;

or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

National Planning Policy Framework proposed amendments (2023)

- 9.3 The Government has consulted 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.

Affordable Housing and Viability Supplementary Planning Guidance (2017)

- 9.4 The Affordable Housing and Viability Supplementary Planning Guidance (SPG) provides guidance on the application of London Plan policies relating to affordable housing and viability, with the aim of increasing the level of affordable housing delivered through the planning process.

‘Be Seen’ Energy Monitoring Guidance London Plan Guidance (2021)

- 9.5 The ‘Be Seen’ Energy Monitoring Guidance London Plan Guidance (LPG) explains the process that should be followed to comply with the ‘be seen’ post-construction monitoring requirement of Policy SI 2 of the London Plan.

Affordable Housing and Viability Supplementary Planning Document (2018)

- 9.6 The Affordable Housing and Viability Supplementary Planning Document (SPD) provides detailed guidance on Waltham Forest Local Plan Core Strategy and Development Management Policies related to affordable housing and viability.

Inclusive Housing Design Supplementary Planning Document (2011)

- 9.7 The Inclusive Housing Design SPD provides further detail in relation to Waltham Forest Local Plan Core Policies concerning the design of accessible housing.

Planning Obligations Supplementary Planning Document (2017)

- 9.8 The Planning Obligations SPD provides detailed guidance on planning obligations and Section 106 agreements and how these work alongside the Community Infrastructure Levy (CIL) to help deliver necessary infrastructure in the Borough, supplementing Waltham Forest Local Plan Core Strategy and Development Management Policies.

Waste & Recycling Guidance for Developers (2019)

- 9.9 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.

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

- 9.10 Waltham Forest Local Plan (LP1) is intended to replace the current Waltham Forest Local Plan Core Strategy and Development Management Policies. It has undergone consultation and was subject to an Examination in Public in March 2022. The Council is consulting on a schedule of Main Modifications from 21st July 2023 to 21st September 2023.

- 9.11 In line with the NPPF, Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Large scale purpose built shared living LPG (draft)

- 9.12 This document provides design guidance on large-scale purpose-built living accommodation proposals, particularly with regards to internal and external spatial and communal requirements and the impact of deliveries and servicing on transport infrastructure.

Forest Road Corridor Framework

- 9.13 This document is intended to identify development proposals as they emerge, co-ordinate and manage growth and ensure that it is supported by necessary infrastructure

Local Finance Considerations

- 9.14 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.

10. ASSESSMENT

- 10.1 The main issues which shall be addressed within this report are as follows:

- A. Loss of a Care Home
- B. Principle of Proposed Development and Density
- C. Affordable Housing
- D. Standard of Residential Accommodation
- E. Design and Townscape
- F. Impact on Heritage Assets
- G. Impact on Neighbouring Amenity
- H. Transport, Highways and Servicing

- I. Trees, Landscape and Ecology
- J. Energy Efficiency and Sustainable Design and Construction
- K. Flood Risk and Drainage
- L. Environmental Impact
- M. Safety and Security
- N. Planning Obligations

A. LOSS OF A CARE HOME

- 10.2 Policy DM9 states that: *'B) The Council will resist development that involves the net loss of specialised housing unless: i) It can be demonstrated that there is a surplus of that form of accommodation in the area and is no longer required; ii) The existing accommodation will be adequately re-provided to an equivalent or greater standard elsewhere; and iii) It can be demonstrated that the existing accommodation is incapable of meeting contemporary standards of care.'*
- 10.3 The proposal includes change of use from a long-term residential care unit (use class C2) to sui generis use. The existing building has 45 rooms spread across three floors; the facility provided care for adults over 65 years old with dementia, physical disability and sensory impairments.
- 10.4 The applicant submitted a Care Homes Assessment Need Report (Care Homes Report); this report looked at the application site and reviewed the trading performance of care homes by bed bands in the UK and the region to assess the viability of older, smaller care homes in the market.
- 10.5 The Council's Adult Care team did not respond to the consultation of the application or discussions during the pre-application process. Accordingly, officers are not certain whether there is a surplus of care homes in the area. However, the CQC website states that there are nine care homes with both 'good' and 'outstanding' ratings within 0.9 miles from the site and an additional six within 1.5 miles from the site. Additionally, the site itself ceased operation in 2017; as such, the site would be considered a poor non-operations performing surplus to existing highly performing care homes in the area.
- 10.6 The CQC website data shows that two out of nine care homes within 0.9 miles were operational from 2019 and 2021. However, there are no evidence that these were replacements for Aston Grange Care Home, nor that the care home use would be re-provided elsewhere as a result of this application. Nonetheless, the site had not been operational for over eight years and, on balance, would not be considered as 'existing accommodation' requiring re-provision. Additionally, the submitted Care Homes Report explained the financial difficulties of operating a smaller-size care home at modern standards; subsequently, any re-provision, if required, would need to be on a bigger scale that encompasses more than the application site numbers.
- 10.7 The Care Quality Commission (CQC) website states that Aston Grange care home was archived on 27 January 2017 (as it is no longer registered with the CQC), and that the last inspection for the premises was on 26 September 2016. The CQC rated the site inadequate in terms of: Safe, Effective, Responsive and Well-led; it also rated it as requiring improvements in terms of Caring. The submitted Care Home Report reviewed

the site and concluded that the facility lacked sufficient amenity space for a modern, fit-for-purpose care home. The assessment added that a modern care home would require an activities room, dining and lounge areas, a hair salon, library, wider corridors, and landscaped gardens. Some providers also incorporate cinema rooms, private dining areas, spa and gym facilities. Most of these facilities are not present on the existing site.

- 10.8 The submitted care home assessment considered that retrofitting the existing building to achieve the modern standards would result in a significant reduction of bedspaces, in addition to the costs associated with the works, which would result in an unviable development. The report concludes that it would not be reasonable to re-provide a newly modern purpose-built care home on site.
- 10.9 The report went on to discuss the trading performance of care homes across the UK by bed sizes, concluding that the lowest-performing band was the 1-39bed category which implied that small care home schemes are less efficient to operate when compared with the larger care homes. Owing to the previous conclusion that a serious need for refurbishment would reduce the existing care home to this 1-39 bed category, the overall conclusion of the report that care home use on-site was not viable.
- 10.10 More importantly, Aston Grange Care Home was not in use for over eight years, i.e., the development is not the reason that a care home use would cease on site. On the contrary, the development would be a regeneration of an unused site on the main road in the borough.
- 10.11 Considering all the points above, the previous care home ceased operation over eight years ago and is no longer forming part of existing care home numbers in the borough; there are several care homes in the vicinity of the site; the submitted Care Home Report, in addition to the last CQC report, confirmed that the site was incapable of meeting contemporary standards of care. Accordingly, the loss of the site would be acceptable and pass Policy DM9 criteria.

B. PRINCIPLE OF PROPOSED DEVELOPMENT AND DENSITY

- 10.12 Policy DM1 reflects the NPPF's presumption in favour of sustainable development. Policies CS1 and CS2 set out housing delivery targets for the Borough, it is noted that these are superseded by the new and ambitious ten-year housing target set out for Waltham Forest in London Plan Policy H1, which aims for the completion of 1,264 new homes per annum.
- 10.13 Policies CS1, CS2, and DM1 seek to direct development, including new housing, towards suitable locations, including key growth areas in the Borough, such as town centres. There is a particular focus in Policies CS1 and CS2 on accommodating development on previously developed land where possible and ensuring that redevelopment makes more efficient use of such land, as well as optimising housing densities. This focus is generally shared by Policy CS5 and London Plan Policy H1.
- 10.14 Policy CS7 seeks to ensure that developments are located in areas that are accessible. London Plan Policy H1 states that new housing should be focused on sites with a PTAL of between 3 and 6. London Plan Policy T1 sets out that development should make

effective use of land, reflecting its connectivity and accessibility by sustainable modes of transport.

- 10.15 Emerging Local Plan Policy 18, paragraph 8.22, states that: *'Non-traditional housing can make a positive contribution to providing a wider range of housing choices for residents, meeting identified needs and contributing to increasing housing supply. Waltham Forest defines non-traditional housing as Build to Rent, Purpose-Built Student Accommodation and Purpose-Built Shared Living. The definitions of these are provided in Table 8.3.'* This table definition follows the criteria set under the London Plan Policy H16 and adds a minimum number of at least 50 units.
- 10.16 London Plan Policy D2 sets out that development densities should be proportionate to a site's connectivity and accessibility by walking, cycling, and public transport to jobs and services. London Plan Policy D3 states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. It does not set out a prescriptive approach but rather seeks to ensure that all schemes achieve an appropriate density that responds to a site's context and capacity for growth, setting out considerations relating to form and layout, user experience, and quality and character.
- 10.17 London Plan Policy H3 states that to ensure housing targets are achieved, boroughs should optimise the potential for housing delivery on brownfield sites, especially the sites with existing or planned PTALs 3-6, located within 800 metres distance of a station or a town centre boundary.
- 10.18 London Plan Policy H16 states that Large-scale shared living developments may provide a housing option for single-person households who cannot or choose not to live in self-contained homes of HMOs. This policy states that a Large-scale purpose-building shared living development (LSPBSL) must meet the following criteria:

H16 Criteria	Proposed Development
1- Good quality and design;	Full design assessment in section 10D of this report.
2- Contributes towards mixed and inclusive neighbourhoods;	The proposed LSPBS would sit within a varied residential area comprising flats, dwellinghouses and pocket living flats. Additionally, its active uses and public amenities on the ground floor fronting the street would activate the public realm outside the site and the design avoided any elements that would visually cut the LSPBSL community off from the local surroundings and vice versa.
3- Located in a well-connected area to local services, employment and does not contribute to car dependency;	The site falls within PTAL 4, 13 mins walking distance from Walthamstow station and market.
4- Under single management;	The proposal would fall under a single management.

5- Tenancies are for a minimum of 3 months;	The submitted documents states that tenancies would be between 3 and 12 months.
6- Thresholds for communal facilities and services;	Full quality of accommodation assessment in section 10D of this report.
7- Units provide adequate functional living space and layout and not self-contained or capable of being uses as self-contained homes;	Full quality of accommodation assessment in section 10D of this report.
8- Management plan is provided with the application;	The application submission included a management plan.
9- Delivers cash in lieu contribution towards conventional C3 affordable housing	The proposal would a contribute cash in lieu of conventional C3 affordable housing.
10- This contribution equivalent to 35% of the units and all large-scale purpose-built shared living schemes will be subject to the Viability Tested Route set out in Policy H5 Threshold approach to applications	Full assessment of affordable housing contribution in section 10C of this report.

10.19 Considering the above, the principle of LSPBSL is acceptable under London and local policies. The proposed development would follow the London Plan criteria for LSPBSL provided that design, quality of accommodation and affordable housing contribution would be acceptable. The proposal would consequently be acceptable, as it would comply with Policies CS1, CS2, CS7 and DM1, DM25, the Emerging Local Plan 1 Policy 18 and London Plan Policies D2 and D3, H3, and H16.

C. AFFORDABLE HOUSING

10.20 The Draft LP1 Policy 13 (F) states that Large -scale purpose build shared living: payment-in-lieu contributions to conventional C3 affordable housing. London Plan Policy H4 sets out a strategic target for 50% of new homes as affordable, listing specific measures to achieve this aim, including threshold approach and grant funding to increase provision beyond achievable levels. London Plan Policy H5 states that planning applications for proposals following the viability-tested route should include detailed supporting viability evidence, which should be scrutinised, to ensure the delivery of the maximum level of affordable housing. It also sets out requirements for early-stage, late-stage, and mid-term stage (for large, phased developments) viability reviews post-planning permission for viability-tested schemes. The Affordable Housing and Viability SPG provides additional guidance for implementing these policies.

10.21 London Plan Policy H16 states that LSPBSL must deliver a cash-in-lieu contribution towards conventional C3 affordable housing as either an: a) upfront cash-in-lieu payment to the local authority; or b) in perpetuity annual payment to the local authority. Adding that in both cases, developments are expected to contribute equivalent to 35%

- of the units and that LSPBSL will be subject to the viability-tested route as set out in Policy H5.
- 10.22 The planning application included a financial viability assessment (FVA), The Council appointed BNPP as a third-party assessor to confirm the findings of the FVA who confirmed their agreement to this approach and its findings.
- 10.23 The London Affordable Housing SPG 2017 states that the 'Existing Use Value plus' (EUV+) approach to determining the benchmark land value is based on the current use value of a site plus an appropriate site premium. The principle of this approach is that a landowner should receive at least the value of the land in its 'pre-permission' use, which would normally be lost when bringing forward land for development. The benefit of this approach is that it clearly identifies the uplift in value arising from the grant of planning permission because it enables comparison with the value of the site without planning permission. In the case of this application, the existing use value of the site was negative due to the case presented for the retention of the care home and how it would be unviable to operate, as explained in Section 10A of this report.
- 10.24 The FVA stated that *'The AUV approach has been adopted given that the Application Site is vacant but clearly has development potential for a range of uses. Establishing a BLV based on the EUV of the land as a vacant building would not therefore accurately represent the minimum return required for the landowner to release the site for mixed use development'*. BNPP advised that this approach would be acceptable, and that Paragraph 017 of the PPG indicates that benchmark land value may be informed by the values generated by alternative uses, providing that the alternative scheme would *'fully comply with up-to-date development plan policies.... and... it can be demonstrated there is market demand for that use'*
- 10.25 BNPP appraisal results indicate that the Proposed Development produces a positive RLV of £1,399,309, however when measured against the BLV of the Site based on the proposed AUV for PBSA of £3,154,690, the scheme generates a deficit of £1,755,381. Accordingly, they confirmed that the Applicant's package offer of £1,682,604 would reflect the maximum reasonable level of planning contributions. This package comprises total of CIL payments and all the s.106 financial obligations for the development.
- 10.26 Officers reviewed the proposed package and different asks from internal consultees and concluded that the affordable housing contribution cash-in-lieu would be £866,198.00.
- 10.27 Considering all above, officers support the proposal in respect of affordable housing, and planning obligations would secure the delivery of this affordable housing. Officers recommend that planning obligations are used to secure early- and late-stage viability review mechanisms to capture benefits from any future improvements in viability.
- 10.28 On the basis of the above, the overall quantum of affordable housing offer would align with the Council policy requirements. It is further supported by FVA testing which was scrutinised by a third-party assessor and would be acceptable, subject to planning obligations. As such, the proposed development would comply with Policies CS2 and DM3 and London Plan Policies H4, H5 and H16.

