

**‘LONDON BOROUGH OF WALTHAM FOREST**

Committee/Date:	Planning – 7 November 2023
Application reference:	230208
Applicant:	C/O Agent: Tribe St James Street Ltd
Location:	St James' Health Centre, 47 St James Street, Walthamstow, London, E17 7PJ
Proposed development:	Demolition of the existing building and construction of new buildings ranging from 3 to 6 storeys to provide commercial floorspace (Use Class E); student accommodation, public realm and amenity spaces; refuse and recycling facilities; cycle parking; servicing, plant; highway improvements and other associated works.  <i>(For Information Only: Proposal comprises 224 rooms and studios, and 628sqm of commercial space).</i>
Wards affected:	High Street
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 Student Accommodation:**

- The majority of the bedrooms in the development including all of the affordable student accommodation bedrooms are secured through a nomination agreement for occupation by students of one or more higher education provider.
- At least 35 per cent of the accommodation must be secured as affordable student accommodation (based on London Plan definitions). The affordable student accommodation bedrooms should be allocated by the higher education provider(s) that operates the accommodation, or has the nomination right to it, to students it considers most in need of the accommodation.
- 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 the NHS vacating the site.

**Marketing of Student Accommodation:**

- All living rooms to be marketed exclusively to Portsmouth University for a period of three months before marketing the shared living rooms on the open market.

**Accessibility:**

- A wheelchair user marketing strategy.
- Wheelchair rooms delivered as approved.
- The requirement for all wheelchair user rooms 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 student accommodation will be promoted and advertised during the exclusivity period of one year, to be agreed prior commencement.

**Architecture:**

- The ongoing involvement of Carey Jones Chapman Tolcher to monitor design quality through to the completion of the proposed development.

**Highways and Public Realm:**

- Enabling works will be required to convert the existing dropped kerb access to a construction standard crossover, further works may be included based on the approved Detailed CLP. A separate enabling works application will be required to be submitted by the developer prior to commencement on site. The enabling works will be carried out by a Minor Highways Agreement funded by the developer and carried out by the Council prior to commencement on site.
- 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:
  - Relocation of the existing lamp columns along Brunner Road, the applicant is expected to provide both plan and elevation drawings to ensure that consideration of entrances and other features are considered during design.
  - Renewal of the footway along the frontage of the site along Brunner Road using materials agreed as part of the wider regeneration scheme.
  - Renewal of the footway along the frontage of the site along St James's Street using materials agreed as part of the wider regeneration scheme.
  - Installation of public realm upgrades along the footway link between St James's Street and Brunner Road designed and developed with the Council's Regeneration, Street Trees, Highway Projects, Highway Maintenance and Highway Lighting Teams.
  - Possible installation of bollards around the main core entrance.
  - Removal of all required enabling works installed for construction.
- Highway works under a S38 will be required upon completion of the development, prior to occupation. The works will be funded by the Developer and carried out by

the Council. Extent of works will include but are not limited to adoption of the footway / public realm area on the northern, eastern and southern frontages to facilitate widening of the public footway and installation of rain gardens, plan to be embedded within the S106.

- A financial contribution of £200,000.0 towards design and implementation of walking and cycle infrastructure in the Leyton - Blackhorse Route Scheme. In line with TfL's healthy streets objectives, improving road safety and connectivity for the additional occupants of this site. The improvements will seek to mitigate the impacts that the development will have based on the increased pedestrian and cycling movements as well as the increased servicing and delivery presence that the proposal will generate. In accordance with Policy T2 Healthy Streets from the London Plan so space is used more efficiently, and streets are safer and more pleasant.
- A financial contribution of £10,000.0 towards monitoring the Construction Logistics Plan.
- The development would be car free; residents will not be entitled to parking permits for any CPZ.
- A financial contribution of £8,000 towards Travel Plan monitoring.

#### **St James Street Station Access Improvement**

- A financial contribution of £268,000.0 to deliver step-free access at St James Street Station.
- Claw back mechanism if the money is not spent within 5 years.

#### **Flooding and Drainage:**

- A financial contribution of £60,000 towards the community flood mitigation projects within the area and towards Waltham Forest Southwest (Walthamstow Marshes) Flood Study projects.

#### **Air quality:**

- A financial contribution of £15,240 towards mitigating the impact of existing poor air quality on the proposed development.

#### **Energy efficiency and carbon reductions:**

- A financial contribution of £68,242 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) Prior to each Building being occupied, 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, as per the methodology outlined in the ‘As-built stage’ chapter / section of the GLA ‘Be Seen’ energy monitoring guidance (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the ‘Be Seen’ as-built stage reporting webform (<https://www.london.gov.uk/what-wedo/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>). The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in the ‘In-use stage’ of the GLA ‘Be Seen’ energy monitoring guidance document (or any document that may replace it).
- b) 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 as per the methodology outlined in the ‘In-use stage’ chapter / section of the GLA ‘Be Seen’ energy monitoring guidance document (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the ‘Be Seen’ in-use stage reporting webform (<https://www.london.gov.uk/what-wedo/planning/implementing-londonplan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>). This obligation will be satisfied after the Owner has reported on all relevant indicators included in the ‘In-use stage’ chapter of the GLA ‘Be Seen’ energy monitoring guidance document (or any document that may replace it) for at least five years.
- c) In the event that the ‘In-use stage’ evidence submitted under Clause b) shows that the ‘As-built stage’ performance estimates derived from Clause a) 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 b) 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.
- Measures to secure post-construction monitoring (“Be Seen”).
- Decentralised Energy Network – Connection Ready

#### **Epping Forest:**

- A financial contribution of £250.8 (pro-rata) per bedspace towards Strategic Access Management and Monitoring (SAMM) with a total of £56,179.20

**Training, employment, and business:**

- An Employment and Skills Plan.
- The provision of 13 apprentice posts for local residents in the construction trade during the construction phase of the development.
- The provision of ten 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:**

- Payment of the Council’s legal fees for the preparation and completion of the S106.
- Payment of 5% of the total amount of financial contributions towards completion, implementation and monitoring of the S106 Agreement.

- 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 THE COMMITTEE

- 2.1 Due to the size of the proposed development and being part of St James Quarter masterplan and the number of received objections.

## 3. SITE AND SURROUNDINGS

- 3.1 The site is located on the west side of Brunner Road, close to the junction with St James's Street and measures approximately 0.27ha. The principal part of the site has street frontage on three sides and an existing pedestrian link to St James's Street to the west. The site comprises St James Health Centre, a part-one, part-two storey rectangular building. The centre has pedestrian access from St James's Street (east) and a 35-space car park facing St James's Street (south) and Brunner Road.
- 3.2 The site sits within a masterplan area which has undergone significant transformation over the last three years, with the delivery of Essex Brewery opposite the site on Brunner Road, the South Grove Car Park, and South Grove Site C (Jazz Yard), which would be the home for the new 1,515 sqm NHS health facility in place of the facility on site.



Figure 1: Existing Site Aerial View

- 3.3 The surrounding area comprises town-centre activities and higher density development to the northeast along Walthamstow High Street, a mixture of low to mid-



rise residential developments and open spaces such as Walthamstow (Queen's Road) Cemetery. Further to the west is the Lee Valley Park and the adjacent reservoirs.

- 3.4 The site is located close to St James Street overground station and has a PTAL rating of 4, and lies approximately 700 metres from Walthamstow Queen's Road Station, 950 metres from Walthamstow Central Station and is well served by the local bus network.
- 3.5 The Walthamstow St James Conservation Area sits north on the other side of the railway, away from the site. The application site falls within the 6.2km Zone of Influence (ZOI) of the Epping Forest SAC. However, it has limited ecological value due to its existing structure and hardstanding; none of the onsite trees are under a tree protection order. The site is in the Waltham Forest Air Quality Management Area, which covers the entire Borough.

#### 4. APPLICATION PROPOSAL

- 3.6 The proposed development comprises demolition of the existing health centre and the construction of a mixed-use development comprising a total of 224 student bed spaces, broken down as 99 ensuite bedrooms in cluster flats and 125 studios, and 525 sqm of commercial space (use class E) on the ground floor.
- 3.7 The proposal would be two buildings, Building 1 would have a c-shaped with frontages to the north, east and south, while Building 2 would continue the St James's Street (east) frontage. Both buildings form an external courtyard amenity space for the students in the middle. The proposed buildings range in height from three storeys along St James's Street to six storeys along Brunner Road.