D. STANDARD OF RESIDENTIAL ACCOMMODATION

- 10.29 Policy CS2 generally requires that new residential developments are of a high-quality design. London Plan Policy D6 echoes this requirement and places emphasis on well-sized and well-laid-out homes that meet the needs of future residents.

INTERNAL AMENITY

- 10.30 London Plan Policy H16 states that LSPBSL must have communal facilities and services sufficient to meet the requirements of the intended number of residents and offer at least: convenient access to a communal kitchen, outside communal amenity space (roof terrace and/or garden), internal communal amenity space (dining rooms, lounges), laundry and drying facilities, a concierge, bedding and linen changing and/or room cleaning services. It also requires that the private units provide adequate functional living space and layout and are not self-contained homes or capable of being used as self-contained. The Emerging Local Plan Policy 18 lists similar requirements for LSPBSL developments.
- 10.31 The proposed development would include all the communal facilities and services listed under the policies. The proposed rooms would have an ensuite bathroom, a kitchenette and an open plan feel between the bed, dining table and desk as per figure 3 below.

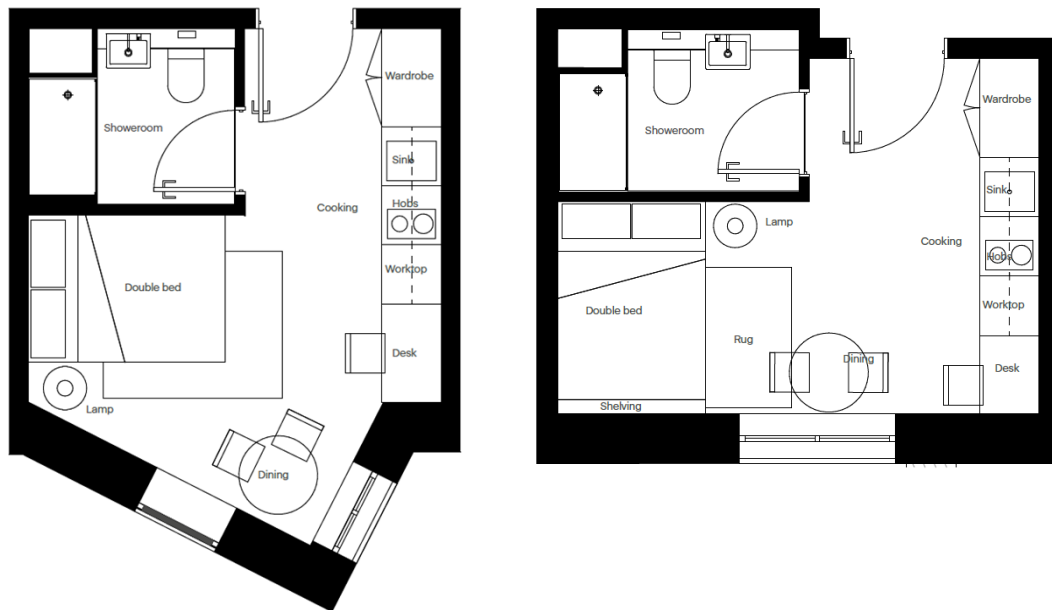


Figure 3: typical room types A (right) and B (left), both at 18 sqm, show the proposed open plan for the rooms.

- 10.32 The GLA produced a Large-scale Purpose-Built Shared Living London Plan Guidance (the LPG); this guidance provides information on how to apply London Plan Policy H16 to ensure these developments are of acceptable quality, well-managed and integrated into their surroundings. The guidance sets out detailed standards for communal spaces and private rooms to ensure developments provide well-designed and sufficient communal facilities, and functional private rooms for residents and visitors. The guidance also sets out a requirement for a proportion of rooms to be accessible. This

- guidance is not yet adopted and is in draft form; however, the design of the proposal used it as a yardstick to ensure its quality would be in line with Policy H16 requirements.
- 10.33 The LPG states that the units should not be less than 18sqm and not more than 27sqm to avoid potential conversion to substandard self-contained units. The proposed typical rooms would have 18sqm, and the wheelchair rooms would have 28sqm to allow for ease of internal circulation. Both sizes are much less than the minimum standard for a C3 home at 37sqm; accordingly, none would be convertible to a standard self-contained unit.
- 10.34 By nature of this type of development, all the rooms would have a single aspect; however, none would have a strictly north orientation as the front-facing rooms have a northeast outlook. Additionally, all homes would have MVHR ventilation systems with cooling provided to avoid the risk of overheating. Officers consider this acceptable, noting that other indicators of good communal amenities for the proposed homes would be generally positive.
- 10.35 The proposal would have all the rooms on the upper floors, providing privacy and separation from the main communal areas of the ground floor. Further communal areas on the third and fourth floors would not cause direct overlooking onto any of the rooms; noting that the fourth-floor roof terrace boundaries that room 04-07 windows overlooks a non-accessible part of the fourth-floor roof.
- 10.36 The applicant submitted a Daylight, Sunlight and overshadowing Report (DSO) for the proposed development. The Council appointed a specialist consultant (Avison Young (AY)) to confirm the findings of the DSO. AY confirmed that the overall approach to assessment, including methodology and scope, is sound.
- 10.37 The DSO used the illuminance method issued in the BRE guidance 2022 (BRE) for daylight assessment. This method uses site climate data to measure the illuminance from daylight at each point on an assessment grid in the room at hourly intervals over a typical year. The DSO carried out two assessments with targets 150 lux and 200 lux which are usually placed for living rooms and kitchens and higher than the target for a bedroom in a traditional dwelling of 100 lux. These targets are median illuminances and should be exceeded over at least 50% of the assessment points in the room for at least half of the daylight hours. *The DSO concluded that 95% of the rooms would achieve 200 lux or more to at least 50% of the room's area, with just five rooms falling below where the room-lit percentage ranging between 38% and 49%. AY advised that the lower rooms would still achieve very good adherence.*
- 10.38 AY agreed with the DSO on justification of the results. The DSO cited that daylight levels below the recommended targets occurred at rooms with deeper plans with combined kitchen and living rooms where typically the kitchen would sit towards the end of the room; or rooms set beneath balconies or adjacent to façade projecting fins.
- 10.39 The DSO carried out a sunlight assessment under the BRE, which recommends that a space should receive a minimum of 1.5 hours on the 21 of March with cloudless conditions (among other dates). The DSO concluded that 94% of the units would have at least one habitable room meeting or exceeding the BRE target levels and explained that the lower sunlight levels were generally marginal transgressions, and some were affected by balconies.

- 10.40 Overall, it is considered that the level of conformity with the BRE guidance for the proposed development is good. Officers understand that a balance between providing amenity spaces, privacy and a suitable climate would improve the overall quality of accommodation to the degree that would allow for transgressions on guiding BRE targets.
- 10.41 In summary, officers consider that the proposed homes would provide an acceptable level of internal amenity for future residents. The proposed development would meet the objectives of all relevant policies through the provision of generally high-quality internal environments. The proposed development would, therefore, accord with Policies CS2, DM7, and DM32 and London Plan Policy D6.

COMMUNAL FACILITIES

- 10.42 London Plan Policy H16 states that LSPBSL communal facilities and services are provided that are sufficient to meet the requirements of the intended number of residents and offer at least:
- a) convenient access to a communal kitchen
 - b) outside communal amenity space (roof terrace and/or garden)
 - c) internal communal amenity space (dining rooms, lounges)
 - d) laundry and drying facilities
 - e) a concierge
 - f) bedding and linen changing and/or room cleaning services.
- 10.43 The LPG sets out detailed standards for communal spaces and private rooms to ensure the development provides well-designed and sufficient communal facilities for residents and visitors. As stated before, this guidance is not yet adopted and is in draft form and will be a yardstick to ensure the proposal's quality in line with Policy H16 requirements. The LPG paragraph 4.2.1 states that communal facilities should enable all residents to cook, prepare and eat meals; relax and socialise; work from home and do laundry, convenient toilet facilities should also be provided for use alongside other communal facilities for guests. Paragraph 4.3.1 states that the design and location of communal kitchen facilities will depend on floorplate size, the number of storeys within the building, and the number of residents. In general, communal kitchens should be on every floor. However, in some cases, layout constraints, such as small floorplates, may deem it appropriate to provide kitchens on alternate floors or another alternative arrangement.
- 10.44 The LPG requires at least 5 sqm per resident of essential internal communal facilities such as kitchens, dining spaces, living rooms, lounges and workspaces. It also requires laundry rooms, and personal storage, which would be additional to the former 5 sqm per resident. The LPG requires 1 sqm per resident for external communal space, with a minimum area of 40 sqm for each of these external spaces.
- 10.45 The proposed development would have 440sqm on the ground floor as internal communal areas comprising workstations, multiple seating areas of different sizes and furniture arrangements, a gym, a tv lounge, two separate kitchens and two separate

dining areas. The proposal would also have a communal kitchen/dining on the third floor with an area of 45sqm. The total of 485sqm for internal communal areas would allow for approximately 5.4sqm per resident in line with the LPG.

- 10.46 The proposal would have four different external communal areas; the ground floor would have two separate spaces with a total of 107sqm, one roof terrace on the third floor with an area of 43sqm and one roof terrace on the fourth floor with an area of 49sqm. These would amount to 199sqm of external communal amenity areas allowing for approximately 2.2 sqm per resident. Noting that, these areas are the actual usable space, not counting the buffer from the edges of the building for the upper floor terraces. Accordingly, the proposal would exceed the LPG requirement of 1 sqm per resident.
- 10.47 Officers note lack of a kitchen facility on every floor. However, the size of the floorplate and the overall number of rooms per floor would allow the proposal to have an alternate floor kitchen arrangement. The kitchens are on ground and third floors; accordingly, residents would always travel a maximum of one floor to reach the closest kitchen using the centrally located lifts.
- 10.48 Further to the above, the proposal would have a dedicated concierge area at the entrance of the building, it would have a laundry room on the ground floor and cleaning services of the communal areas on fortnightly week basis. As such, the proposal would achieve high-quality standard of accommodation; in accordance with Policies CS2 Emerging LP1 Policy 18 and London Plan Policies D6 and H16.

ACCESSIBILITY & INCLUSIVITY

- 10.49 Policy CS2 states that new homes should be accessible to all members of the community and capable of adaptation as the needs of future residents' change. Policy DM30 requires applying inclusive design principles at the outset of the design process for any new development.
- 10.50 The Emerging LP1 Policy 16 has similar requirements to Policy D7 of the London Plan.
- 10.51 London Plan Policy D5 requires an inclusive design that takes accessibility, diversity, and the need for social interaction into account. It requires inclusive design, including fire evacuation lifts for people requiring level access in all proposed developments with lifts. The LPS paragraph 4.10.5 states that LSPBSL should provide 10 percent of accessible units to meet the requirements of Policy D5 in line with the approach taken for other forms of residential dwellings in the London Plan. The LPG paragraph 4.10.4 states that accessible units are expected to be generally between 28 and 37 sqm to accommodate ease of access of amenities.
- 10.52 The proposal would provide nine rooms that would meet requirement M4(3). These rooms are on floors one, two and three, located in the northeast corner of the building and adjacent to each other. The building would be 100% accessible from the entrance throughout and onto the external communal areas.
- 10.53 The Council assigned a specialist consultant, the Centre for Accessible Environments (CAE), to comment on design of internal room layouts, building entrances, communal and public areas access and design features. Following some clarifications from the applicant, CAE has recommended that a suitably worded condition would ensure that

the proposed homes, including communal entrances and circulation areas, are delivered following the proposed Building Regulation accessibility requirements.

- 10.54 One concern CAE raised was the location of the wheelchair-accessible rooms on floors one and two and the communal kitchens' locations on the ground and third floors. Officers understand the preference to have kitchens on the same floors as the wheelchair-accessible rooms to provide ease of use for future residents; however, this would mean concentrating the rooms on the third floor, and counterarguments could be made as follows:
- i) Concentrating all wheelchair rooms on one floor would not provide inclusivity, contrary to the principles of DM30 and LP Policy D5, as wheelchair users might depend solely on the third-floor kitchen and avoid enjoying the rest of the facilities across the rest of the building. This goes both ways, where residents might avoid the third-floor kitchen to make space for wheelchair residents which would mean less interaction between all building residents.
 - ii) Providing rooms on multiple floors would give wider choice for wheelchair residents in terms of floor preference and location.
 - iii) The building would be 100 percent accessible throughout with two lifts, close to the location of the wheelchair-accessible rooms.
 - iv) Providing all wheelchair-accessible rooms on the third floor could prove challenging and potentially delaying fire evacuation procedures.
- 10.55 Planning obligations would ensure that M4(3) homes would be suitably marketed. The fire statement confirmed that one of the proposed lifts would be an evacuation lift; the decision notice would include a condition to secure such provision.
- 10.56 In light of the above, and subject to the recommended planning obligations and conditions, the proposed development would be acceptable in terms of the accessibility of the residential accommodation. As such, the proposal would be in accordance with Policies CS2 and DM30, Emerging LP1 Policy 16 and London Plan Policies D5 and D7.