Figure 2: Site Plan

- 3.8 Building 1 would provide an animated and active frontage along with wide pavements and landscaping as part of public realm improvements to the area. Its ground floor would comprise entrance, reception, management and amenity spaces in the middle of Brunner Road frontage and commercial space along St James's Street (to the south) and St James Path and on both corners of Brunner Road frontage. It would also comprise cycle parking and refuse stores. Its upper floors would comprise accommodation, internal amenity spaces on the first floor, and an external amenity space on the fourth-floor roof area. Each six to seven rooms would have access to a dedicated cluster communal kitchen / dining room. This building would have two stair cores, with two lifts each, on both sides of the reception.
- 3.9 Building two would have a commercial space on ground floor, a side pedestrian access and a cycle store to the rear. Its upper floors would have five rooms and a communal cluster each.
- 3.10 The building would appear as a row of different buildings using variations of heights, parapet heights, materials and architecture details. Proposed landscaping would site along the three frontages.
- 3.11 The proposal went through design change during the course of the application, these changes are:
- Removing the undercroft providing access to courtyard and removing the internal service yard. The courtyard would only comprise an external amenity space for the PBSA students.
  - Positioning the trees further away from the building's edges and to provide areas of clear sky in the courtyard.
  - Extending the building line to the east and reducing the excessive pavement width along Brunner Road.
  - Updating the arrangement of commercial units along St James's Street and dividing them into smaller size units from the outset. Increment of the commercial surface areas from 503sqm to 628sqm.
  - Main PBSA entrance at the centre of Brunner Road frontage with an internal connection between cores.
  - Moving the ground floor amenity behind the new reception area.
  - Changes to the upper-floors layout, including increasing the number of studios across the scheme and compartmentalising the ensuite rooms with their communal LKD spaces.
  - Changing the proposed accommodation from 151 ensuite rooms and 45 studios (196 total) to 99 ensuite rooms and 125 studios (224 total).
  - Moving the living/kitchen/dining communal rooms to the corners of the upper floor plans onto Brunner Road.
  - Changes and additional information to the appearance of the proposal as below:



- Providing Bay Sections and 1:20 details in plan.
- A scaled section through the shop front on St James (west).
- Confirming that the gates on St James (west) would be decorative with motif that references the location area.
- Corner detail updated to avoid exposed corners to glazed bricks along Brunner Road façade.
- The St James's Street elevation show piers continuing to the ground; the sill height of upper floor windows raised, and recess to fascia board increased.

## 5. RELEVANT SITE HISTORY

### 3.12 St James Quarter Planning history

- 192899 – 74 - 75 Brunner Road, Walthamstow, London, E17 7NW - *Demolition of existing buildings and construction of a part 10, part 12 storey building comprising NHS health facility (use class D1) at ground and first floor level, with 83 dwellings (use class C3), together with access, car parking, cycle parking, amenity space and refuse provision and associated works.* - Approved 05/02/2020.
- 171188 – 68-75 Brunner Road and Alpha Business Centre, 60, South Grove, Walthamstow, E17 7NX - *A mixed use development. Demolition of existing buildings and construction of buildings ranging between 2 to 16 storeys in height comprising 518 residential units and 167 sqm (GEA) of commercial floorspace for (use class A1, A2, A3, B1 and D1). Provision of associated car parking, cycle parking amenity space, energy centre, infrastructure works and landscaping.* - Approved 09/10/2017.
- 153337 – 76 South Grove, Walthamstow, London, E17 7NJ - *A mixed use development. Demolition of existing buildings. Construction of two buildings (Building A 5-7 storey, Building B 4-8 storey) to provide 183 residential units (64x1 bed, 96x2 bed, 23x3 bed) 478 sqm retail space for use class (A1/A2/A3/A4/A5/B1/D1/D2). Provision of car parking, cycle, storage area, pedestrian/ cycle route, landscaping and amenity space.* – Approved 06/01/2017.

### Pre-application

- 3.13 Pre-application discussions on the site for the current proposal were limited and formed part of the wider masterplan discussions.
- 3.14 The submitted Statement of Community Involvement stated that the applicant undertook community engagement prior to the submission of this application, which included a virtual consultation in November to December 2022. This website was viewed 308 times by 187 users. The project team also met with several community stakeholders to discuss the proposal.

## 6. PUBLIC CONSULTATIONS

- 3.15 Following the validation of this application, the Council sent notification letters to circa 700 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 two letters of representation.
- 3.16 Following the receipt of amended drawings and documents, the Council re-sent the neighbours notification letters on 11 October 2023. The Council posted three notices around the site on 12 October 2023 and a press notice was published on 12 October 2023. The Council received 12 further representations, three of which were the same letter from the same representative.
- 3.17 The table below summarises all the received comments:

Public Comment	Officers' Response
<i>Principle of Development</i>	
Querying if commercial space would be open for business that would compete with existing small shops in the area.	The exact nature of the businesses that would rent the place in the future is not a planning consideration. The commercial space would be open for a variety of uses under class use E.
Objection to potential closure/loss of the Health Centre.	Please ref to subsection 10A of this report. The health centre will relocate to a new premises in an adjacent site.
A proposed building is not needed in the area, it would be better suited as an underground car park and a ground level children's park.	The site is allocated as residential as part of the masterplan for the area.
<i>Neighbour Amenity</i>	
Concerns of loss of daylight onto commercial shop facing the development on Brunner Road.	Detailed assessment of impact on neighbouring amenity under section 10F of this report.
Impact of sunlight and daylight to Hobs House.	
Results should not be carried out without balconies.	
Impact on outlook to a property at Hobs House (Essex Brewery)	
Essex Brewery layouts are assumed within the submitted sunlight and daylight assessment.	Despite assumptions, the assessment looked at all windows regardless of their function and the results were not specific to particular use of rooms.
Added noise and pollution from the building	The proposal is residential in nature within a residential area.
<i>Other Concerns</i>	

Impact on schools, healthcare facilities and green spaces	<p>The proposal is a student accommodation and would not require access to local schools.</p> <p>The proposal is on an allocated site for development, the site allocations monitored existing and future infrastructures to ensure suitable provision of services for existing and future residents.</p>
Impact on water and sewerage infrastructure	Thames Water confirmed presence of acceptable capacity for the development.
Impact of construction works on foundation of neighbouring buildings	This is not a material planning consideration.
Impact of construction works and pollution.	The application included a construction impact method statement to ensure reduced pollution to all receptors. The decision notice would include a condition to ensure the proposed mitigation measures would be adhered to.
Proposed servicing bay is a fire exit risk and close to existing café.	The proposal would be using an existing functioning servicing bay and does not propose a new one.
Submitted CEMP noise measurement points were deliberate to omit half the neighbouring properties.	The Council's Environmental Health team reviewed the submitted report and agreed with its findings.
Potential obliteration of a historic 19th-century ghost sign on the side of the St James Street pharmacy, a cherished landmark in our community.	This is not a protected asset, and the development would not build against the St James Street pharmacy wall.
Proposed courtyard space would not be accessible to the local residents.	Proposed courtyard space is for the benefit of future resident student in a similar manner of privately accessed communal spaces in adjacent developments.
No developer's resident consultation took place.	Please refer to paragraph 5.3 of this report on this matter.
Concerns raised with not consulting all of the residents of Essex Brewery but not clarifying if it was developer consultation or Council consultation.	The council sent letters out with the same method across all residents and did not purposefully ignore certain addresses.
Online communication requesting plans and documents sent.	The Council does not send out hard copies of plans as they are available online.

## 7. OTHER CONSULTATIONS

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

LBWF Consultee	Comment
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 10K of this report.
Highways	Please refer to subsections 10G of this report.
Lead Local Flood Authority (LLFA)	Please refer to subsections 10J of this report.
Sustainability and energy	Please refer to subsections 10I of this report.
Transport policy	Please refer to subsections 10G of this report.
Tree preservation and urban greening	Please refer to subsection 10H of this report.

- 3.19 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.
- 3.20 The table below summarises the comments received from external consultees, which include some statutory consultees.

External Consultee	Comment
Historic England (HE) Greater London Archaeology Advisory Service (HEGLAAS)	Note the potential identified in the applicants' desk based archaeological assessment for mediaeval land use and for palaeolithic and or/geoarchaeological remains. No geotechnical information available to inform our understanding of the latter.  Note the inclusion of a basement in the proposed scheme, which would remove all archaeological remains in its footprint. Accordingly recommended a condition for a written scheme of investigation.
London Fire Brigade (LFB)	The LFB reviewed the application and has no observations to make.
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)	No objection to surface water drainage subject to the developer following the sequential approach to its disposal.

	<p>TW requested a condition for a pilling method statement and an informative in relation to proximity of development to underground water assets.</p> <p>TW requested a condition that no occupation beyond 100<sup>th</sup> dwelling until confirmation that either water network upgrade took place Or an infrastructure phasing plan been agreed with them to allow for occupation of additional development.</p>
Transport for London (TfL) Infrastructure Protection	<p>Recommending that the ATZ identified improvements to be secured through s.106.</p> <p>The Council to decide whether a proportionate contribution for delivering step-free and capacity improvements at St James Station.</p> <p>Proposed cycle parking quantum is supported.</p> <p>Car Park Management Plan reduction should be secured and monitored through s.106.</p> <p>Detailed CLP should be discharged in consultation with TFL.</p> <p>Funding for the implementation and monitoring of a full Travel Plan should be secured in the S106.</p>
NHS North East London	<p>The Council will be aware that it is intended that the St James Health Centre will relocate to the new health centre facility that is being constructed at the Jazz Yard development at 74-79 Brunner Road E17 ("New Health Centre"). Although the relevant parties will make every effort to relocate the St James Health Centre at the earliest opportunity, the New Health Centre is not likely to be available to be operated as a health centre until October 2024 at the earliest.</p> <p>NHS Property Services Limited is the current leaseholder of the above property and has sub-let the majority of the Site to The St James Practice to facilitate the operation of the St James Health Centre. We have liaised with NHS Property Services as well as the freeholder and we are supportive of the proposed development of the Site, however it is vital that there is no interruption to the delivery of healthcare services by the current occupants of the health centre. The healthcare providers that currently operate from the St James Health Centre, service the healthcare needs of the currently registered 16,719 GP patients; and phlebotomy and midwifery services delivered by North East London NHS Foundation Trust and Bart's Health NHS Trust.</p> <p>In order to ensure that there is no possibility of there being a break in the delivery of healthcare services from the Site prior to its relocation to the New Health Centre we would ask the Council to impose a planning condition on the decision notice and/or impose a planning obligation pursuant to Section 106 Town and Country Planning Act 1990 to prevent such a break in planning terms. The</p>

	planning condition or planning obligation should specifically prevent the proposed development from being commenced until such time as the developer has obtained written confirmation from NHS Property Services Limited, and provided such confirmation to the Council, that the healthcare services provided at the St James Health Centre have been successfully relocated to the Jazz Yard development and that the New Health Centre has begun operation.
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## 8. DEVELOPMENT PLAN

- 3.21 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.
- 3.22 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”.
- 3.23 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)

- 3.24 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.
- 3.25 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
- H15 Purpose-Built Student Accommodation
- 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
- 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)

- 3.26 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.
- 3.27 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)

- 3.28 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.
- 3.29 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

Walthamstow Town Centre Area Action Plan (2014)

Policy WTCOS18 - St James Street Health Centre

**9. MATERIAL PLANNING CONSIDERATIONS**

National Planning Policy Framework (2023)

- 3.30 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.
- 3.31 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."

Affordable Housing and Viability Supplementary Planning Guidance (2017)

- 3.32 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)

- 3.33 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.

Public London Charter London Plan Guidance (2021)

- 3.34 The Public London Charter LPG supplements London Plan Policy D8 and sets out eight principles that would enable new public spaces in London to be safe, accessible, attractive, and inclusive.

Affordable Housing and Viability Supplementary Planning Document (2018)

- 3.35 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)

- 3.36 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)

- 3.37 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)

- 3.38 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.

New South Grove / St James Supplementary Planning Document (2017)

- 3.39 The New South Grove SPD presents an illustrative masterplan as an example of how the principles of development in the area could be interpreted and implemented across the site.

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

- 3.40 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 consulted on a schedule of Main Modifications from 21st July 2023 to 21st September 2023.

- 3.41 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).

LP2 Waltham Forest Local Plan (LP2) SITE ALLOCATIONS (Draft 2021)

- 3.42 The Site Allocations Document will represent Part 2 of the Council's Local Plan. It complements the Strategic Policies document (Part 1) of the Local Plan. It identifies key or strategic sites with potential for redevelopment providing circa 19,000 new homes.
- Site SA27 - St James Quarter

Purpose-built Student Accommodation, London Plan Guidance (Consultation Draft October 2023)

- 3.43 The PBSA guidance is for Planning Authorities and others involved in bringing forward proposals for PBSA, to help them best provide for student housing need as part of a wider approach to housing and regeneration. This may include developers, providers, funders and London-based higher education providers (HEPs) with student housing needs.

Local Finance Considerations

- 3.44 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. Enroute

**10. ASSESSMENT**

- 3.45 The main issues which shall be addressed within this report are as follows, for clarity the assessment is based on the final suite of drawings and documents received:
- A. Loss of a Health Centre
  - B. Principle of Development and Density
  - C. Affordable Student Accommodation
  - D. Standard of Residential Accommodation
  - E. Design and Townscape
  - F. Impact on Neighbouring Amenity
  - G. Transport, Highways and Servicing
  - H. Trees, Landscape and Ecology
  - I. Energy Efficiency and Sustainable Design and Construction
  - J. Flood Risk and Drainage and Water
  - K. Environmental Impact
  - L. Impact on Infrastructure
  - M. Safety and Security
  - N. Planning Obligations

**A. LOSS OF A HEALTH CENTRE**

- 3.46 NHS is the current leaseholder of the site and sublets it to The St James Practice to facilitate the operation of St James Health Centre. NHS commented on the application stating that the Council should be aware of the intention to relocate St James Health

Centre to the new health centre facility at the Jazz Yard development at 74-79 Brunner Road E17 ("New Health Centre"). Although the relevant parties plan to relocate the St James Health Centre at the earliest opportunity, the New Health Centre would not likely be available for operation until October 2024, at the earliest.

- 3.47 The proposal would replace the existing healthcare facility. Policy DM7 identifies health services as social and physical infrastructure. This policy states that the Council will resist the loss of existing community, leisure or educational facility except under listed criteria, which is set under the table below and measures them against the development.

Policy Requirement	Development Proposal
<i>i) No shortfall in provision will be created by the loss;</i>	The health centre will relocate to the new facilities in the Jazz Yard development. To avoid temporary shortfall in the services, the decision notice would include a Grampian condition to ensure that the services of the existing health centre are continuing until the new site is operational.
<i>ii) Adequate alternative facilities are already withing walking distance in the area;</i>	Adequate, modern facility is built within the Jazz Yard development two-minutes walking distance from the site.
<i>iii) A replacement facility secures enhanced re-provision on the site, or another site which improves accessibility, closer to two centres, with good transport links via a planning obligation according to Policy DM36.</i>	The new facility would secure enhanced reprovision as it would be built to modern standards. No change in transport link as it is adjacent to the site.
<i>iv) The specific facility is no longer required in its current use. Where this is the case, evidence will be required to show that the loss would not create, or add to, a shortfall in provision for the specific infrastructure type and demonstrate that there is no demand for any other suitable community use on the site. (For proposals involving the loss of a public house, evidence of suitable marketing activity will be required or evidence that the public house is no longer financially viable, through the submission of financial evidence, whilst the public house was operating as a full-time business);</i>	This is not applicable to the proposal.



v) <i>The redevelopment of the site would secure an over-riding public benefit;</i>	The redevelopment of the site would follow the masterplan for the redevelopment of the area.
vi) <i>The activities carried on are inconsistent and cannot be made consistent with acceptable living conditions for nearby residents; and;</i>	This is not applicable to this development. The masterplan for the area allocated a new site for the health centre.
vii) <i>Where population change reduces demand, managing its loss by reference to the quality of community facilities provided, its ability to meet modern requirements (such as sound proofing, disabled access and external smoking areas) according to details of Policy DM29 and Policy CS3 (A).</i>	This is not applicable to this development as no loss would occur to the health services provided.

3.48 The move of the health centre to a new site would free the site for development. As confirmed by the NHS, the new facility in the Jazz Yard is expected to open by October 2024. To satisfy the policy, the decision notice would include a condition to ensure the development would not commence until the new facility is operational.

3.49 Considering all the points above, the loss of the existing infrastructure would be acceptable and in line with Policy DM17 criteria.

## **B. PRINCIPLE OF DEVELOPMENT AND DENSITY**

3.50 Policy DM1 reflects the NPPF's presumption in favour of sustainable development, as discussed earlier in this report.

3.51 Whilst 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.

3.52 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.

3.53 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.

3.54 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 defines Purpose Built Student Accommodation (PBSA) as:

- Primarily occupied by students and managed by an education institution or independent provider for that purpose; Restricted to occupation by students during term-time;
- Let to each student for the full duration of all terms in the academic year, and not less than the full duration of one term.
- Provides some common/ communal facilities/ and or services.

- 3.55 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.
- 3.56 London Plan Policy H1 aims to increase housing supply and sets the ten years targets for net housing completion that each planning authority should plan for. Paragraph 4.1.9 of this policy states that net non-self-contained accommodation for students should count towards meeting housing targets on the basis of a 2.5:1 ratio, with two and a half bedrooms/units being counted as a single home.
- 3.57 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.
- 3.58 London Plan Policy H15 (A) states that boroughs should seek to ensure that local and strategic need for purpose-built student accommodation is addressed, provided that policy criteria are met. These criteria are below with a mirroring assessment for the proposal.

H15 Criteria	Proposed Development
<i>1- at the neighbourhood level, the development contributes to a mixed and inclusive neighbourhood;</i>	The proposal PBSA would sit within a varied residential area comprising flats, dwellinghouses and commercial spaces. Additionally, its active uses and communal amenities on the ground floor fronting the street would activate the public realm outside the site.
<i>2- the use of the accommodation is secured for students;</i>	The planning permission and the accompanied s.106 would secure the site for student accommodation.

3- <i>the majority of the bedrooms in the development including all of the affordable student accommodation bedrooms are secured through a nomination agreement for occupation by students of one or more higher education provider;</i>	The s.106 would include a nominations section regarding the affordable student accommodation bedrooms.
4- <i>the maximum level of accommodation is secured as affordable student accommodation as defined through the London Plan and associated guidance.</i>	The proposed affordable student accommodation would be acceptable and discussed in detail under section 10C of this report.
5- <i>the accommodation provides adequate functional living space and layout.</i>	The proposed accommodation would be acceptable and discussed in detail under section 10D of this report.

- 3.59 In addition to the above, the site falls within walking distance of St James Station, its 224 rooms would account for 90 homes towards the Council's housing targets.
- 3.60 The applicant submitted a Demand Study (DS) to address the strategic need for purpose-built student accommodation. In assessing the demand for student accommodation, the DS looked at all universities within a 45-minute travel distance from the site, the number of students living in the borough, and the number of UK and International students. It used the previous years' trend to speculate the future number of students in Waltham Forest and five adjacent boroughs. The DS projected that the total number of full-time students at (Higher Education Provider) HEP with a main campus within a 45-minute travel time of the proposed site at St James Street Health Centre would increase by 18% over the next five years. Concluding that this represented an increase of approximately 3,523 full-time students per annum.
- 3.61 In assessing the supply of PBSA within a 45-minute travel time from the site, it concluded that the current supply largely comprises non-PBSA accommodation/HMOs within the private rented sector, and that PBSA supply represents 31% of total full-time students. Stating that if the number of students increases without additional PBSA, then the dependency on private market rentals would increase. It looked at existing PBSA numbers and approved or under-construction future PBSA developments for 2024/2025 and beyond.
- 3.62 The DS concluded that there are currently 3.8 students per available purpose-built bed space (0.26 students per bed) across London and 3.1 students per bed space within a 45-minute travel time of the proposed site at St James Street Health Centre. Projections for Full-time student numbers within a 45-minute travel time would rise by 18% (3,523 students per annum) to 2025/26, whilst the development pipeline of student accommodation over the same period would not meet this increase in demand (assuming all 6,914 bed spaces would be built). It expected the student housing supply/demand imbalance within the 45-minute travel time to decrease slightly to 2.6 students per bed space (0.38 students per bed), and, therefore not significantly reducing the current demand/supply imbalance, subsequently continuing to place unwanted pressure on the local private rented market.