E. DESIGN AND TOWNSCAPE

- 10.57 Policy CS15 seeks the highest quality urban design and architecture for new developments to create functional and attractive places which respond positively to local context and character. Policy CS2 states that the Council will seek high-quality design for all housing developments. Policy DM29 provides further detail, including that proposals should provide clear connections with the surrounding area and a coherent layout with active street frontages, have an appropriate approach to massing and make use of visually attractive architecture and high-quality materials.
- 10.58 The Emerging Local Plan 1 Policy 56 states that development proposals should reinforce or enhance local character, taking into account existing patterns of development, townscape, skyline, urban forms, building typologies, architecture, materials, and other features of local and historical significance. It adds that developments should respond appropriately to their context in terms of scale, height and massing.

- 10.59 London Plan Policy D6 sets out a range of considerations for the design of new housing, including the need to respect the surrounding context and create a legible layout, with street-based activity.
- 10.60 The design officer reviewed the submission for design-related matters and agreed with their design approach.

LAYOUT

- 10.61 The LPG paragraph 4.1.1 states that the LSPBSL would positively integrate with the surroundings in accordance with London Plan Policy H16 if: 1) active uses and public amenities designed and located to activate the street and public amenities on the ground floor to front the street or public realm; and 2) avoiding any blank walls, dense vegetative screening or other design elements that visually cut the LSPBSL community off from the local surroundings or vice versa.
- 10.62 The proposal would occupy most of the site; its internal layout would provide welcoming, accessible entrance leading into a series of communal facilities; the design of the façade would allow for wide fenestrations overlooking the main road. Thus, the layout would positively integrate with the surroundings. Additionally, the internal layout of the building would provide a successful and flowing journey for residents and visitors, clearly separating communal and private areas.
- 10.63 As such, subject to planning conditions, the proposed development would be of a high quality in respect of its layout. The development would, therefore, accord with policies CS2, CS15, and DM29 and London Plan Policies D5, D6, D8 and H16.

HEIGHT AND MASSING

- 10.64 Policy CS15 requires that proposals take a sensitive approach towards height and scale.
- 10.65 The proposal would appear as a series of interlocking blocks when viewed from the front on Forest Road, from the rear for the neighbours, from the east side on Hawthorne Road and even from the top (as per Figure 4 below).





Figure 4:
Building
massing as
viewed from
Forest Road
(top right)
and
Hawthorne
Road (top
left) and site
plan to the
right.

- 10.66 The corner element of the proposed building would have a hipped roof, attaching to the bigger massing by a two-storey element. The bigger massing would have a stepping frontage with different materials. This interconnecting-block approach would resemble a row of buildings rather than a single long building. This approach would successfully integrate with the context of Forest Road and appear to take cues from the row opposite, which comprises several buildings with different materials and roof shapes.
- 10.67 The proposal would have a maximum height of five storeys; this height would be acceptable in the context, including the adjacent site under construction across the junction with Hawthorne Road. Additionally, the building would step down and pull away from existing neighbours on Hoe Street and Hawthorne Road, respecting their two and three-storey massing.
- 10.68 On this basis, it is considered that the proposed development would be appropriate in terms of its massing, which would be contextually sensitive but would also seek to help optimise the development of the site for housing, in an appropriate location. It would, therefore, accord with Policies CS2, CS15, and DM29, Emerging LP1 Policy 57 and London Plan Policy D6.

APPEARANCE

- 10.69 The submitted DAS carried out a townscape assessment of the area, which included fenestration, height, materials and building typologies. This assessment influenced the proposed design's fenestration, ratios of floor heights, roof shapes and materials. Officers consider the proposed appearance would successfully integrate the building with its surroundings; the details of the proposed material show quality, and the entrance would be well articulated.
- 10.70 The proposal pallet would include five facade brick types mixed with four tiles and panel details. The articulation would provide texture and richness to the appearance of the building sections, distinguishing them from each other yet within the same language.

The decision notice would have a condition for detailed bay studies to ensure the materials would be high-quality and maintain the design intent throughout the development.

- 10.71 The proposed materials palette would complement traditional materials used in the local area. The materials would include bricks in pale red/pink bricks with white mortar, natural brown bricks, red/brown bricks with dark mortar and London Stock brick. These bricks would be complemented by graphite green colour panel, green glazed tiles, chevron green brick pattern, red soldier coursing and terracotta roof tiles. The decision notice would include a planning condition securing further detail in relation to the proposed materials and their appearance in the final articulation of the buildings.
- 10.72 As such, the proposed development would be acceptable in respect of its appearance, subject to the recommended conditions, in accordance with policies CS2, CS15 and DM29, Emerging LP1 policies 56 and 57 and LP policy D6.

DELIVERY

- 10.73 London Plan Policy D4 requires that measures are put in place to deliver good design, including the use of planning obligations to require the ongoing involvement of the original design team in monitoring the design quality of development through to its completion. The s.106 agreement would include a planning obligation to secure such an outcome. It is, therefore, considered that the design of the proposed development could be successfully delivered, per London Plan Policy D4, subject to the recommended planning obligation.

F. IMPACT ON HERITAGE ASSETS

- 10.74 Paragraph 192 of the NPPF states that Local planning authorities should maintain or have access to historic environment records which contain up-to-date evidence about the historic environment in their areas. These records be used to assess the significance of heritage assets and their contribution to their environment and predict the likelihood that currently unidentified heritage assets will be discovered in the future.
- 10.75 Paragraph 194 of the NPPF states that applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest.
- 10.76 Paragraph 197 of the NPPF states that in determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- 10.77 Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be, irrespective of the level of harm to the asset significance. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset from its alteration or destruction, or from development within its setting should require clear and convincing justification.

- 10.78 Paragraph 201 states that substantial harm to the significance of a designated heritage asset should lead to a refused consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 202 states that less than substantial to the significance of a designated heritage asset should be weighed against the public benefits of the proposal including securing its optimum viable use.
- 10.79 Paragraph 203 of the NPPF states that the effect on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement required to have regard to the scale of any harm or loss and the significance of the heritage asset. Paragraph 205 states that Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.
- 10.80 Policies CS12 and DM28 generally seek to ensure that development proposals have an acceptable impact on the significance of heritage assets, including their settings. Whilst it is encouraged that archaeological heritage assets are preserved in situ, Policy DM28 accepts that loss may be justified, provided that appropriate mitigation is put in place. London Plan Policy HC1 has similar objectives in relation to heritage assets and makes clear that the cumulative impacts of development should be considered.
- 10.81 London Plan Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, and that the cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 10.82 The Council has a statutory duty to have special regard to the desirability of preserving listed buildings or their settings and to preserving or enhancing conservation areas when determining planning applications.
- 10.83 English Heritage reviewed the submitted Archaeological Assessment, and that the application would have an impact on archaeological assets.
- 10.84 The site comprises a large building of no noted architectural quality. It is not in a conservation area; however, it sits in proximity to the following heritage assets:
- Lloyd Park conservation area
 - William Morris Gallery – Grade II listed building
 - K6 Telephone Kiosk – Grade II listed building
 - Salvation Army Building – Locally listed building
 - The Bell Public house – Locally listed building.
- 10.85 The Conservation Officer (CO) commented that while the proposal would include a modest increase in height over the existing building on site, it is not considered to have any impact on the significance or setting of the William Morris Gallery nor the Lloyd

Park Conservation Area. The proposal would read as part of the existing character of Forest Road, which includes building of up to five storeys, including the adjacent site under construction and closer to these heritage assets. As such, the CO had no comments to make. The CO also did not raise comments on any impact onto the Salvation Army building or The Bell Public House.

- 10.86 Considering all the above, the potential harm to archaeology would be mitigated by further evaluation. The proposal would have less than substantial harm to adjacent heritage assets from certain secondary views. However, officers consider that the benefits of the scheme would outweigh the anticipated harm particularly as it would not affect key or landmark views for these listed buildings. Additionally, the proposal would not be considered to harm the setting of heritage assets in the wider settings including Grade II listed assets. Accordingly, the proposed development would be acceptable in respect of its impacts on heritage assets, per Policies CS12 and DM28, and London Plan Policy HC1 and the NPPF.

G. IMPACT ON NEIGHBOURING AMENITY

- 10.87 Policy DM32 seeks to ensure that the impact of new development on neighbouring amenity would be acceptable in terms of outlook and privacy, as well as in relation to daylight, sunlight, and overshadowing.
- 10.88 Emerging Local Plan LP1 Policy 59 states that new development should respect the amenity of existing and future occupiers, neighbours and the surrounding area by avoiding harmful impacts from overlooking, enclosure and/or the loss of privacy, outlook and daylight/sunlight to adjacent residential properties.
- 10.89 The London Plan 2021 Policy D6 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context.

- 10.90 The proposal would sit at the bottom of a triangle, bordering a row of dwellinghouses along Hawthorne Road and a row of ground floor shops and first-floor flats along Hoe Street. The nearest neighbours are on Figure 5 opposite:

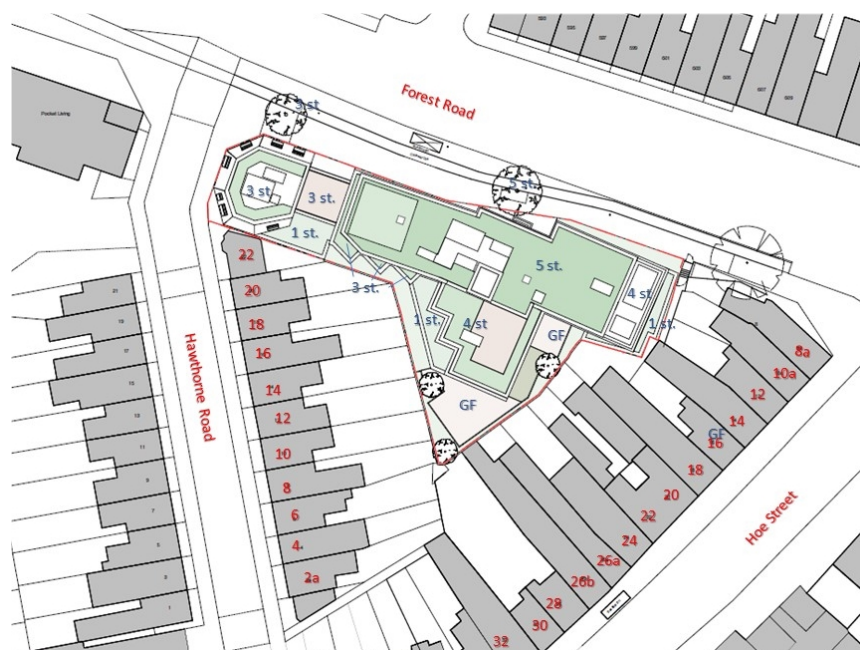


Figure 5: Site plan showing adjacent neighbouring properties.

OUTLOOK

- 10.91 Officers are satisfied that the designs would generally protect the neighbouring outlook and privacy. The position of the building and the positioning of the proposed windows in relation to the row of flats along Hoe Street would not allow for direct impact on the privacy of these flats. Additionally, the proposed building would sit in a similar location to the existing building; accordingly, outlook impact, considering the difference between existing and proposed, would not raise a concern in relation to these flats.
- 10.92 The proposed building would sit on the existing car park, thus coming closer to the neighbouring properties along Hawthorne Road. The instances where there are pinch points between the proposal and neighbouring properties are set out below:

22 Hawthorne Road



This two-storey dwellinghouse at the north end of the terrace has a small back garden and sits on an angle to the south edge of the site. The overall width of the property is approximately 5 metres; accordingly, officers assume that the internal floorplan runs front to back, particularly as the rear elevation does not show main windows of unobscured nature and the long windows design would be more akin to a staircase rather than main habitable rooms.

Considering this, this neighbouring property has its main outlook facing Hawthorne Road and the impact on the outlook to the rear windows would not raise a concern of sufficient weight against the proposal.

20 Hawthorne Road

This property is a two-storey dwellinghouse with a two-storey rear outrigger. The submitted daylight sunlight assessment showed the layout of this property as below:



The ground-floor dining room falls between the property's outrigger and the boundary fence, and its outlook is compromised. The ground-floor north-facing window/door is facing onto the boundary fence and has a compromised outlook. The first-floor bedroom sits 12 metres from the existing building; this distance would decrease to approximately 10 metres from the proposed wall at a similar height to that existing. While the difference between existing and proposed separation distances is 2 metres, the same window would have additional sense of enclosure due to the extension of the building west on top of the car park land. This would be considered an impact on outlook that would warrant a balanced assessment against the merits of the proposal.

18-14 Hawthorne Road

These buildings sit almost parallel to the west arm of the site and would face the proposed building. These buildings are all two-storey dwellinghouses with two-storey rear outriggers. The main rear would sit at 20-22 metres from the proposal; outrigger windows would sit at 16-18 metres from the proposal.

These distances would be considered sufficient to overcome concerns with outlook. Additionally, the proposed building would occupy a similar footprint at the rear to that existing, and the fourth floor would step back towards the north.

10.93 In conclusion, the proposed development would have an acceptable impact on the outlook and privacy of neighbouring properties. The decision notice would include a planning condition to ensure obscure measures to windows that would otherwise cause harm to neighbours. The proposals would, therefore, accord with Policy DM32.