- 3.63 In addition to the above, Policy H15 (B) states that Boroughs, student accommodation providers and higher education providers are encouraged to develop student accommodation in locations well-connected to local services by walking, cycling and public transport, as part of mixed-use regeneration and redevelopment schemes. The site is adjacent to St James Station and other transport nodes; it sits behind a town centre and is part of a wider masterplan for the St James Quarter. In addition to the University of Portsmouth campus planned to be ready for 2024/2025 enrolment in Waltham Forest, the DS stated that a 45-minute travel time from the site would capture the following HEPs:
- University College London;
  - University of the Arts, London;
  - London Metropolitan University;
  - The University of Westminster;
  - Birkbeck College;
  - SOAS University of London;
  - Queen Mary University of London
  - Roehampton University;
  - Guildhall School of Music and Drama;
  - London School of Hygiene and Tropical Medicine;
  - Conservatoire for Dance and Drama;
  - Royal Academy of Dramatic Art.
- 3.64 Further to the above, the DS explained that there were three HEPs expected to open new campuses within this travel distance; these HEPs are University of Portsmouth Walthamstow Campus, University College London on Queen Elizabeth Olympic Park, London College of Fashion – University of Arts in the former Queen Elizabeth Olympic Park.
- 3.65 Paragraph 4.15.1 of policy H15 explains that the housing need of students in London, whether in Purpose-Built Student Accommodation (PBSA) or shared conventional housing, is an element of the overall housing need for London determined in the 2017 London SHMA. London's overall housing need in the SHMA is expressed in terms of the number of conventional self-contained housing units. However, new flats, houses or bedrooms in PBSA all contribute to meeting London's housing needs. Therefore, the new PBSA would contribute to meeting London's overall housing need and would not be an addition to this need. This would tie in with the conclusion of the DS whereby the imbalance between supply and demand for student purpose-built accommodation would severely impact the traditional housing rental market.
- 3.66 Paragraph 4.15.3 of policy H15 explains that a nomination agreement is between the development and one or more higher education provider from initial occupation to provide housing for their students as long as the development is used for student accommodation. This would ensure the PBSA will be supporting London's higher education providers and the agreements would cover the majority of the bedrooms in the development. The paragraph adds that boroughs should ensure, through condition or legal agreement, that the development will, from the point of occupation, maintain a nomination agreement or enter a new nomination agreement with one or more higher education provider(s) for a majority of the bedrooms in the development, for as long as it is used as student accommodation. There is no requirement for the higher education provider linked by the agreement to the PBSA to be located within the borough where the development is proposed. The s.106 would ensure suitable terms for this agreement as prescribed.

- 3.67 Considering the above, the principle of a purpose-built student accommodation is acceptable under London and local policies with a nomination agreement clause forming part of the s.106. The submitted demand study shows current and future demand for PBSA. The development proposal would therefore be acceptable and 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 H15.

### **C. AFFORDABLE STUDENT ACCOMMODATION**

- 3.68 London Plan Policy H4 sets out a strategic target for the provision of 50% of new homes as affordable, listing specific measures intended to achieve this aim, including threshold approach and the use of grant to increase provision beyond normally achievable levels. London Plan Policy H5 states Fast tracked applications are not required to provide a viability assessment at application stage. To ensure an applicant fully intends to build out the permission, the requirement for an Early-Stage Viability Review will be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted, or a period agreed by the borough considering the conditioned delay of the development to facilitate the health centre move.
- 3.69 London Plan Policy H15 (A) states that the maximum level of accommodation is secured as affordable student accommodation as defined through the London Plan and associated guidance, and at least 35 per cent of the accommodation must be secured as affordable student accommodation or 50 per cent where the development is on public land to follow the Fast Track Route (FTR). Adding that the affordable student accommodation bedrooms should be allocated by the higher education provider(s) that operates the accommodation, or has the nomination right to it, to students it considers most in need of the accommodation.
- 3.70 The application proposes to follow the FTR and provide 35% of the accommodation as affordable student accommodation. The s.106 would include nominations obligations for the affordable student accommodation, to ensure that the HEP would be allocating these bedrooms. Paragraph 4.15.8 of the London Plan states that the definition of affordable student accommodation is a PBSA bedroom that is provided at a rental cost for the academic year equal to or below 55 per cent of the maximum income that a new full-time student studying in London and living away from home could receive from the Government's maintenance loan for living costs for that academic year. The actual amount the Mayor defines as affordable student accommodation for the coming academic year is published in the Mayor's Annual Monitoring Report. Paragraph 4.15.10 adds that the rent charged must include all services and utilities which are offered as part of the package for an equivalent non-affordable room in the development. There should be no additional charges specific to the affordable accommodation. Paragraph 4.15.11 confirms that the initial annual rental cost for the element of affordable accommodation should not exceed the level set out in the Mayor's Annual Monitoring Report for the relevant year.
- 3.71 The GLA defines Public Land as Land that is owned or in use by a public sector organisation, company or organisation in public ownership or land that has been released from public ownership and on which housing development is proposed.

- 3.72 Officers note the existing use of the site as a health centre. The applicant submitted land registry documents to confirm that the land was under the ownership of a private landlord who sold it to the developer of this application; these documents confirm that the site has been privately owned for the last 24 years at least. Officers also note that the 50% FTR threshold is aimed at maximising housing on land in public ownership and is not there to penalise private landlords who accommodate public services or carry out services on behalf of a public body on their land. Accordingly, the Council agrees that the site is not public land and accepts that 35% of the accommodations as affordable would be acceptable to follow the FTR.
- 3.73 Considering all the above, officers support the proposal's affordable student accommodation provision, and planning obligations would secure the delivery of this affordable student accommodation. Officers recommend planning obligations to secure an early-stage viability review mechanism in the case the development is not built within two years of planning permission or otherwise agreed under the terms of s.106. Accordingly, overall quantum of affordable housing provision 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 H15.

#### **D. STANDARD OF RESIDENTIAL ACCOMODATION**

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

#### **ROOMS AND AMENITY**

- 3.75 London Plan Policy H15 states that PBSA must provide functional living spaces and layout. The Emerging Local Plan Policy 18 states that PBSA should provide some common/ communal facilities/ and or services.
- 3.76 The proposal would cluster each five to seven rooms around a shared kitchen and living dining area for the proposed 99 ensuite rooms. Each room would have an ensuite bathroom with a shower; the studios would have kitchenette areas, as per Figure 3 below. It would include four communal amenity spaces: two internal spaces, one behind the reception area on the ground floor, the second on the first floor overlooking the courtyard, and two external spaces, on the rooftop on fourth floor and the courtyard between the two buildings.
- 3.77 The proposal would have a mix of communal amenity areas and cluster communal rooms comprising kitchen/dining and seating areas per 5-7 rooms. These cluster communal rooms would range between 20 sqm for a five-room, 33 sqm for a six, and seven-room cluster across all floors. The communal amenity areas would be 147 sqm on the ground floor and 148 sqm on the first floor; the submitted Student Housing Management Plan stated that the communal amenity areas would comprise study areas and a communal lounge and games area.



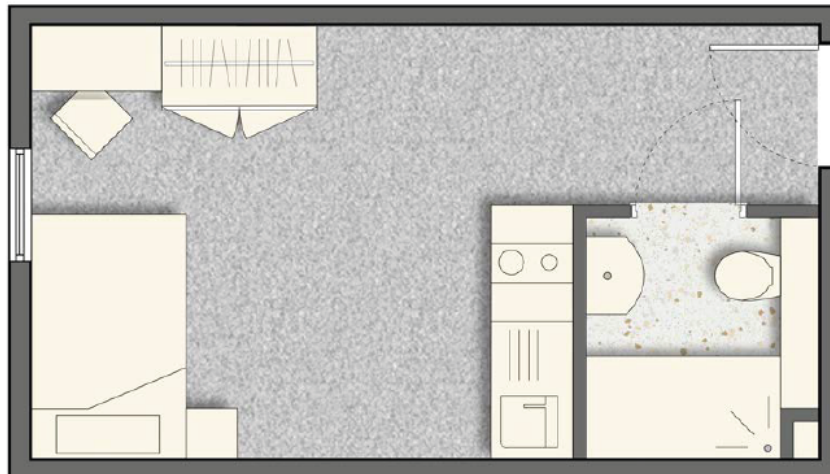


Figure 3a:  
Student Studio  
type at 20sqm.

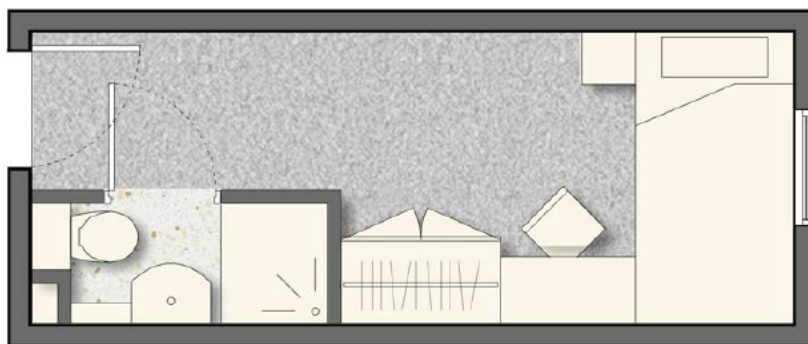


Figure 3b:  
Student Cluster  
Bed types at  
12.5sqm.

- 3.78 All internal amenity spaces would be circa 771 sqm across all buildings, up to an average amenity space of 3.4 sqm per student. The proposal would also include a courtyard garden with an area of 615 sqm and a roof terrace with an area of 194 sqm, up to an average external amenity space of circa 3.6 sqm per student. While there are no direct standards for PBSA amenity provision, these figures would not be too dissimilar to the GLA guidance for amenities per resident in a purpose-built shared living accommodation requirement of 5 sqm for internal and 1 sqm for external amenities and would be acceptable.

#### ACCESSIBILITY & INCLUSIVITY

- 3.79 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.
- 3.80 The Emerging LP1 Policy 16 have similar requirements to Policy D7 of the London Plan.
- 3.81 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.

- 3.82 The proposed development would provide 22 rooms that would meet requirement M4(3); an example of their layout is in Figure 4 opposite. These rooms are on the upper floors of the main building, on both sides of the building. The decision notice would include a condition to ensure the building would be 100% accessible from entrance throughout and onto the external communal areas.



Additionally, the submitted Fire Statement confirmed that the lifts would be designed as evacuation lifts complete with back-up power supply.

- 3.83 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**

- 3.84 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.
- 3.85 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.
- 3.86 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.
- 3.87 It is noted that the design officer has reviewed the submission for design-related matters. Officers originally raised several concerns which required design revisions; these revisions are in section 4 of this report. The following assessment is for the final submitted images.

### LAYOUT

- 3.88 The main entrance to the east would ensure activation of Brunner Road and provide a link and improved pedestrian experience from St James's Street (south) to St James Path and the arches. The proposed commercial spaces would ensure activation and natural surveillance of St James Path and the corners along Brunner Road. Accordingly, it would follow the masterplan goals to improve the public realm of St James Quarter.
- 3.89 The proposed C-shaped Building 1 would complete the urban block to St James's Street (south) and Brunner Road; Building 2, on St James (east), would enclose the urban block with an appropriate scale and vernacular architecture. Accordingly, both would be positive additions to the townscape and the public realm, along the masterplan aspirations of the area.
- 3.90 Internally, the proposed buildings would form a central courtyard; the main entrance would provide a single-entry point through the management/concierge area, ensuring a secured entrance and a secured external amenity for future residents. The cycle parking would sit to the rear with direct access from Brunner Road. The non-active elements of the proposal along the main façade would be minimal and dictated by their need for a direct service access from Brunner Road
- 3.91 The proposed main building would have two lifts and stair cores. The ensuite rooms would sit in dedicated corridors with their lounge, kitchen, diner (LKD) communal rooms. These LKD rooms would have dual aspects, which would be a positive for the well-being of the students, in addition to providing active and prominent corners that contribute to the streetscape and could increase perceptions of safety in the area. Furthermore, the layout and rooms' placement would allow for a series of windows along the frontages, providing rich articulation and offering active surveillance over the external streets and the courtyard. Thus, the design of the layout would positively integrate with the surroundings.
- 3.92 Accordingly, the internal layout of the building would provide a successful and flowing journey for residents and visitors, clearly separating communal and private spaces, with a centralised reception and building management. This would help to ensure the building reads as a student building through its architecture and appearance.
- 3.93 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 G4.

### HEIGHT AND MASSING

- 3.94 Policy CS15 requires that proposals take a sensitive approach towards height and scale.
- 3.95 Building 1 would be part four and part five storeys with the setbacks towards St James Path and St James's Street frontages. The proposed building would have a variety of frontage and fenestration treatments, including elevational setbacks with the change of materials. The combined factors of corner elements, commercial spaces on the ground floor, fenestration and building setbacks would provide rich articulation to the proposed buildings, break the massing and emphasise it as part of the character of the

redeveloped area of the St James Quarter, as per figure x below, showing Brunner Road elevation.

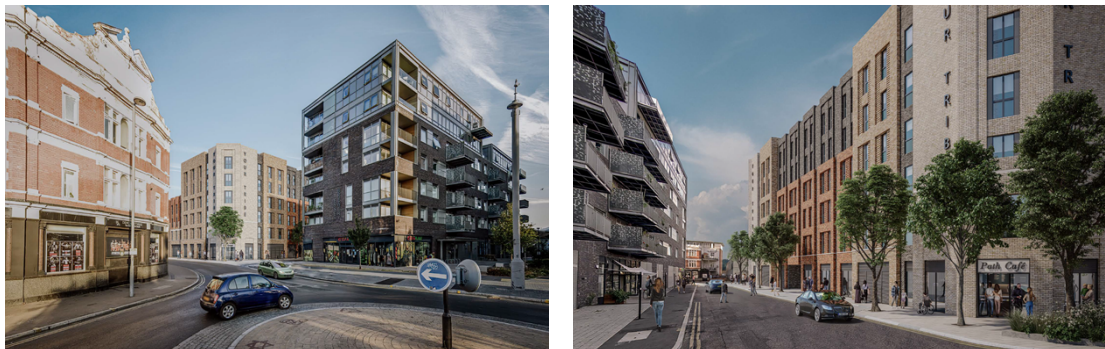


Figure 5: The building as seen from Markhouse Road (top left) and Brunner Road (top right and left).

- 3.96 Building 2 on St James's Street would have three storeys which would be commensurate to the existing terrace as per the Figure 6 opposite. 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 optimise the development of the site in an appropriate location. It would, therefore, accord with Policies CS2, CS15, and DM29, Emerging LP1 Policy 57 and London Plan Policy D6.

### APPEARANCE

- 3.97 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 fenestration, ratios of floor heights, roof shapes and materials. Officers consider the proposed appearance would successfully integrate the building with its surroundings, the materials' details show quality, and the entrance would be well articulated.
- 3.98 The proposal pallet would include five facade brick types mixed with four tile 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.



- 3.99 The proposed materials palette would complement traditional materials used in the local area. The materials would include cream and natural brown bricks, pre-cast concrete slabs, grey roof tiles, green glazed brick, aluminium and metal curtain walls, windows and gates. The decision notice would include a planning condition securing further detail about the proposed materials and their appearance in the final articulation of the buildings.
- 3.100 The submitted elevations show the ground floor with an emphasised base through the corbelled brick band at 800mm above the ground floor to create a subtle plinth for the building and the ground floor windows with a brick upstand. The design of the entrance would adequately announce its location and presence within the streetscape through an increased setback, which is positive and helps indicate a marked sense of arrival to students.
- 3.101 The proposed elevation to St James's Street (east) would comply with the guidance outlined in the Council's Shopfront Design Guide. The stall risers to the commercial space would ground the retail unit, and the inset fascia board would show design quality.
- 3.102 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

- 3.103 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 NEIGHBOURING AMENITY**

- 3.104 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.
- 3.105 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.
- 3.106 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.
- 3.107 Figure 7 below shows the neighbouring properties to the site. Building 1 would cover half a block, facing St James Path to the north, St James's Street to the south and Brunner Road to the east side edge. Crate, a collection of small businesses, currently occupies the land opposite the site on St James Path, and their amenity would not

warrant protection. Similarly, the buildings south of the site are businesses, and their amenity would not warrant protection. Building 2 would cover half a block, facing St James Path to the north, St James's Street to the south and Brunner Road along the east side edge.