PRIVACY

10.94 As explained above, the proposed buildings siting and position would not be significantly different for the properties along Hoe Street. The rear facing windows would also have similar orientation to those existing; accordingly, the proposal would not result in loss of privacy to these properties on its own merit.

10.95 The proposal would have chamfered walls for the rooms closest to properties along Hawthorne Road on floors one to three. These chamfered walls would create a main window for the rooms looking away from these properties.

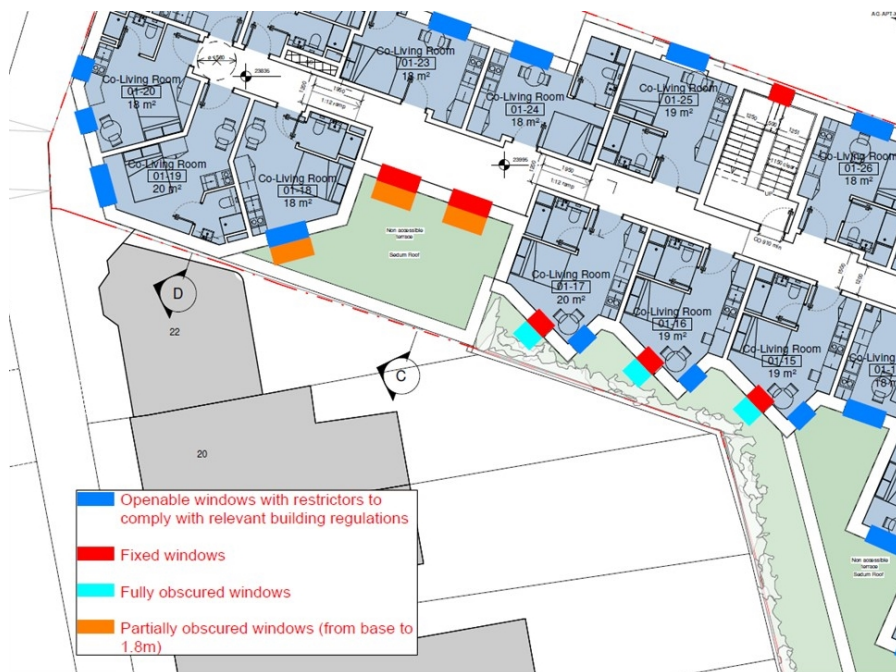


Figure 6: Image showing proposed windows closest to Hawthorne Road properties.

Officers note that the plans show second windows facing Hawthorne Road as well. However, the decision notice would ensure these windows obscured. For clarification, Figure 6 shows the proposed obscure windows, noting that the window closest to No.22 Hawthorne Rd, marked in blue and orange would be restricted opening and

obscure for 1.7 metres from floor level; the red show full obscured windows, and the blue marked windows would be fully openable and clear.

- 10.96 Officers note that overlooking to the garden areas would constitute a normal urban relationship between neighbouring properties. Particularly, the existing building has a similar number of windows overlooking the neighbouring garden areas.
- 10.97 In conclusion, the proposed development would have an acceptable impact on the privacy of neighbouring properties. The decision notice would include a planning condition to ensure obscure measures to windows that would otherwise cause harm to neighbours. The proposals would, therefore, accord with Policy DM32.

DAYLIGHT, SUNLIGHT

- 10.98 Policy DM32 and London Plan Policy D6 state that new development should be designed to allow sufficient daylight and sunlight to neighbouring housing.
- 10.99 The submitted Daylight/Sunlight Report-Neighbouring Properties (DSR-NP) assessed the impact of the development on neighbouring properties. The DSR-NP was reviewed by the Council's specialist consultants, Avison Young (AY).
- 10.100 Officers note that the BRE is intended to be used flexibly and should not be applied as a strict set of rules to which new development must adhere. The NPPF states that local planning authorities should take a flexible approach in applying policies and guidance relating to daylight and sunlight for new homes, ensuring that providing acceptable living standards is appropriately balanced against the need to make efficient use of a site.
- 10.101 The Major of London's Housing SPG, which provides guidance in relation to policies from the previous version of the London Plan but is still relevant in relation to its comments on the BRE guidance, also states that: *"An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time. The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced, but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm."*
- 10.102 In accordance with the BRE, the DRR-NP employed the Vertical Sky Component (VSC) and the No-Skyline (NSL) to measure daylight and Annual Probable Sunlight Hours (APSH), only minded to windows orientated 90 degrees south overlooking the development, to measure sunlight. The BRE suggests that noticeable loss would be less than 0.8 times the former value (results as existing) of any of these factors, and measurements only apply to habitable rooms. The submitted assessment looked at neighbouring properties on Hawthorne Road, Hoe Street and Forest Road.

- 10.103 The DSR-NP results generally show that a large portion of neighbouring properties either meet or exceed the 0.8 thresholds of the BRE guidance. The table below discusses the instances where results would fall below BRE. Officers note that the VSC and NSL both provide assessment for daylight; accordingly, their combined results would be an overall image of the impact on a room or a window.

591-599 Forest Road

These buildings sit to north of the site and contain residential accommodation on the ground and first floor levels.

VSC: All windows would meet the BRE criteria except for four windows; these windows would have reductions between 0.77 and 0.79, which would be considered minor infraction. Additionally, these four windows are single windowpanes of bay windows, where the rest of the windows of the bay would pass the BRE criteria.

NSL: All rooms would meet the BRE criteria except for four rooms, where the reductions would range between 0.7 and 0.75, which would be considered minor infractions.

ASPH: All main living spaces would retain good ASPH levels, in excess of the BRE 25% target for total annual levels and 5% for winter.

12-14 Hoe Street

These properties are located to the east of the development site and contain residential accommodation on the first-floor level.

VSC: All windows would meet the BRE criteria.

NSL: All rooms would meet BRE criteria expect for two rooms with reductions between 0.66 and 0.71 which are both considered minor infractions; additionally, these rooms serve small kitchens, which will be less of a consideration.

ASPH: The location of these properties did not warrant an assessment to the ASPH.

16-26 Hoe Street

These properties are located to the southeast of the development site and contain residential accommodation on the first-floor level.

VSC: All windows would meet the BRE criteria.

NSL: All rooms would meet BRE criteria expect for two rooms with reductions between 0.77 and 0.79 which are both considered minor infractions; additionally, these rooms serve small kitchens, which will be less of a consideration.

ASPH: The location of these properties did not warrant an assessment to the ASPH.

16-20 Hawthorne Road

These properties are located to the south/south-west of the development site and contain residential accommodation to all floor levels. Layout information for 2, 10 and 22 Hawthorne Road was obtained and used as a base for these properties, as

the windows/rooms appear similar. Access to some of the properties was also obtained, so that the layouts could be verified.

VSL: The assessment tested 18 windows (to the rear), seven of which passed the BRE criteria. The 11 remaining windows showed reductions range between 0.32 and 0.79. AY noted that three of these windows would retain VSC more than 20%, which they consider acceptable. AY also advised that the rest of the windows have existing low levels of VSC below the recommended target values due to outrigger extensions which should be taken in consideration.

NSL: The assessment tested ten rooms, five of which would pass the BRE criteria, and the five remaining rooms would have reductions ranging between 0.2 and 0.66. No.16 & 18 have one ground-floor dining room affected (0.62 and 0.66 respectively), and No. 20 would have the ground-floor kitchen and dining rooms, and first-floor bedroom affected (0.45, 0.2, 0.52 respectively).

The DSR-NP explained that there are more material effects to these properties due to the proximity to the development site, the blinkering effects from the outrigger extensions, as well as the development site now re-instating the massing on Forest Road by building on the car park area. The results of these properties show the dining room on the ground floor having a greater reduction in daylight. This is partly due to the windows to the dining rooms having restricted light because of their return outrigger extensions. This blinkering effect makes the light penetration into the dining rooms wholly focussed on the massing directly in front, such that it is inevitable that any massing above the existing building will reduce the light into the rooms. The report also added that the dining room assessments did not include the light from the front of the building; despite that, layouts and site inspections have shown that many properties knocked the dividing wall down so that the living/dining area is dual aspect. Assessment to living/dining rooms would show much better results if it included windows to the front and rear of the properties. Due to the size of the bay windows and the southern orientation of front-facing windows, which allows better sunlight penetration into the room.

ASPH: Windows were either passing BRE criteria or not required.

- 10.104 Considering all the above, the proposal would not result in significant reductions to levels of daylight and sunlight to majority of the neighbouring properties to a degree that would amount to reasons for refusal. The most contentious reductions would occur at No.16-20 Hawthorne Road. While Officers accept the explanation provided regarding existing light obstruction and relying on divided floor layouts. This matter would need to be reviewed on the balance of justifications for each of the assumed shortfalls, as per the table above, and their weight against the overall benefits of the development.

OVERSHADOWING

- 10.105 The DSO assessed the scheme's potential effect on overshadowing on relevant gardens and amenity spaces; it used the two-hour sun-on-ground/sunlight amenity assessment for at least 50% of each space on 21 March. It considered the amenity areas and open spaces for 16-22 Hawthorne Road, and they all passed the BRE

criteria. Accordingly, the proposal would not have a significant adverse overshadowing to neighbouring properties.

458 Forest Road – Pocket Living Development

- 10.106 This site is on the other corner of Hawthorne Road/Forest Road and is currently under construction. The DSR_NP carried out an assessment to these homes based on the Council's planning data base and concluded that the building would retain high levels of daylight for the future occupants, with light penetration of 75-99% of the rooms, and all rooms tested greatly exceeded the sunlight tests. As the first-floor level showed full adherence to the BRE guidelines, there was no need to assess any of the upper-level rooms/windows, as they would obtain even higher levels of daylight and sunlight. AY agreed to this methodology and conclusion.

ANTI-SOCIAL BEHAVIOUR

- 10.107 The objection letters raised concerns in relation to anti-social behaviour from the development onto neighbouring properties, particularly from their loitering and the adjacency of the roof terraces.
- 10.108 The development market is for young professionals and the building would have 24hrs onsite management who would deal with any reported issues with anti-social behaviour
- 10.109 The development would not have accessible communal areas adjacent to the neighbouring properties. The linear garden to the south of the building would not be accessible and is a green backdrop to the internal communal areas. The ground-floor gardens would be similar to the existing building. The roof terraces would step away from the boundaries; the third-floor terrace would sit 5.30 metres from the neighbouring boundary; its altitude and location facing Forest Road would be sufficient to reduce noise concerns. The fourth-floor terrace would sit 5.5 to 18 metres from neighbouring properties. Both terraces show a hedge lining their usable spaces. The decision notice would include a condition for soft landscaping, which would ensure that these hedges would be of sufficient height and thickness to absorb noise and stop overlooking.
- 10.110 In summary, it is considered that the proposal would have some adverse impact on No.16-20 Hawthorne Road in terms of daylight levels and No.20 in terms of outlook. These transgressions and their justification would be weighed against overall benefits of the scheme. Nonetheless, the proposed layout and massing took appropriate consideration to neighbouring amenities in line with DM32, Emerging Policy 59 and policy D6 of the LP and the proposal would be acceptable in this regard.

H. TRANSPORT, HIGHWAYS AND SERVICING

- 10.111 Policy CS7 sets out that the Council will require developments to incorporate sustainable transport measures, including encouragement and facilitation of walking, cycling, and public transport use, and the appropriate management of private motorised transport. It states that transport assessments and travel plans will be required to help assess development proposals and provide mitigation where relevant. Policies DM13 and DM14 provide further detailed requirements, such as developments should be permeable, with links to the existing surrounding street network; create an attractive on-site environment for walking and cycling; and provide off-site contributions

- to sustainable transport enhancements, where appropriate. Policy DM15 states that the Council will seek to ensure that streets successfully manage competing activities, including traffic and other urban activities, and that the public highway network is safe.
- 10.112 The Emerging Local Plan LP1 Policy 63 states that all new development will be expected to support a shift to active transport modes and encourage an increase in walking and cycling. Proposals should improve pedestrian environment and contribute and support the delivery of high quality and safe strategic or local cycle networks.
- 10.113 The London Plan is in general alignment with the Council policies. Policy T2 seeks the 'Healthy Streets' approach, and Policy T4 requires the submission of transport assessments for relevant proposals and appropriate mitigation to address any impacts. The application included said documents which were reviewed by the Council's highways and transport policy officers.
- 10.114 The site has a PTAL score of 4, reflecting a 'good' level of public transport accessibility. The site is close to local bus stops and within circa 11 minutes walking distance to Walthamstow Central station and seven minutes bus ride from Blackhorse station. It also falls within walking distance of local services, shops and the High Street market.
- 10.115 The developer carried out significant liaison with the Council's Waste, Transport and Highways teams throughout the pre-application consultation and agreed on the strategy for servicing and loading. The proposal would have kerb side drop-off for residents, visitors and servicing. It would be car-free and supported by a travel plan and good sustainable transport options in the area, which would be acceptable. Ensuring additional spaces for adaptable bikes would balance the lack of disabled parking bays.

HIGHWAY DESIGN

- 10.116 The Council's Highways Engineers confirmed that the kerbside, on-street loading proposals would be satisfactory; they acknowledged that the co-living model would result in residents having a very little move-in and decant needs due to lack of furniture or large items loadings, therefore fewer vehicle trips generation. The submitted servicing and delivery plan and transport assessment suggest that vehicles would load close to the entrance and concierge, affording overlooking and supervision of the concierge staff. Highways would see this as an opportunity to reduce the length of the existing single yellow line (SYL) and extend the existing CPZ parking bays.
- 10.117 The submitted Trip generation data and the existing waiting and loading restrictions along Hawthorne Road would ensure Forest Road would be clear of obstructions as a priority. The SYL restriction adjacent to the site permits parking outside of the CPZ hours; accordingly, the required mitigation would increase the loading restrictions along Forest Road; and convert the reduced SYL on Hawthorne Road to a double yellow line. Converting the SYL to a double yellow line would ensure the space would be free of parked vehicles while permitting loading up to 40 minutes on Hawthorne Road. It would also reduce the length of the lines to enable installation of an additional CPZ parking bay.
- 10.118 The combined factors of car-free development, where future residents would not have access to CPZ permits; kerbside loading on existing unparking spaces and potential for extending existing CPZ parking bays would benefit the existing residents on

Hawthorne Road and positively impact parking in the area; contrary to the perception of raised objection points.

- 10.119 The application included a Travel Plan. The s.106 agreement would have an obligation to secure monitoring of this travel plan which would provide a long-term management strategy for implementing the proposed development's sustainable transport objectives in line with policies.
- 10.120 The Council's Highways agreed financial obligations with the applicant towards:
- Residential roads immediately to the west of Hoe Street provide a local connection between Forest Road, the site and Hoe Street; they would be used by residents and visitors of the development when making journeys to the Town Centre and further public transport nodes. Funding would improve pedestrian and cycle accessibility and permeability and mitigate the impact of motorised traffic in these roads and would be for walking, cycling, and road danger reduction interventions on streets between the site and Hoe Street.
 - The Council's Forest Road Corridor improvement scheme: it covers approximately 2.5km from the Bell Junction to Woodford New Road. This scheme aims to improve accessibility, connectivity, and safety for active and sustainable transport modes, supporting and connecting key developments, such as Aston Grange, to local and strategic destinations, attractions, employment and amenities.
- 10.121 Other obligations would include highway works renewal of footways, cycle tracks and carriageways along the frontages of Forest Road and Hawthorne Road. The legal agreement would ensure a car-free development and car club contribution. While there is no space for a Car-Club parking bay on site, memberships should cover all new residents to a nearby Car Club; these memberships would be to new residents who move in over the first three years, with one year's free membership to allow for the potential high turnover of tenants.
- 10.122 As such, subject to the recommended planning obligations, officers consider that the proposed development would have an acceptable overall transport impact and would incorporate an appropriate range of sustainable transport measures, in accordance with Policies CS7, DM13, DM14, and DM15, the Emerging LP1 policy 63 and London Plan Policies T2 and T4.

VEHICLE PARKING

- 10.123 Policy DM16 sets out the Council's requirements for car parking, including: car-free development in accessible locations and electric vehicle charging. Officers note emerging LP1 Policy 68, based on the most up-to-date evidence available, includes a stronger requirement for all new residential development in the Borough to be car-free. It sets out that disabled persons' car parking spaces (blue-badge parking) should be provided for 5% of new homes from the outset, with passive provision made for a further 2% of new homes. For example, through areas of landscaping that would be ready for conversion to additional disabled persons car parking spaces should future demand arise.
- 10.124 London Plan Policy T6 requires that, as a starting point, development in accessible locations should be expected to be car-free but also supports the more restrictive approach set out in emerging LP1 Policy 68. London Plan Policy T6.1 requires that

disabled persons car parking spaces are provided for 3% of new homes from the outset, with passive provision made for a further 7% of new homes and includes further design and management requirements for such spaces.

- 10.125 Policy T6.1 of the London Plan 2021 notes that residential car parking should be restricted with the maximum car parking standards set out in Table 10.3 and that new residential developments should provide disabled person parking.
- 10.126 The proposal would not include any parking provision. Officers note that this would not fully adhere to policies; however, the nature of the development as a non-long-term accommodation could justify lack of blue badge parking onsite. Additionally, pre-application discussion reviewed potential solutions for onsite parking which proved unsuccessful, contrived, adversely impacting the potential of the site to provide high-quality internal accommodation and was not successful in highway design terms. Transport Policy and Highways officers supported the no blue badge parking approach. TFL response noted the lack of blue-badge parking and requested that the applicant makes provision of such parking possible in the future if the need arise. The applicant explained that this would not be possible onsite due to the building's footprint. Nonetheless, officers note that the proposed s.278 works would result in an extra on street parking space; accordingly, a blue badge bay, if needed, could be allowed on street without adversely impacting parking in the area.
- 10.127 Objection letters raised concerns with the impact of the proposal on the highway and parking in the area, assuming lack of parking spaces onsite would result in future residents using on-street parking spaces. The application would include a legal head of term within the s.106 agreement to ensure the future occupiers would not have the right to park on the street within the existing controlled parking zone, thus mitigating any pressure on nearby on-street parking spaces. Additionally, the s.106 agreement would include a provision for car club memberships to discourage dependence on private vehicles.
- 10.128 On this basis, subject to the recommended planning obligations and conditions, officers are supportive of the car-free nature of the proposed development, and the proposed approach to providing disabled persons car parking, which would be in general accordance with Policies DM16, the Emerging LP1 Policy 68, and London Plan Policies T6 and T6.1.

CYCLE PARKING

- 10.129 Policy DM14 requires facilities for cycling, such as the adequate provision of cycle parking. Policy DM16 provides further detail concerning the Council's cycle parking standards. Emerging LP1 Policy 63 sets out more ambitious cycle parking standards based on up-to-date evidence. London Plan Policy T5 sets out cycle parking standards but also supports the Council's more ambitious approach in emerging LP1 Policy 63 which specifies one space per habitable room and one short stay space per 20 rooms.
- 10.130 The proposal would have one cycle store, with direct access from Forest Road. This store would have a total capacity of 90 bikes comprising five adaptable spaces, 60 spaces across 30 double racks, and 25 spaces across 13 Sheffield stands. The Council's Transport Planner agreed with the variety of proposed stands and the location and design of the store. The proposed mix for the cycle parking would follow

the Emerging LP1 requirements and provide a minimum of 5% for cargo bikes, a minimum of 30% and a maximum of 65% of the total spaces for Sheffield stands and two-tiered stands, respectively. Adopting the Emerging LP1 requirements, which places higher standards for adaptive bikes, would balance lack of dedicated blue badge car parking space.

- 10.131 The proposal would also include a space for short-stay cycle parking; within one of the step-backs of the building along Forest Road close to the main entrance. It would comprise four Sheffield stands accommodating eight bikes for residential and commercial visitors. This would exceed policy requirements; in an accessible and visible location that would avoid any hindrance to pedestrian and vehicular traffic and would be acceptable.
- 10.132 The decision notice would include a planning condition to secure parking design and management plan (PDMP), including details of cycle parking. Therefore, the proposed development would be suitable in respect of cycle parking, subject to the recommended condition, per Policies CS7, DM13, DM14, and DM16, Emerging LP1 policy 63 and London Plan Policies T2, T4, and T5.

DELIVERIES AND SERVICING

- 10.133 Policy DM16 requires that development makes provision for deliveries and servicing. London Plan Policies T6 and T7 have the same requirements, with the later specifying that a delivery and servicing plan (DSP) should be required for relevant proposals.
- 10.134 Policy CS6 requires that new development provides adequately sized, accessible, and generally well-designed provision for the storage and collection of waste and recycling arising from its operation. Policy DM32 sets out further detailed requirements. London Plan Policies D6 and SI 7 have similar requirements. The Council's Waste & Recycling Guidance for Developers provides further guidance on detailed matters.
- 10.135 The proposal would include a single room for a waste and recycling store; this room would be accessible from the main building for residents and management with an external door for collection. The collection would occur kerbside within 12 metres of drag distance; the highway works would include a ramp in line with the Council's guidance for ease of collection.
- 10.136 The Highways Development team reviewed the submitted DSP, which included predicted servicing trips and swept paths analysis for service and delivery vehicles and found them acceptable. The Waste and Recycling Waste Contractor Compliance officer did not raise any issues with the proposal. Accordingly, the proposed development would be acceptable in terms of its provisions for deliveries and servicing, as well as in respect of the provisions made for the storage and collection of waste and recycling arising from its operation per policies CS6, CS7, DM13, DM14, DM15, and DM16 and London Plan Policies SI7, T2, T4 and T7.

CONSTRUCTION

- 10.137 Policy DM13 and London Plan Policy T7 require a CLP to support relevant development proposals. The application submission included a CLP, which Highways found acceptable and requested a condition for a final version to be submitted before construction.

- 10.138 Additionally, the highways officer requested a condition survey to cover 30 metres on either side of the frontage along Hawthorne Road and 15 metres on either side of the frontage along Forest Road. This would allow the Council to ensure the applicant would be liable for any damage to the surrounding highway network caused by the construction of the proposed development.
- 10.139 Therefore, subject to the recommended planning conditions and obligation, it is considered that the proposal would be acceptable in respect of transport impacts during the construction phase of development, in accordance with Policies CS7, DM13, and DM15 and London Plan Policies T2, T4 and T7.
- 10.140 Considering all above, subject to suitable planning obligations and conditions, the development would not have an adverse impact on highways and parking during construction or operation of the development, it would provide sufficient and acceptable vehicle and cycle parking for future occupiers as well as sound servicing strategy for the development. The proposal would accord with Policies CS6, CS7, DM13, DM14, DM15, DM16, and DM32, the Emerging LP1 Policies 63 and 65, the London Plan Policies D6, SI 7, T2, T4, T5, T6, T6.1, T7.

I. TREES, LANDSCAPING, AND ECOLOGY

- 10.141 Policy CS5 states that the Council will seek to ensure that development protects and enhances green infrastructure and biodiversity. These would occur through the protection of existing healthy trees; provision of new open spaces and landscaping; protection of Lee Valley, Epping Forest, and other biodiversity sites; and the creation of new habitats. Policy DM12 provides further detailed policy requirements. London Plan Policy G1 similarly requires that development proposals incorporate elements of green infrastructure to deliver multiple benefits.
- 10.142 It should be noted that the submission has been reviewed by the Council's tree preservation and urban greening officers (Tree & UG officer) in respect of trees, landscaping, and ecology. Natural England also reviewed the application in terms of ecology and impact on Epping Forest.

TREES

- 10.143 Policy DM35 requires an arboricultural report where proposals impact existing trees, stating that mitigation and compensation measures would apply if loss of existing trees was unavoidable. The Emerging Local Plan LP1 Policy 82 states that development proposals must retain and protect significant existing trees. London Plan Policy G7 has similar requirements; it also seeks the planting of additional appropriate, high-quality trees.
- 10.144 The submitted Arboricultural Impact Assessment (AIA) categorised the trees on site and confirmed they were five trees, two groups of trees and one hedge, all category C. These trees are small in size and height and sit at the rear of the site and would be removed. The Council's Trees and Urban Greening Officer reviewed the submitted documents and agreed with their findings. The AIA also identified trees on Forest Road, outside the site boundary, and would be protected during the construction phase.

- 10.145 The proposal would include planting 20 standard trees planted in connected tree pits with a minimum soil volume equivalent to at least two-thirds of the projected canopy area of the mature tree. The recommended landscaping planning conditions would secure the planting of appropriate new trees and their ongoing maintenance and management. Therefore, subject to conditions, the proposed development would be acceptable concerning its impact on trees on the street, trees mitigated through new planting, in general accordance with Policies CS5, DM12, and DM35 and London Plan Policies G1 and G7.

LANDSCAPING AND URBAN GREENING

- 10.146 Policy DM12 states that proposals should include long-term management provisions for open spaces and landscaping. Policy DM29 states that, to be well-designed, proposals should include high-quality landscaping. Emerging Local Plan LP1 Policy 79 states that major new developments should provide new high quality and usable open spaces and/or landscape infrastructure on-site.
- 10.147 London Plan Policy G5 sets out that development should adopt a range of measures to contribute towards the greening of London. Requiring a target Urban Greening Factor (UGF) of 0.4 for predominantly residential developments in the absence of an adopted local target.
- 10.148 The proposal would achieve an Urban Greening Factor (UGF) score of 0.42. Urban greening would mainly comprise a wide use of intensive green roofs (25sqm) and extensive green roofs (431sqm), flower-rich perennial planting (131sqm) and climbers rooted in soil (126sqm).
- 10.149 The Trees and UG Officer reviewed the submission. They confirmed that the landscaping concept for the amenity space would be to act as an extension of the internal rooms; its planting functions would be a backdrop to the building. Given the surrounding built form, this space would likely be a shady area, and the illustrated planting palette, which draws upon a woodland floor typology and comprises accent plants and specimen trees acting as focal points, would be a correct approach. The long, narrow strip of planting shown along the western and southwest boundary would be a backdrop for views out of the adjacent living spaces. Given that the primary reason for the greening of the rear garden is a visual backdrop, it is crucial that this is successfully implemented and maintained to avoid an unused and unattractive space that fails to achieve the biophilic aims and objectives.
- 10.150 The building footprint would cover the whole site and result in limited urban greening on the frontage. The proposal would only comprise a planting strip along the northeast corner. The strip would be in the light and rain shade of the adjacent building elevation and adjacent to the public highway and potential footfall. Therefore, the planting selected for this strip should be appropriate, robust, attractive, sustainable, and reliably maintainable. The podium planting in the terraced areas relies on raised planters which would require appropriate planting that provides amenity and biodiversity benefits and should be readily maintainable.
- 10.151 The decision notice would include a condition requesting soft landscaping details, as advised by the Council's Tree Preservation and Urban Greening Officer, this condition would ensure the following:

- Biodiversity Net Gain through the proposal,
- Lack of artificial grass surfaces,
- Involvement of a suitably qualified soft landscape designer for the multi-functional green spaces across the scheme providing benefits in terms of year-round amenity, Climate Change mitigation, SUDs, air quality and biodiversity.
- Incorporating a diverse palette of plants, providing all year-round flowering and interest with a matrix of layers and heights; and selection of suitable tree species, climbing plants, shrubs, herbaceous perennials, and bulbs.
- The positioning of the selected trees and plants should take account of the juxtaposition of built structures and future growth to mitigate any potential conflict.
- The maintenance of the greenspace is crucial to its long-term success and should be effectively planned, budgeted, and managed for the long term.
- The inclusion of habitat provision across the site, included as part of the built fabric and as part of the soft landscaping, is encouraged and should include habitat bricks/boxes for bats, birds, and invertebrates
- In line with the LBWF Biodiversity Action Plan, new boundary fences should be permeable at multiple points for ground-based wildlife where appropriate.