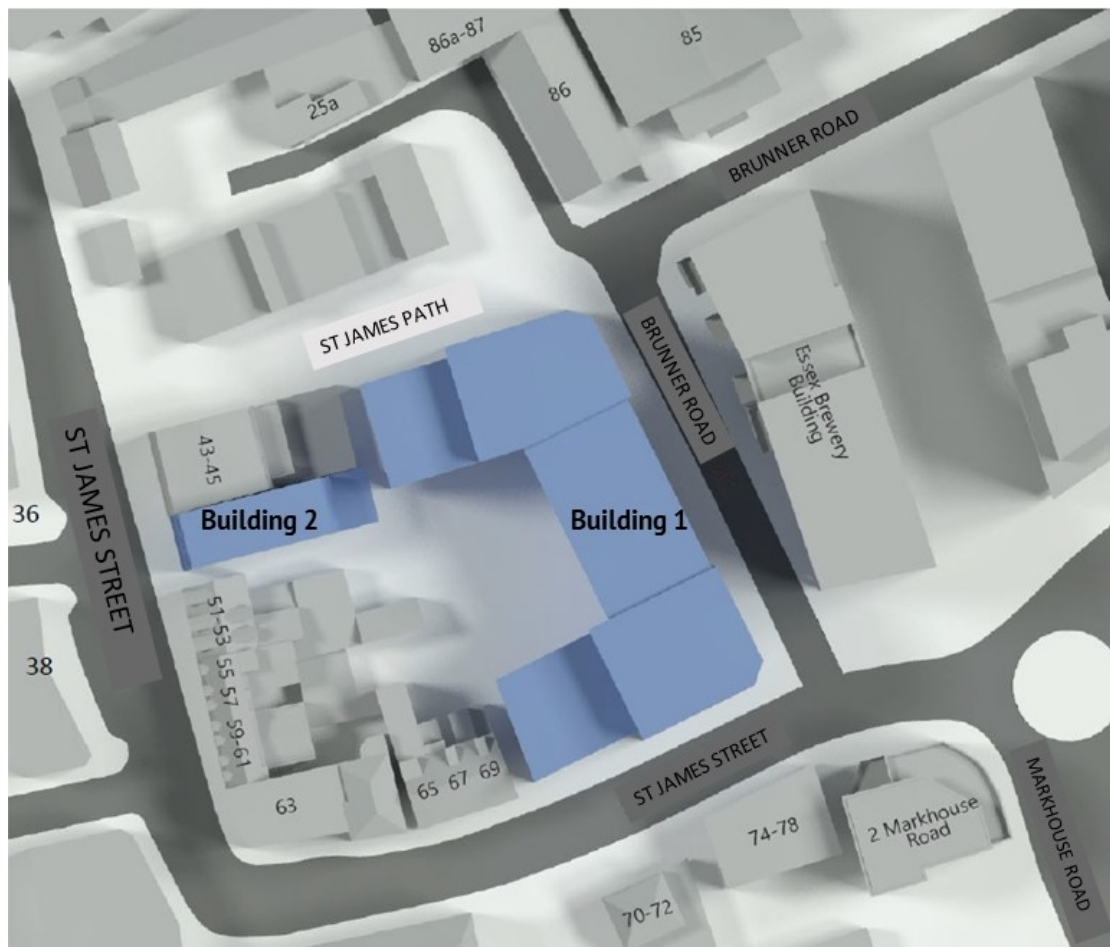


Figure 7: The surrounding neighbouring buildings to the proposed buildings.

### OUTLOOK AND PRIVACY

- 3.108 The impact of these assessments would only be viable to the Essex Brewery building due to the nature and the relationship of the other surrounding properties. Essex Brewery, a new seven-storey residential development, sits east of Building 1, across Bruner Road. This building extends almost opposite the full frontage of Brunner Road and would have a separation distance of 12-17 metres from the proposed development. Due to its angled frontage, only the part facing the south corner element of the building would sit at a distance of 13-12 metres. Accordingly, the assessment would look at the proposal's impact on the southern two windows of the Essex Brewery frontage.
- 3.109 In terms of outlook, the most southern set of windows belongs to the living rooms, served by the side window and balcony; the main outlook for these rooms is south and away from the proposed building. The second impacted set of windows belongs to a bedroom, sitting at 13 metres from Building 1, for approximately 80% of these windows' width. Officers note that this would be an unmitigated harm of five windows at a



neighbouring building and would need to be balanced against the full benefits of the proposal.

- 3.110 In terms of privacy, the southern corner element of the proposal would have five windows looking east, the three southern windows belong to a circulation corridor, the middle one would be secondary to a communal cluster, and the final window would sit at 13 metres which would be sufficient to overcome privacy concerns. The decision notice would include a condition to ensure that corridor and edge cluster windows would have an obscure mechanism to stop directly overlooking the Essex Brewery facing windows.

#### DAYLIGHT, SUNLIGHT

- 3.111 Policy DM32 and London Plan Policy D6 state that new development should be designed to allow sufficient daylight and sunlight to neighbouring housing.
- 3.112 The submitted Daylight/Sunlight Report (DSR) assessed the impact of the development on neighbouring properties west, east and south of the site. The Council appointed Avison Young (AY) to review the submitted DSR as a third party. Officers note that the Major of London's Housing SPG, 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. It 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."*
- 3.113 Following the BRE, the DSR employed the Vertical Sky Component (VSC) and the No-Skyline (NSL) to measure daylight and Annual Probable Sunlight Hours (APSH) to measure sunlight, only minded to windows orientated 90 degrees south overlooking the development. 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.
- 3.114 The DSR 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 guidance. 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.

**65-69 St James's Street**

These are terraces of three-storey buildings located to the southwest of the site. They contain retail use on the ground floor and residential apartments above. The assessment made assumptions about the room layouts due to a lack of floor plan information.

VSC: Most of the living room and bedroom windows would receive little impact from the proposed development and remain compliant with BRE targets (i.e., the VSC is above 27% or 0.8 times the former value). Three rooms in the rear of 67 & 69 would receive reductions in VSC that fall below BRE targets. Two of these rooms have another window that would meet BRE targets and the third has a window that would retain 0.71 times its former value. These are very close to BRE targets, and it is questionable whether the rooms are habitable and relevant for assessment. As such, the impacts should be considered minor.

NSL: Assessment has shown that each of the assumed rooms assessed will retain good levels of daylight distribution, entirely consistent with BRE targets.

ASPH: All windows facing the site are not within 90° due south.

*Conclusion: the combined results of the VSC and NSL reflect an acceptable impact on these properties.*

**51-55 St James's Street**

These are three-storey buildings located to the west of the site. They contain retail use on the ground floor and residential apartments above. The assessment made assumptions about the room layouts due to a lack of floorplans information.

VSC: Six of nine windows in the rear elevation would meet BRE targets (i.e., above 27% VSC and/or 0.8 times their former values). Two first-floor windows serving the rear extension would retain VSC levels of 25.6% and 19.3%, which is reasonable for an urban location. One other first-floor window in the rear elevation would retain a VSC level of 25%, which is reasonable for an urban location and commensurate with the 'mid-teens' to 20% range suggested by the Mayor of London.

NSL: Three of the seven assumed rooms would retain good levels of daylight distribution, entirely consistent with BRE targets. These rooms would retain between 0.63 and 0.77 times the former values, close to the 0.8 target and should be considered acceptable when interpreting the BRE guidance flexibly as intended.

ASPH: All windows facing the site are not within 90° due south.

*Conclusion: the combined results of the VSC and NSL reflect an acceptable impact on this property.*

**43-45 St James's Street**

These are three-storey buildings located to the south of the site. They have non-domestic use on the ground and first floor, with residential accommodation on the second floor. The assessment made assumptions about the room layouts due to a lack of floorplans information.

VSC: Two of the six windows would meet BRE targets (i.e., above 27% VSC and/or 0.8 times the former value). All but one of the windows falling below targets would retain a VSC value between 18% and 26%, which is clearly within the 'mid-teens' to 20% range that the Mayor of London suggests is acceptable in London (see Planning Policy in section 4). One first-floor window, however, would go beyond these daylight targets.

NSL: Two of the five assumed rooms assessed would retain good levels of daylight distribution, entirely consistent with BRE targets. Two further rooms would retain 0.68 and 0.78 times the former values; these should be acceptable when interpreting the BRE guidance flexibly. One first-floor room (R1) would retain 0.23 times the former value.

ASPH: All windows facing the site are not within 90° due south.

### ***Essex Brewery Building***

This is a residential building at six to seven storeys east of the site across Brunner Road. It has some ancillary / non-residential space on the ground floor and residential apartments on upper floors. All the main living rooms in the facing elevation have external balconies which protrude from the building and overshadow the windows below them. The BRE guidance acknowledges the impact of balconies on the results of VSC and areas receiving direct skylight and recommends assessing with and without balconies for accurate reflection of the impact of new developments.

VSC - Balconies included: 48 (59%) of the 82 windows would retain levels in line with BRE targets. 16 of the 34 windows that fall below the BRE targets would retain levels above 15%, which is commensurate with the 'mid-teens' target that the Mayor of London suggests is acceptable in London. The 18 windows falling below 15% VSC are all located beneath balconies.

NSL - Balconies included: 33 (55%) of the 60 assumed rooms assessed would retain good levels of daylight distribution, entirely consistent with BRE targets. 11 of the 27 rooms falling below the target would retain between 0.50 and 0.70 times the former values and should be considered acceptable when interpreting the BRE guidance flexibly as is intended.

VSC - Balconies omitted: All 71 windows would retain a VSC above 14.7%, in line with the Mayor of London's targets for London. This assessment demonstrates that, without the overhanging balconies, the scheme would be consistent with BRE and the Mayor of London's guidance.

ASPH – Balconies included: 14 of the 25 main living rooms in the facing elevation would meet the BRE targets (i.e., 25% annual sunlight and 5% winter).

ASPH – Balconies omitted: 24 of the 25 living rooms would retain levels of sunlight in line with BRE targets. The one living room falling below the BRE targets continues to receive 24% annual and 7% winter sunlight, clearly very close to the BRE targets of 25% and 5%.

*Conclusion: the presence of the balconies is the main reason the results fall below the BRE targets, the proposed building impact would be neutral.*

*It is also relevant to note that the South Grove/St James Street SPD identified development in this location as part of the masterplan.*

## **2 Markhouse Road**

This is a four-storey building located to the south of the site. It contains a gym on the ground floor and residential apartments on the first to third floors with balconies on the corner closer to the site. The assessment made assumptions about the room layouts due to a lack of floorplans information.

VSC - Balconies included: 26 of the 28 facing windows would retain levels over BRE targets (i.e., above 27% VSC or 0.8 times the former value). The two windows that fall below these targets are on the first floor beneath the balcony.

VSC - Balconies omitted: One window would comply with BRE targets, and the second would retain 0.72 times its former value, which should be acceptable given it serves a room with six other windows that meet BRE targets.

NSL – Balconies included: Seven of the eight rooms assessed would retain good levels of daylight distribution, entirely consistent with BRE targets. One first-floor room(R3) would retain 0.59 times the former value.

ASPH: Two rooms in this property have windows facing 90° due south, and both would retain levels of sunlight consistent with BRE targets (i.e., a change of less than 4% annual sunlight).

- 3.115 Considering all the above, the proposal would not result in significant reductions to levels of daylight and sunlight to the neighbouring properties to a degree that would amount to reasons for refusal. The most contentious reductions would occur at No. 43-45 St James's Street for one first-floor window VSC reduction. This matter would need to be reviewed on balance and weight against the overall benefits of the development.