10.152 As such, and subject to suitable condition, the proposed landscaping would be of high quality, with suitable levels of greening, subject to the recommended conditions, per Policies CS5, DM12, and DM29 and London Plan Policies D8, G1, and G5. Moreover, the proposed high-quality landscaping scheme would help to deliver associated aspects of the proposed development, including private, communal, and public external amenity space; play space; an accessible external environment; new tree planting; and Biodiversity Net Gain (BNG).

ECOLOGY AND BIODIVERSITY

- 10.153 Policy DM35 seeks the avoidance of negative impacts on existing biodiversity resources, including protected sites. Generally, existing habitats should be retained on-site, if possible, and new habitats created through landscaping and other measures. The Emerging Local Plan LP1 Policy 81 states that proposals should seek to protect and enhance biodiversity and geodiversity resources in the borough and will ensure that all development should maximise opportunities to create new or make improvements to existing natural environments, nature conservation areas, habitats or biodiversity features and link into the wider green infrastructure network.
- 10.154 London Plan Policy G6 seeks the avoidance of negative impacts on SINCs and generally requires that development proposals manage impacts on biodiversity and aim to deliver BNG.
- 10.155 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the nature and local environment by minimising impacts on and providing net gains for biodiversity.
- 10.156 The application included a Preliminary Ecological Appraisal (PEA) which the Council finds acceptable. The decision notice would have a condition to ensure the recommendations of this assessment would be adhered to. The Trees & UG Officer

advised that the soft landscaping condition should cover Biodiversity Net Gain (BNG) for the development. This is also reinforced through the recommendations of the PEA.

- 10.157 The applicant submitted a Report to inform a Habitat Regulations Assessment (HRA), which provided details of mitigation measures in the form of a contribution towards the Strategic Access Management Measures (SAMM). Community Infrastructure Levy (CIL) would secure financial contributions towards the SANGS, allocated to projects within the relevant catchment area, as identified in the strategy. Natural England (NE) reviewed the HRA and stated that there were no objections to the development, subject to securing the stated mitigations. NE explained that without these mitigations, the proposal would hurt the integrity of the Epping Forest Special Area of Conservation. The s.106 agreement would contain an obligation for SAMM contribution of £627 per additional home / 1.8, whereby 1.8 is the ratio for communal shared living room versus a traditional home.
- 10.158 Considering all points above, the development would represent an improvement to the landscaping of the area, is likely to provide net gains in biodiversity and urban greening, and the proposed mitigation measures on the SAC would be acceptable. The development would be consistent with policies CS5, DM12, DM29 and DM35, policies D8, G1, G5 and G6 of the LP and the NPPF.

J. ENERGY EFFICIENCY AND SUSTAINABLE DESIGN AND CONSTRUCTION

- 10.159 Policy CS1 states that the Council will seek to ensure that development helps to tackle climate change, and Policies CS4, DM10, and DM11 provide further detail on how this should be achieved.
- 10.160 Policy CS4 and London Plan Policy D11 require that the resilience of development proposals is maximised and potential physical risks, including those related to extreme weather such as flooding, draught, and overheating, should be minimised.
- 10.161 Generally, it is noted that the application was assessed by the Council's sustainability and energy officers.

ENERGY EFFICIENCY AND CARBON REDUCTIONS

- 10.162 Policies DM10 require that development should achieve zero carbon targets through combination of on-site and appropriate off-site measures such as carbon fund contribution and CIL.
- 10.163 The London Plan sets out a CO₂ reduction minimum, for regulated emissions only, at 35% and target of 50% against Building Regulations 2021 using SAP10 carbon factors as calculated using the GLA Energy Reporting Tool. It also requires domestic units to achieve 10% and non-domestic developments to achieve 15% of this target through Be Lean measures.
- 10.164 Nonetheless, the Council's Officers confirmed that the development would unlikely be able to achieve the 35% target, which is the case with buildings such as hotels, student accommodation and communal living for which hot water is typically a very significant proportion of the energy use (and thus carbon emissions), as there are limited options for reducing energy consumption for hot water within the approved calculation methodologies. However, officers requested a clear demonstration with a percentage

breakdown of energy consumption by category (including hot water) and how each has been minimised. This would be especially important to demonstrate beyond doubt that the development would maximise savings at every step of the hierarchy, including the Be Lean measures.

- 10.165 The applicant provided the requested evidence during the course of the application, demonstrating that not only hot water demand would be higher than space heating demand but also that demand has been reduced to the point that lighting and axillary power (fans, pumps etc.) would have the biggest energy uses despite their highly efficient standards that follows the national building targets against Part L. Therefore, it has been demonstrated that there is not enough flexibility within the modelling to achieve the usual percentage reduction targets despite best efforts. The decision notice would contain a modified condition with different achievable targets suitable for the development.
- 10.166 The submitted Energy Statement estimated the offset contribution of £34,340 based on an offset rate of £95 per tonne over 30 years. This figure matches the calculations of the Council's Sustainability and Energy Efficiency team and would form part of the heads of terms for the s.106.
- 10.167 Policy DM10 requires non-residential development greater than 100 sqm to achieve BREEAM very good or equivalent standards. The application included a BREEAM pre-assessment targeting a Very Good rating with further potential credits highlighted should some initially targeted credits fall. The decision notice would have a condition to ensure this standard achieved.
- 10.168 London Plan Policy SI 3 sets out requirements for developments in Heat Network Priority Areas to have a communal low-temperature heating system, with the source of heat obtained in line with its heating hierarchy. The Energy report confirms that it is not feasible to connect to an existing District Heating Network (DHN). However, the development would be future proofed for connection to a DHN. The plant rooms being close to the site boundary provide a reasonable assumption that pipework to the boundary would not be problematic. Future proofing would form part of the clauses in the s.106 agreement.
- 10.169 Other related planning obligations are also recommended to secure appropriate measures for post-construction monitoring of the proposed development's performance.
- 10.170 Therefore, subject to planning obligations and conditions, it is considered that the development would be acceptable in respect of energy efficiency and carbon reductions, in accordance with Policies CS1, CS4, DM10, and DM11 and London Plan Policies D11, SI 2, and SI 3.

WATER EFFICIENCY

- 10.171 Policy CS4 states that development should minimise the use of water. Policy DM34 sets out that residential development proposals should implement water efficiency measures to achieve usage of less than or equal to 105 litres per person per day. Water

saving measures and equipment are also generally expected to be incorporated into the design of new development. London Plan Policy SI 5 has similar requirements.

- 10.172 The Council Officers confirmed that the BREEAM assessment would ensure BREEAM very-good water efficiency standards. Therefore, the proposed development would be suitable in terms of water efficiency and comply with Policies CS1, CS4, and DM34 and London Plan Policies D11 and SI 5.

K. FLOOD RISK AND DRAINAGE

- 10.173 The site does not fall within flood risk areas; the submitted Flood Risk Assessment and the Council's Lead Local Flood Authority (LLFA) viewed the submission. The LLFA noted that the proposed drainage strategy would include Blue/Green roofs, permeable paving as well as some soft landscaping incorporated to reduce the discharge rate to 4.5l/s for all storm events up to the 1 in 100-year event. The LLFA advised that this would be acceptable and recommended a condition requiring the submission and approval of a detailed drainage scheme in line with the proposed drainage strategy.
- 10.174 The site does not fall within any flood risk areas, the submitted Flood Risk Assessment and the Council's Lead Local Flood Authority (LLFA) viewed the submission. The LLFA noted that the proposed drainage strategy would include Blue/Green roofs, permeable paving as well as some soft landscaping incorporated to reduce the discharge rate to 4.5l/s for all storm events up to the 1 in 100-year event. The LLFA advised that this would be acceptable and recommended a condition requiring the submission and approval of a detailed drainage scheme in line with the proposed drainage strategy.
- 10.175 The LLFA requested financial contributions towards a future flood mitigation scheme at Winns Avenue/Elphinstone Road.
- 10.176 Thames Water reviewed the application and confirmed that subject to the LLFA approval of the SUDS strategy, capacity in the sewers is available. Thames Water (TW) has confirmed that there is no objection concerning surface water drainage if the developer follows the sequential approach to the disposal of surface water. Adding that the developer would require prior approval from TW Developer Services before discharging to a public sewer.
- 10.177 As such, officers consider that the proposed development would be acceptable in terms of flood risk and drainage, subject to the recommended condition, in compliance with Policies CS1, CS4 and DM34, Emerging LP Policy 93, and London Plan Policies D11, SI 12, and SI 13.

L. ENVIRONMENTAL IMPACT

- 10.178 Policy CS13 seeks to create healthy and sustainable places and communities by ensuring that development conforms to appropriate environmental standards, including contamination, air quality, noise, light, and water quality.

GROUND CONTAMINATION AND WATER QUALITY

- 10.179 Policy DM24 requires that proposals for sites that are potentially contaminated should ensure that development can be safely constructed and used. It also requires that

measures are put in place to overcome any risk posed to water quality by new development.

- 10.180 The Emerging Local Plan LP1 Policy 92 states that the Council will manage contaminated land by: ensuring that site investigation and desk-based research for new developments on contaminated or potentially contaminated land, and agreeing remediation proposals, ensuring new developments would address the impacts of contamination on/off-site during the construction and operation phases, and requiring developments, that has the potential to contaminate land to include mitigation measures to prevent any adverse impacts on people, and the environment, and to monitor any impact where appropriate.
- 10.181 The application submission included a Phase 1 Geo-Environmental Assessment; the Council's Environmental Health – Pollution officer reviewed this document and approved its finding. The officer requested a pre-commencement condition to obtain their agreement to a suitable preliminary risk assessment, ground investigation and a verification report. To ensure risk from land contamination to future users and neighbouring land are minimised, together with any risk to controlled waters, property and ecological systems, and to ensure that the development would be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policies.
- 10.182 The Council's officer requested a condition regarding asbestos or evidence that the building was built post 2000. This condition would include an intrusive pre-demolition and refurbishment asbestos survey following HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers.
- 10.183 Based on the above, and subject to the planning conditions recommended, officers are satisfied that the proposed development would be acceptable in terms of the risks posed by contamination and associated impacts on water quality, as required by Policies CS13 and DM24 and Emerging LP1 Policy 92.

AIR QUALITY

- 10.184 Policy DM24 sets out that new developments should neither suffer from nor contribute to unacceptable levels of air pollution. The Emerging Local Plan LP1 Policy 90 states that new developments should mitigate any adverse air pollution impacts and be supported by Air Quality Assessment (AQA). It should be noted that the site is in the Waltham Forest Air Quality Management Area (AQMA), which covers the entire Borough and is in place due to vehicle emissions. Developments which may have a significant impact on air quality or, in an area where the existing air quality environment is poor or will have a significant impact on the development; will require a contribution towards implementation of the Air Quality Action Plan.
- 10.185 London Plan SI 1 sets out rigorous air quality standards for new development, including that it must be at least air quality neutral. It also puts in place requirements for during the demolition and construction phases of development.
- 10.186 This application submission included an Air Quality Assessment (AQA); the Council's Environmental Health – Air Quality officer reviewed the submitted information, agreed and requested a compliance condition with its proposed mitigation measures. The

officer also requested a condition for a Construction Environmental Management Plan (CEMP).

- 10.187 The Council's officer also commented that the development is likely to cause deterioration in local air quality and is near a location of high relative exposure. Accordingly, an s.106 financial contribution would apply for £5,000.0 towards the Council's air quality action plan.
- 10.188 This contribution would fund implementations of AQAP measures, maintenance of the AQ monitoring network, predictive AQ modelling, education, research, the installation of electric charging points and bike hire schemes or car club feasibility.
- 10.189 Therefore, the development would be acceptable in respect of its impact on air quality and the impact of existing air quality on future residents and other users, per Policies CS13 and DM24, Emerging LP1 Policy 90 and London Plan Policy SI 1.

NOISE

- 10.190 Policy DM24 states that noise sensitive uses such as residential should be situated away from major sources of noise pollution unless it provides suitable mitigation. The Emerging Local Plan LP1 Policy 53 states that developers will be required to demonstrate the impact of their developments on the noise environment and, where appropriate, provide a noise assessment. Adding that the layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing.
- 10.191 London Plan Policy D14 seeks the avoidance of adverse noise impacts through similar measures and highlights that development proposals should reflect the agent of change principle as set out in London Plan Policy D13, given the potential for complaints from new noise sensitive uses about existing noisy uses.
- 10.192 The application submission included a Noise Assessment (NA), which looked at the principal sources of environmental noise and plant noise. The NA undertook an initial assessment of noise for the facades anticipated to be at higher risk of overheating; their modelling indicated that while the affected units would have mechanical ventilation, windows would be openable to provide additional ventilation without adverse impact on the amenity of future occupier.
- 10.193 The Council's Environmental Health- Noise Officer reviewed the NA and agreed with its findings. The decision notice would include a condition to ensure the development would adhere to the listed mitigation measures.
- 10.194 As such, it is concluded that the proposed development would be acceptable in terms of the noise impact onto future residents and neighbouring properties subject to a planning condition. The proposed development would therefore accord with Policies CS13 and DM24, Emerging LP1 Policy 53 and London Plan Policies D13 and D14.

EXTERNAL LIGHTING

- 10.195 Policy DM24 seeks to ensure that external lighting is kept to appropriate levels to avoid light pollution. The Emerging Local Plan LP1 Policy 53 states that light pollution will be minimised by design measures that would ensure external lighting schemes should only illuminate intended areas. London Plan Policy D8 has similar requirements concerning lighting in the public realm.

- 10.196 The application did not provide information on the proposed lighting strategy within the red line boundary. Highways commented that they need the exact lighting specification of the new external lighting and lighting calculations to demonstrate appropriate lighting levels for public areas. The full lighting design would be subject to a pre commencement planning condition. Additionally, the streetlamp column adjacent to the new entrance on the corner of the site (Forest Road / Hawthorne Road) might require relocation; the s.278 Highway Works would include an upgrade to the existing lamp column lantern.
- 10.197 On this basis, subject to a suitable condition, it is considered that the proposed development would be acceptable in terms of light pollution, in accordance with Policies CS13 and DM24, the Emerging LP1 Policy 53 and London Plan Policy D8.

M. SAFETY AND SECURITY

DESIGNING OUT CRIME

- 10.198 Policies CS16 and DM33 aim to improve community safety and cohesion and designing-out crime measures, including the incorporation of Secure by Design (SbD) standards. The Emerging Local Plan LP1 Policy 60 states the council would require all forms of new development to incorporate 'Designing out Crime' and SbD and require all major developments to apply for SbD accreditation. London Plan Policy D11 also requires measures to design out crime.
- 10.199 The nature of the development would require 24hours concierge at reception, and the building would only be accessible to residents or visitors through compartmentation points throughout the building and floors. The design of the reception area and the amenity spaces on the ground floor would allow for natural surveillance. The MPS Designing Out Crime Officer reviewed the application and requested a condition requiring details of measures ongoing review per phase and evidence of achieving the SbD certification.
- 10.200 Therefore, subject to the recommended condition, it is considered that the proposed development would be acceptable in terms of the measures proposed to design out crime, in accordance with Polices CS16 and DM33, Emerging LP1 policy 60 and London Plan Policy D11.

FIRE SAFETY

- 10.201 London Plan Policy D5 sets out the requirement for the inclusion of fire evacuation lifts for people requiring level access in all proposed developments where lifts are to be installed. This additional requirement goes beyond the Building Regulations.
- 10.202 London Plan Policy D11 states that the design of development proposals should ensure resilience and minimise potential physical risks including fire. Policy D12 of the same document requires that all development proposals should achieve the highest standards of fire safety. Planning applications for major development proposals should include a Fire Statement. While fire safety compliance is covered by Part B of the Building Regulations, the policy aims to ensure that fire safety is factored into building design from an early stage.

- 10.203 The application included a Fire Strategy Assessment which covered all the requirements for Policy D12 including evacuation and means of escape for all building users, identifying fire appliances position, minimise fire spread, and materials of constructions.
- 10.204 In light of the above, and provided that the condition is attached to any planning permission, it is considered that the proposed development would overall comply with London Plan Policies D5, D11, and D12 in respect of fire safety, including by providing means of escape for people requiring level access.

N. PLANNING OBLIGATIONS

- 10.205 Policy CS3 requires that new development contributes towards the provision of any necessary infrastructure. DM36 sets out the Council's approach to securing such infrastructure and other relevant mitigation through planning obligations, with further guidance provided in the Planning Obligations SPD.
- 10.206 Policy CS10 states that the Council will seek to maximise employment opportunities for its residents by ensuring provision is made within new developments to recruit and train local residents to service its needs, proportionate to its size. Policy DM21 states that B) Opportunities to secure the training and recruitment of local residents as part of new developments (including in the construction phase), will be assessed and a target of 10-15% of apprenticeships and 30% of jobs resulting from the development will be secured through local labour agreements and jobs brokerage initiatives on major applications; and securing financial contributions towards wider employment and training initiatives on schemes that result in a change of employment floorspace in the borough, in accordance with the Council's Planning Obligations SPD.
- 10.207 Additional policies and guidance specifically relevant to planning obligations related to affordable housing are set out subsection 10D of this report.
- 10.208 The NPPF sets out that a planning obligation should only be used where it is not possible to address unacceptable impacts through a planning condition and it would be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 10.209 Heads of terms for the recommended planning obligations, which would be captured in a S106, are set out in section 1 of this report.
- 10.210 Generally, discussion of and justification for the recommended planning obligations is set out in the relevant subsection in this section. However, it should also be noted that planning obligations are recommended to ensure that the development provides economic benefits in accordance with Policies CS10 and DM21 and London Plan Policy E11, which seek to maximise training, employment, and business opportunities available to local residents. Planning obligations are also recommended in relation to the preparation, completion, implementation, and monitoring of and securing compliance with the S106.

10.211 It is considered that the proposed planning obligations would accord with Policies CS3, CS10, DM21, and DM36 and London Plan Policy E11, as well as policies relevant to affordable housing and other relevant policies, and also conform to the requirements of the NPPF.

11. PLANNING BALANCE AND CONCLUSION

11.1 Officers consider that the proposed development would provide the following significant benefits:

- The delivery of 90 shared living rooms which would contribute to the housing numbers in the borough.
- The scheme would aim to divert some of the demand away from HMO stock within larger existing dwellings, which could otherwise be more suitable for housing families or other residents who seek low-cost accommodation, relieving pressure on the housing market.
- The delivery of high-quality accommodation, meeting the modern standards of design, construction and providing an overall inclusive design.
- The payment of £866,198 offsite affordable housing contribution.
- The proposal includes a contribution towards Adult Social Care Services in Waltham Forest to compensate for the loss of the unused care home on site.
- Redevelopment of a debilitated and unused site which does not serve the townscape or the urban environment on the edge of the Walthamstow Town Centre AAP.
- The introduction of an active frontage along Forest Road and the corner of Hawthorne Road; improving the relationship between the site and the surrounding area and enhancing the pedestrian experience and public realm.
- The design of the proposal completes this section of the Forest Road frontage, mirroring adjoining developments that occupy the entire street frontage.
- Economic benefits in the form of jobs provision during construction and operation of the development.
- The proposal would achieve significant biodiversity net gain associated with proposed landscaping and urban greening.

11.2 Generally, it would be possible to use planning obligations and conditions to mitigate any negative effects that would otherwise be associated with the proposed development. However, it is noted that the development would result in some residual, unmitigated harm, including the following:

- The impact on outlook for the first-floor bedroom windows at No. 20 Hawthorne Road.
- Minor harm to the daylight levels for neighbouring properties and harm to five windows at No.16-20 Hawthorne Road.
- Lack of blue badge parking spaces on site.

- 11.3 On balance, it is considered that the significant benefits of the proposed development would outweigh the amount of residual, unmitigated harm.
- 11.4 As such, officers recommend that planning permission is granted for the proposed development, subject to planning obligations and conditions and informatives, for the following reasons:
- The redevelopment of a brownfield site.
 - It would be acceptable in principle and would deliver new housing product aimed at young professionals in a competitive rent market and contributing to the housing stock in the borough.
 - It would deliver the maximum reasonable amount of offsite affordable housing contribution, which would be used for the development of traditional housing needed in the borough.
 - It would provide an overall high standard of residential accommodation, including internal and external accessible spaces.
 - Its design would be both high-quality and inclusive in relation to its layout, massing, and detailed design matters related to the proposed final appearance of the development.
 - It would have an acceptable impact on heritage assets.
 - It would have an overall acceptable impact on the amenities of neighbouring properties, with any residual, unmitigated harm outweighed by its substantial benefits.
 - It would have an overall acceptable impact in terms of transport-related considerations, would be “car free” for all new residents and potentially create an additional on street parking space for existing CPZ users.
 - It would make acceptable provisions for the storage and collection of waste and recycling arising from the operation of the development.
 - It would provide high-quality landscaping which would deliver urban greening and biodiversity net gain.
 - It would have an acceptable impact on ecology, including the Epping Forest SAC, other biodiversity sites, and on the site.
 - The development would meet expectations in relation to energy efficiency and its approach to sustainable design and construction.
 - It would be designed to be safe in terms of the risks of crime and fire.
 - The recommended use of planning obligations, as well as conditions, would be appropriate.
- 11.5 Overall, and for these reasons, officers consider that the proposed development would be of a high quality and accord with the development plan, and should, therefore, be approved without delay.

12. ADDITIONAL CONSIDERATIONS

PUBLIC SECTOR EQUALITY DUTY

- 12.1 In making its decision the Planning Committee must consider the public sector equality duty (PSED) under S149 of the Equality Act 2010 (as amended). This means that the Council, in the exercise of its functions, must have due regard to the need to:
- eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equality Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 12.2 To advance equality of opportunity there should be due regard to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it, including steps to take account of disabled persons' disabilities; and
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 12.3 There should be due regard to the need to tackle prejudice and promote understanding to foster good relations.
- 12.4 The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 12.5 The Planning Committee must consider the PSED in making its decision. However, the PSED is only one factor and may be balanced against other material considerations as part of the planning process.
- 12.6 It is considered that a decision to grant planning permission, as recommended, would comply with the PSED. Officers have set out the relevant issues throughout this report.
- 12.7 An initial screening exercise of the equality impact of this decision was undertaken and determined there was no on the Council's equality duty. The EQIA is appended to this report.

HUMAN RIGHTS

- 12.8 In making its decision the Planning Committee must also be aware of and consider any implications that may arise relating to the Human Rights Act 1998 (as amended). Under the Human Rights Act, it is unlawful for a public authority, such as the Council, to act in a manner that is incompatible with the European Convention on Human Rights.
- 12.9 The Planning Committee is referred specifically to Article 8 of the Convention Rights and Freedoms (the "right to respect for private and family life") and Article 1 of the First Protocol (the "protection of property"). It is not considered that a decision to grant planning permission, as recommended, would interfere with the right to respect for private and family life, including the home, 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, as would be the case if a decision were made to grant planning permission, as

recommended. Again, this report sets out the relevant issues, including in subsection 10I.

13. RECOMMENDED CONDITIONS AND INFORMATIVES

- 13.1 It is recommended that planning permission be GRANTED subject to conditions and informatives, and completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) (S106).
- 13.2 Recommended S106 heads of terms for planning obligations and most other details relating to this recommendation are set out in section 1 of this report. The recommended conditions and informatives are set out below:

CONDITIONS

1. Time Limit

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Approved Drawings

The development shall be carried out in accordance with the approved drawings listed under document titled: Drawing Register, Project No. 21033, Drawings No. AG-APT-XX-XX-SH-A-PL-000, Revision P01. and Issue Sheet, project title: Avenue Road Estate, Project Code BA9594, prepared by APT, Issue: 21.01.2023.

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

3. Obscure and Non-Openable Windows

Windows shown in green under approved AG-230815-Floor levels markup of window treatment, drawing number: AG-APT-XX-01-DR-A-PL-0101 Rev P01, shall be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. No occupation of the development shall take place until these windows have been installed, and the installed windows shall thereafter be retained and maintained as such for the lifetime of the development.

REASON: To protect the amenities of future and neighbouring residents, in accordance with Policy CS2 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM32 of the Waltham Forest Local Plan Development Management Policies (2013), and Policy D6 of the London Plan (2021).

4. Materials:

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).

5. Boundary Treatment

Prior to the construction of roof slab level, details relating to the siting, design and height and finish of all new walls, gates, fencing, railings, and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out solely in accordance with the approved details, prior to the first occupation of the use hereby approved and thereafter shall be fully retained and maintained accordingly for the lifetime of the development.

REASON: In the interest of general visual amenity, and amenity of neighbouring occupants, in accordance with Policies CS13 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

6. Highway Condition Survey

Prior to the commencement of development on the site, 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).

7. Construction Logistics Plan

Prior to commencement of development hereby approved, a detailed Construction Logistic Plan 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.
- Dust mitigation and suppression measures to control the spread of dust from demolition, disposal, and construction.

- 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).

8. Lighting

Prior to occupation, details of any form of external illumination and / or external lighting 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).

9. Delivery and Servicing Plan

No above ground works shall take place until a Delivery and Servicing Plan (DSP), based on document titled: Aston Grange, 484-512 Forest Road, Walthamstow – Delivery Servicing Plan, reference 2022/68282/DSP0 Rev A, dated 23/01/2023, prepared by RGP been submitted to and approved in writing by the Local Planning Authority. The approved DSP shall be fully implemented, and the implemented measures shall thereafter be retained and maintained as such for the lifetime of the development.

REASON: To encourage sustainable transport and ensure road safety and adequate provisions for the storage and collection of waste and recycling, in accordance with Policies CS6 and CS7 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM14, DM15, DM16, and DM32 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D6, SI 7, T2, T4, T6, and T7 of the London Plan (2021).

10. Air Quality (Air Quality and Dust Management Plan (AQMP))

No demolition or 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 approved document titled: Aston Grange, Air Quality Impact Assessment, dated 11/01/2023, prepared by LP Engineering Consultants, report reference: 101112 Issue 02, 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. The applicant should

follow the guidance on mitigation measures for Medium Risk and include automatic dust monitoring as a minimum.

REASON: Development must not commence before this condition is discharged 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 Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM24 of the Waltham Forest Local Plan Development Management Policies (2013), and Policy SI 1 of the London Plan (2021).