## **G. TRANSPORT, HIGHWAYS AND SERVICING**

- 3.116 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.
- 3.117 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.

- 3.118 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.
- 3.119 The site has a PTAL score of 4 reflecting a 'good' level of public transport accessibility. St James Street station sits approximately 100m north of the site, and Walthamstow Queen's Road station sits approximately 560m east of the site. Both stations connect to the London Overground; St James Street providing connections to Liverpool Street station and Chingford, whereas Walthamstow Queen's Road station links Barking Riverside to Gospel Oak. Walthamstow Central interchange sits approximately 840m east of the site; it is on the Victoria line and London Overground, as well as multiple routes from Walthamstow bus station. In addition, Blackhorse station sits approximately 950m north of the site and is also on the Victoria line and London Overground lines. The site is well served by the bus network with routes 158, 212, 230, 275, W11, W12, and W19 within walking distance; the 212 and 275 routes are at a bus stop sitting approximately 100m north of the site on Cranbrook Mews, the 158, 230, W11 are at a bus stop on St James's Street directly adjacent to the site.

#### HIGHWAY DESIGN

- 3.120 Through the course of the application, the applicant agreed with the Highways team that the Waste collections and deliveries would utilise the existing on street loading bay outside Essex Brewery.
- 3.121 The proposed servicing arrangements would create an opportunity for a wide pavement outside the site which would serve as a key route connecting people towards the Plaza, railway arches and the destination venues. Accordingly, the design of this kerb would need to be obstructive of any opportunities for parking or loading on the kerb.
- 3.122 Highways confirmed that some highways works under s.278 agreement would be required including the following:
- Relocation of the existing lamp columns along Brunner Road, with consideration to new entrances and frontage.
  - Renewal of the footway along the frontage of the site along Brunner Road.
  - Renewal of the footway along the frontage of the site along St James's Street.
  - Installation of public realm upgrades along the footway link between St James's Street and Brunner Road with collaboration between the Council's Regeneration, Street Tree, Highway Projects, Highway Maintenance and Highway Lighting Teams.
  - Possible installation of bollards around the main core entrance.
  - Removal of all required enabling works installed for construction.
- 3.123 The Council's Highways requested financial obligations from the applicant towards the design and the implementation of walking and cycle infrastructure in the Leyton - Blackhorse Route Scheme. In line with TfL's healthy streets objectives for improving

road safety and connectivity for the additional occupants of this site. The improvements would seek to mitigate the impacts of the development due to increased pedestrian and cycling movements and additional servicing and delivery needs. These financial obligations would be following Policy T2 Healthy Streets from the London Plan to ensure space is more efficient and provide safer and more pleasant streets.

- 3.124 Considering the location of the site and the nature of the development as PBSA, it would be car-free, secured through the Section 106 agreement, with an emphasis on sustainable transport through cycling and the use of public transport. The decision notice would include a condition for a Travel Plan, emphasising that it should have clear targets in line with those set in the Mayor's Transport Strategy. Additional measures to help students and staff navigate the local area by foot and cycle and proposes behaviour change initiatives or sociable ways that support more people to choose walking and cycling as well as links to the Council's Enjoy Waltham Forest programme. The Travel Plan should be separate for the residential and commercial elements of the scheme. 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.
- 3.125 The Council has submitted a funding application to the DfT for Access for All funding to deliver step free access at St James Street Station, total estimated cost of the project is estimated to be in the region of between 4.5-5million pounds. Funding from DfT and delivery are subject to matched funding being provided from nearby developments. Accordingly, the borough has mapped out the necessary levels of contribution from projected development sites in the locale and proportioned the associated costs according to the scale and type of the development proposed. The objective for step free access is supported by the Council's policy to deliver a fully inclusive transport infrastructure. This in turn supports modal shift to public transport and contributes to the delivery of the highest standards of inclusion in built developments, as required by the London Plan. A contribution of £268,000 is requested, to be secured through the Section 106 agreement.
- 3.126 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, and would include improvements to the highways design and public realm, in accordance with Policies CS7, DM13, DM14, and DM15, the Emerging LP1 policy 63 and London Plan Policies T2 and T4.

#### CYCLE PARKING

- 3.127 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 room and one short stay space per 20 rooms. In relation to commercial, Policy T5 and Policy 63 specify 1 space per 250 sqm for non-food retail and 1 space per 750 for food retail.

- 3.128 The proposal would have four PBSA cycle stores, one to the rear of the commercial space in Building 2 comprising 20 spaces and three at the ground floor of Building 2 overlooking the courtyard. These three would have 205 spaces, including one store with 20 racks dedicated to larger bikes. The Council's Transport Planner agreed with the variety of racks, the location and the design of the stores; however, asked for details of the proposed racks to ensure the implementation of the Council's preferred ratio of single/double stands. The proposed mix for the cycle parking would exceed the emerging local plan requirements 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.
- 3.129 The proposal would also include a space for short-stay cycle parking, with 17 spaces racks next to Building 2, and six spaces on the northern boundary along St James Path, and four spaces on the east boundary next to the main entrance and six spaces within the courtyard. A total of 33 spaces, 10 of which would be outside the building for the use of the commercial elements. This would exceed policy requirements, in a variety of accessible visible locations that would avoid any hindrance to pedestrian and vehicular traffic and would be acceptable.
- 3.130 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

- 3.131 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.
- 3.132 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.
- 3.133 Building 1 would include three waste and recycling stores for the PBSA element and three waste and recycling stores for the commercial elements and Building 2 would have one of each on its ground floor. The highway works would include a ramp for ease of collection for Building 1 in line with the Council's guidance.
- 3.134 The Highways Development team reviewed the submitted DSP that 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 and the provisions made for the storage and collection of waste and recycling arising from its operation in accordance with policies CS6, CS7, DM13, DM14, DM15, and DM16 and London Plan Policies SI7, T2, T4 and T7.

### CONSTRUCTION

- 3.135 Policy DM13 and London Plan Policy T7 both require that relevant development proposals are supported by a CLP. The application submission included a CLP which Highways found acceptable and requested a condition for a final version to be submitted prior to construction.
- 3.136 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.
- 3.137 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.

### **H. TREES, LANDSCAPING AND ECOLOGY**

- 3.138 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.
- 3.139 The Council's tree preservation and urban greening officers (Tree & UG officer) reviewed the application in respect of trees, landscaping, and ecology. Natural England also reviewed the application in terms of ecology and impact on Epping Forest.

### TREES

- 3.140 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.
- 3.141 The existing building and its car park cover the site in hard standing except for grass strips and some trees. The submitted Report identified the trees on site as two small groups of Category C, one Category U and one Category B trees. All of these trees would be removed to facilitate the development. The Category B tree on the south corner of the site would be removed due to its root protection area extending below the proposed building and replaced with a semi-mature tree.



- 3.142 The proposal would include the provision of eight semi-mature native species trees along Brunner Road and St James Path to create lined streets and a strong tree boundary. The proposal would also include 11 medium trees, and 12 small trees in the courtyard, and eight small trees on the rooftop. The Council's Trees and Urban Greening Officer agreed on the proposed tree species, sizes and locations.
- 3.143 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, with the proposed loss of existing trees mitigated through extensive new tree planting, in general accordance with Policies CS5, DM12, and DM35 and London Plan Policies G1 and G7.

#### LANDSCAPING AND URBAN GREENING

- 3.144 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.
- 3.145 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.
- 3.146 The proposal would achieve an Urban Greening Factor (UGF) score of 0.416 using semi-natural vegetation, wildflower meadow, flower-rich perennial planting, trees, green walls, grassland and permeable paving and well as intensive green roof of intensive green roofs with a minimum soil depth of 150mm, all within the redline boundary.
- 3.147 The submitted landscaping shows the courtyard to have multiple seating areas around a central grass area and large trees to provide a sense of enclosure. The concept for the public realm imagines seating, stop-off nodes and a new wide pedestrian footway on the east boundary.
- 3.148 The Trees & UG officer concluded that the proposed courtyard, and roof garden with its biodiversity-focused planting and habitat would be acceptable; the development would provide a positive contribution to urban greening and biodiversity in the local area if maintained.
- 3.149 The decision notice would include a condition requesting soft landscaping details to ensure the LPA agreement to the species, sizes and densities of the proposed plants and the specification of any proposed green roofs and living walls. As well as another condition for detailed planting, management and maintenance plans, these plans will need to demonstrate how the soft landscaping proposal will be successfully implemented and maintained in the long term and should include planting methods and maintenance schedules with reference to the relevant British Standards and horticultural and arboricultural best practice guidance.
- 3.150 As such, subject to suitable conditions, 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 spaces and Biodiversity Net Gain (BNG).