11. Land Contamination

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 that the development can be carried out safely without unacceptable risks to workers, neighbouring residents, and other offsite receptors and risks from land contamination to future users of the site and neighbouring land, together with those to controlled waters, property, and ecological systems, are minimised, in accordance with Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM24 of the Waltham Forest Local Plan Development Management Policies (2013).

12. Construction Environmental Management Plan

No above ground works for the development shall take place until a detailed Construction Environmental Management Plan for Phase 1 have been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the environmental impacts of the development during construction are appropriately mitigated, in accordance with Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM24 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D14 and SI 1 of the London Plan (2021). The objectives and purposes of this condition are such that it is required to be complied with before commencement of development.

13. Asbestos

- A. No development shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:
- Evidence that the existing buildings on site were built post-2000; or
 - An intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers and other users of the development. The scheme must be written by a suitably qualified person and demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed use.
- B. No occupation of the development shall take place until independent verification of the approved mitigation scheme has been submitted to and approved in writing by the Local Planning Authority (where applicable).

REASON: To ensure that the development can be carried out safely without unacceptable risks to workers, neighbours, and other offsite receptors and risks from potential contamination arising in connection with existing buildings to future users of the site and neighbouring land, together with those to controlled waters, property, and ecological systems, are minimised, in accordance with Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012) and Policy DM24 of the Waltham Forest Local Plan Development Management Policies (2013) The objectives and purposes of this condition are such that it is required to be complied with before commencement of development.

14. Air Quality (Emissions from Non-Road Mobile Machinery)

No Non-Road Mobile Machinery (NRMM) shall be used on the site for the development 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 accordance with Policy SI 1 of the London Plan (2021).

15. Water Efficiency

No above ground works until details of measures to reduce water use to meet a target water use of 105 litres or less per person, per day, for Phase 1 buildings, have been submitted to and approved in writing by the Local Planning Authority.

No development shall take place except in accordance with the approved details, which shall be installed prior to the occupation of the development and thereafter be retained and maintained as such for the lifetime of the development.

REASON: To minimise the use of water within the development, in accordance with Policies CS1 and CS4 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM34 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D11 and SI 5 of the London Plan (2021).

16. Carbon Reductions

A report demonstrating how the scheme reduces the carbon dioxide emissions by at least 35% compared to the 2013 Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority prior to:

Prior to the commencement of any part of the development hereby permitted, an Updated Energy Statement (including a summary of the modelling work output i.e. Building Regulation UK Part L (BRUKL) reports for non-residential and, TER/DER worksheets for dwellings) demonstrating how the scheme reduces the carbon dioxide emissions of the development by at least 15% compared to the 2021 Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority.

The Updated Energy Statement shall reference the measures set out in the Energy Statement, document reference: 5346_Aston Grange_Energy Statement_P1, dated 01/02/2023, and shall explain what measures have been implemented in the construction of the development. The approved measures shall be fully implemented in accordance with the approved details prior occupation.

The Updated Energy Statement must include analysis of the potential for Waste Water Heat Recovery and triple glazing and inclusion of these into the design if found to be feasible and to have a significant impact on carbon reduction.

REASON: In the interests of sustainability and energy efficiency, in accordance with Policies CS1 and CS4 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM10 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D11, SI 2 and SI 4 of the London Plan (2021).

17. BREEAM

The development hereby permitted shall be constructed to achieve not less than BREEAM 'Very Good' in accordance with the submitted Energy Statement, document reference: 5346_Aston Grange_Energy Statement_P1, dated 01/02/2023; Or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme). The units shall not be occupied until formal certification has been issued confirming that not less than "Very Good" has been achieved for each, and this certification has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the sustainability and energy efficiency and to provide high quality development in accordance with policy CS4 of the Waltham Forest Local Plan Core Strategy (2012) and policy DM10 of the Waltham Forest Waltham Forest Local Plan – Development Management Policies (2013).

18. BREEAM 2

Within three months of commencement of any part of the development hereby permitted, a Design Stage Certificate(s) showing how the non-residential floor space hereby permitted shall be constructed to achieve not less than BREEAM 'Very Good' (or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme) shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason:

In the interest of sustainability, energy efficiency and to provide a high-quality development in accordance with Policy CS4 of the Waltham Forest Local Plan Core Strategy (2012) Policy DM10 of the Waltham Forest Local Plan Development Management Policies (2013) and Policies SI2 and SI3 of the London Plan (2021)

19. Drainage

No above ground works for the development shall take place until details of a drainage scheme based on the drainage strategy in the document titled: 2732 – Aston Grange 484-512 Forest Road, Flood Risk Assessment & SuDS Strategy Report, revision 01, dated September 2022, prepared by Heyne Tillett Steel, have been submitted to and approved in writing by the Local Planning Authority.

The drainage scheme shall include flow control design, discharge hydrograph, construction details and rainwater harvesting potential. details of its design, implementation, adoption, maintenance, and management.

No development shall take place except in accordance with the approved details, which shall be installed prior to the occupation of the development and thereafter be retained and maintained as such for the lifetime of the development.

REASON: To mitigate the risk of flooding, ensure that the development is adequately drained, and minimise the use of water within the development, in accordance with Policies CS1 and CS4 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM34 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D11, SI 5, SI 12, and SI 13 of the London Plan (2021).

20. Piling Method Statement

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 subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement."

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

21. Ecological Management Plan

No development shall take place except in accordance with the ecological considerations and enhancements section within document titled: Preliminary Ecological Appraisal of Land at Aston Grange, Walthamstow, Greater London, dated November 2022, job number: JBA 22/092, by James Blake Associates.

Reason: In the interest of biodiversity and local amenity, in accordance with NPPF Policy 174, 179 and 180, London Plan (2021) Policy G6, Policy CS5 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policy DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013) and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

22. Soft Landscaping

No above ground works until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of biodiverse roofs and vertical greening on buildings, the greening of boundaries, and level access to buildings, amenity areas, and shall adhere to the following requirements:

- Involvement of a suitably qualified soft landscape designer in the design of the multi-functional green spaces across the scheme providing benefits in terms of year-round amenity, Climate Change mitigation, SUDs, air quality and biodiversity. A diverse palette of plants to provide all year-round flowering and interest with a matrix of layers and heights should be incorporated into the scheme.
- Biodiversity Net Gain through the proposal.
- Lack of artificial grass surfaces.
- Selection of suitable tree species, climbing plants, shrubs, herbaceous perennials, and bulbs. The positioning of the selected trees and plants should take account of the juxtaposition of built structures and of future growth to mitigate any potential conflict arising.
- The maintenance of the greenspace is crucial to its long-term establishment so should be effectively planned, budgeted, and managed for the long term.
- The inclusion of habitat provision across the site, included as part of the built fabric and as part of the soft landscaping, is encouraged and should include habitat bricks/boxes for bats, birds, and invertebrates.
- In line with the LBWF Biodiversity Action Plan, new boundary fences should be permeable at multiple points for ground-based wildlife where appropriate.
- Inclusion of biodiverse green roofs on any flat roofed surface is encouraged to further increase greening.
- Investigation of opportunities to include areas for water retention on green roofs should be explored as an inclusion to help support biodiversity. This would require an appropriate, engineered solution to be considered at the earliest stage of design.

- Investigation of opportunities to include the use of vertical greening across the building elevations should be explored to further increase greening

The approved hard and soft landscaping scheme shall be retained and maintained in accordance with the approved landscape maintenance and management plan for the lifetime of the development.

REASON: To secure the amenities of future residents and other users of the site; accessibility; and suitable landscaping, including urban greening, tree planting, and biodiversity net gain, in accordance with Policies CS2 and CS5 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM7, DM12, DM29, DM30, DM32 and DM35 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies D5, D6, D8, S4, G1, G5, G6, G7, and T6.1 of the London Plan (2021).

23. Boundary Treatments Public Highway

No above ground works until details of the siting and design of bounding treatments along the public highway including specification materiality and both existing and proposed levels of the pavements adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.

No development shall take place except in accordance with the approved details, which shall be installed prior to the occupation of the development and thereafter be retained and maintained as such for the lifetime of the development.

REASON: To secure the amenities of future residents and suitable landscaping, in accordance with Policy CS2 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM7, DM29, and DM32 of the Waltham Forest Local Plan Development Management Policies (2013) and Policies D6 and D8 of the London Plan (2021).

24. Boundary Treatments Roof Terraces

Prior to occupation, details of the boundary treatment of the of the roof terraces including specification, materiality and distance to boundaries have been submitted to and approved in writing by the Local Planning Authority.

The approved details, which shall be installed prior to the occupation of the development and thereafter be retained and maintained as such for the lifetime of the development.

REASON: To secure the amenities of future residents and suitable landscaping, in accordance with Policy CS2 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM7, DM29, and DM32 of the Waltham Forest Local Plan Development Management Policies (2013) and Policies D6 and D8 of the London Plan (2021).

25. Trees

The development shall accord with the submitted documents titled:

- Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), ref 221210, date completed January 2023, prepared by Writtle Forest Consultancy

- Arboricultural Implication Assessment (AIA), ref 2212210, date completed January 2023, date revised May 2023, prepared by Writtle Forest Consultancy
- Tree Survey and Tree Constraints Plan, ref 221210, date completed 22.12.2022, prepared by Writtle Forest Consultancy
- Tree Protection Plan, project ref: 221210, dated 16.01.23, figure number 001 Rev A.
- Tree Constraints Plan, project ref: 221210, dated 22.12.22, figure number 001 Rev A.

No development shall take place except in accordance with the approved Arboricultural Impact Assessment.

REASON: To ensure the protection of trees onsite and on land adjoining the site, in accordance with Policy CS5 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM12 and DM35 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies G1 and G7 of the London Plan (2021). The objectives and purposes of this condition are such that it is required to be complied with before commencement of development.

26. Designing Out Crime

The development hereby approved, shall achieve Secure by Design Certification.

- A. a) Prior to above ground works, details of the 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 Crime Officers. The development shall be carried out in accordance with the agreed details.
- B. b) Prior to the first occupation, each Phase of the development shall achieve a Certificate of Compliance to the relevant Secure by Design Guide(s) submitted to and approved in writing by the Local Planning Authority in conjunction with the Metropolitan Police and thereafter shall be fully retained and maintained as such for the lifetime of the development.

REASON: To ensure that designing out crime measures are incorporated to the development, in accordance with Policy CS16 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM33 of the Waltham Forest Local Plan Development Management Policies (2013), and Policy D11 of the London Plan (2021).

27. Fire Evacuation Lifts

The development shall be carried out in accordance with the submitted 'Fire Strategy Statement, reference number: AFF_20851_01_Aston Grange_FSS_04, dated 10/02/2023, prepared by: Affinity Fire Engineering. The hereby permitted building's construction method shall be implemented with the detailed means of escape for all building users with the specifications given for access for fire service personnel and equipment and installation of fire appliances. The development shall be implemented with the details contained within the hereby approved 'Fire Strategy and Gateway 1 Form' dated July 2022 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).

28. Use Class Restrictions

Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), the development shall be used for the purpose of shared living accommodation (Sui Generis).

Reasons: To protect amenity of adjoining properties and the surrounding area in accordance with Policy CS3 and CS13 of the of the Waltham Forest Local Plan Core Strategy (2012), Policies DM17, DM23 and DM32 of the Waltham Forest Local Plan Development Management Policies (2013).

29. Wheelchair User Units:

At least nine of the shared-living units hereby permitted shall be built in accordance with Approved Document M 2015, M4 Category 3: Wheelchair user dwellings, category M4(3)(2)(a) "Adaptable".

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

1. To assist applicants, the Council has produced planning policies and guidance, which are available on its website. The Council also offers a pre-application advice service. The scheme was submitted in accordance with planning policies and guidance, following pre application discussions. This decision was delivered in a timely manner.
2. The WSI will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. Condition 7 is exempt from deemed discharge under Schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).
3. 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 Council's Street Naming/Numbering Officer.
4. The AQDMP can form part of the Construction Environmental Management Plan (CEMP). The AQDMP shall include the following for each relevant phase of work (demolition, earthworks, construction and trackout):
 - a) *A summary of work to be carried out;*
 - b) *Proposed haul routes, location of site equipment including supply of water for damping down, source of water, drainage and enclosed areas to prevent contaminated water leaving the site;*

- c) Inventory and timetable of all dust and NO_x air pollutant generating activities;*
- d) List of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment;*
- e) Details of any fuel stored on-site;*
- f) Details of a trained and responsible person on-site for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions);*
- g) Summary of monitoring protocols and agreed procedure of notification to the local authority; and*
- h) A log book for action taken in response to incidents or dust-causing episodes and the mitigation measure taken to remedy any harm caused, and measures employed to prevent a similar incident reoccurring.*

Dust monitoring should be carried out on site. Baseline monitoring should commence before the commencement of works and continue throughout all construction phases. Details of the equipment to be used, its positioning, additional mitigation to be employed during high pollution episodes and a proposed alert system should be submitted to the Council for approval.

No demolition or development shall commence until all necessary 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.

5. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit: <http://nrmm.london/>.
6. The proposed development is located within 15 metres of Thames Water's existing underground wastewater and water assets and, as such, the development could cause the assets to fail if appropriate measures are not taken. Please read its guidance to ensure work is in line with the necessary processes that need to be followed if considering working above or near its pipes or other structures: <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>. If further information is required, please contact Thames Water. Email: developer.services@thameswater.co.uk. Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm). Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.
7. As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

(Item 4.1)

8. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
9. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide [working near or diverting our pipes](https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes).
<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
10. The applicant must seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via DOCOMailbox.NE@met.police.uk.