#### ECOLOGY AND BIODIVERSITY

- 3.151 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.
- 3.152 London Plan Policy G6 seeks the avoidance of negative impacts on SINC's and generally requires that development proposals manage impacts on biodiversity and aim to deliver BNG.
- 3.153 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.
- 3.154 The application included a Preliminary Ecological Appraisal (PEA); the Council found it acceptable and successfully identified the ecological constraints on the site and the wider area. The decision notice would include a condition to ensure the recommendations of this assessment would be adhered to. The Trees & UG Officer advised that the biodiverse green roof would align with the landscape scheme and be installed around and underneath the photovoltaic panels. The landscaping documents explained that Bio-Solar roofs can have a complementary relationship; the planting cools the air around the panels, improving their efficiency, while the panels provide sun and rain shadows, which enables different plant types to establish. This scheme also included insect bird and bat houses at inaccessible roof levels. As these form part of the landscaping plan, the soft landscaping condition should cover Biodiversity Net Gain (BNG) for the development, which would also form part of the conditioned recommendations of the PEA.
- 3.155 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.
- 3.156 Natural England (NE) reviewed the HRA and raised no objections to the development subject to securing the appropriate mitigation, which comprises a per unit contribution to Strategic Access Management and Monitoring (SAMM) and securing a Suitable Alternative Natural Greenspace (SANG), as set out in the Waltham Forest Local Plan submitted to the inspectorate and supported by the November 2022 SANG Strategy. NE explained that without these mitigations, the proposal would harm the integrity of the Epping Forest Special Area of Conservation. Accordingly, the s.106 agreement

would contain a head of term for SAMM contribution of £250.8 per room, while SANGS would form part of the CIL payment.

- 3.157 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.

#### **I. ENERGY EFFICIENCY AND SUSTAINABLE DESIGN AND CONSTRUCTION**

- 3.158 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.
- 3.159 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.
- 3.160 Generally, it is noted that the application was assessed by the Council's sustainability and energy officers.

#### **ENERGY EFFICIENCY AND CARBON REDUCTIONS**

- 3.161 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.
- 3.162 The London Plan sets out a CO2 reduction minimum, for regulated emissions only, at 35% and a 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 to achieve 15% of this target through Be Lean measures.
- 3.163 Nonetheless, the Council's officers confirmed that the use of the building would fail to achieve the 35% target due to the high hot water demand, whereby there are limited options to reduce hot water demand as modelled by the approved software. The submitted report demonstrated that hot water and lighting both have more significant energy (and thus carbon) demands than space heating, and these have been reduced as far as possible in the proposal. Accordingly, the development would rely upon space heating to achieve an overall reduction in carbon emissions; in this case, the space heating demand is only 23% of the total energy demand (and thus carbon emissions) in the notional building reductions. Officers confirmed that the submitted final report provided a further explanation regarding the Be Lean savings which were maximised using very low U-values, efficient systems, WWHR and PV panels. The decision notice would include a condition to bind the applicant to As Built results in line with the submitted energy strategy.
- 3.164 The submitted Energy Statement estimated the offset contribution of £71,489; the Council's officer calculated the offset contribution as £68,656 based on an offset rate of £95 per tonne over 30 years. The final agreed figure would form part of the heads of terms for the s.106.

- 3.165 Policy DM10 requires non-residential development greater than 100 sqm to achieve BREEAM very good or equivalent standards. The decision notice would include a condition to ensure this standard would be achieved.
- 3.166 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 confirmed that it would not be feasible to connect to an existing District Heating Network (DHN). However, it confirmed that the development would be futureproofed for connection to a DHN. Futureproofing would form part of the clauses in the s.106 agreement; other related planning obligations would also secure appropriate measures for post-construction monitoring of the proposed development's performance.
- 3.167 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.

## **J. FLOOD RISK AND DRAINAGE AND WATER**

### **FLOOD RISK AND DRAINAGE**

- 3.168 Policy CS4 states that developments should be directed away from areas at high risk of flooding, and their design should minimise the potential for flooding and incorporate appropriate mitigation. Policy DM34 sets out various requirements for developments to manage flood risk, including aiming to achieve greenfield run-off rates via the maximisation of Sustainable Urban Drainage Systems (SuDS) where possible. The Emerging Local Plan Policy 93 have similar requirements. London Plan Policies SI 12 and SI 13 have similar requirements in terms of ensuring that development proposals minimise and mitigate flood risk and incorporate appropriate provisions for drainage, following the London Plan drainage hierarchy and other priorities.
- 3.169 The development is classified as having an overall 'More Vulnerable' land use under Annex 3 of the NPPF. The Site is in Flood Zone 1 and is at low risk of flooding from all other sources. The proposed use in Flood Zone 1 would not require a sequential test or an exception test. The Council's Lead Local Flood Authority (LLFA) viewed the submitted Flood Risk Assessment. The LLFA noted that the proposed drainage strategy would include Blue/Green roofs, permeable paving and some soft landscaping incorporated to reduce the discharge rate to 3.2l/s for all storm events up to the 1 in 100-year event. The LLFA advised that this would be acceptable and requested discharge hydrograph and construction details and the Thames Water (TW) consents to connect to the existing sewer network.
- 3.170 The LLFA requested financial contributions towards community flood mitigation projects within the area and another towards the Waltham Forest Southwest flood study projects. Flood mitigation projects usually provide additional benefits such as improvements to local habitats, enhanced biodiversity, ecology, improved local amenity spaces, health and wellbeing and other climate related benefits.
- 3.171 TW's consultation response confirmed that there was no objection concerning surface water drainage if the developer follows the sequential approach to the disposal of

surface water. It confirmed capacity in the sewerage network infrastructure and requested a condition for the piling method statement. Adding that the developer would require prior approval from TW Developer Services before discharging to a public sewer. However, as the site falls within 15 metres from a strategic sewer, TW requested a condition for a piling method statement detailing the depth and type of proposed piling and including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure.

- 3.172 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.

#### WATER

- 3.173 Policy CS4 states that development should minimise the use of water. Policy DM34 sets out that 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 developments. London Plan Policy SI 5 has similar requirements.
- 3.174 TW confirmed that they were working with the developer to identify and deliver the off-site water infrastructure needed to serve the development and that they identified some capacity exists within the water network to serve 100 dwellings, but beyond that upgrades to the water network would be required. Accordingly, requested a condition that would ensure development doesn't outpace the delivery of essential infrastructure by restricting occupation beyond 100 dwellings unless network upgrades were completed.
- 3.175 The decision notice would include a water use limitation condition and the occupation condition requested by TW. Therefore, it is considered that 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. ENVIRONMENTAL IMPACT**

- 3.176 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

- 3.177 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.
- 3.178 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 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.

- 3.179 The proposed development sits within 15m of underground water assets, and TW requested an informative concerning their guidance on working near such assets. TW also advised that the development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface; accordingly, the Environment Agency and Thames Water (or other local water undertaker) use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater to discuss the implications for their development with a suitably qualified environmental consultant.
- 3.180 The Council's Environmental Health – Pollution officer reviewed the application and requested a condition to address the risk associated with potential site contamination. This condition would include preliminary risk assessment and a conceptual site model, followed by a ground investigation based on the findings of the Desk Study Report to assess the risk to all receptors that may be affected, including those off-site, remediation measures if needed and verification report to ensure the completion of such measures. To ensure risks 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.
- 3.181 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.
- 3.182 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

- 3.183 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.
- 3.184 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.

- 3.185 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).
- 3.186 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 £6,280.0 for commercial & £8,960.0 for residential towards the Council's air quality action plan.
- 3.187 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.
- 3.188 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

- 3.189 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.
- 3.190 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.
- 3.191 The application submission included a Noise Assessment, which carried out a noise survey on and around the site. The measured noise levels and results of the noise model have been used to calculate and assess suitable glazing and ventilation specifications, demonstrating that they can meet the standards guidance values. The site would be considered medium to high risk for areas near St James's Street, with the rest of the site being low risk. The proposal would include expert Acoustics advice and good acoustic design to reduce noise levels and achieve the standards guidance values. The Noise Assessment 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 occupiers.
- 3.192 The Noise Assessment assessed the impact on neighbours and concluded that the change in noise levels due to traffic generated during the operational stage of the development have been compared to the future baseline traffic flows, the change in noise levels would be negligible.

- 3.193 The Council's Environmental Health- Noise Officer reviewed the Noise Assessment and agreed with its findings. The decision notice would include a condition to ensure the development would adhere to the listed mitigation measures.
- 3.194 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

- 3.195 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.
- 3.196 The application provided information on the proposed concept for lighting strategy as part of the landscape suite of drawings. Highways commented that they require the exact lighting specification of the proposed lighting for the external design, as well as suitable lighting calculations to demonstrate appropriate lighting levels for the public areas. Adding that lighting shown on the proposed plans within a publicly maintainable highway is indicative only, as it would be designed to public highway standards and pre-approved by the Council's Highway. The detailed lighting design within the red line boundary would be subject to a pre-commencement planning condition. The lighting design on highways adopted land would be subject to s.278 works.
- 3.197 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.

#### **L. IMPACT ON INFRASTRUCTURE**

- 3.198 Policy CS1 generally seeks to ensure that growth is supported by the timely delivery of essential infrastructure. Policy CS3 requires that new development contributes towards the provision of any necessary infrastructure, including social, utility, and other types of infrastructure. Policy CS13 Policy DM34 specifically sets out that proposals for new development must either demonstrate that sufficient water supply and wastewater infrastructure exists, or that sufficient extra capacity would be provided.
- 3.199 Policy DM17 states that the Council would seek improvements to social infrastructure either onsite or offsite via planning obligations according to policy DM36. Policy DM23 states that the Council will support major applications with positive health impacts demonstrated through the use of Health Impact Assessment (HIA). Policy DM34 specifically sets out that proposals for new development must either demonstrate that sufficient water supply and wastewater infrastructure exists, or that sufficient extra capacity would be provided.
- 3.200 The Emerging Local Plan LP1 Policy 51 states that the development of 100 new homes or more will be expected to submit a Health Impact Assessment. Emerging LP1 Policy



- 70 states the Utility infrastructure and connections must be designed into the development from the outset wherever possible.
- 3.201 London Plan Policy SI 5 requires that new development ensures adequate wastewater capacity is provided. London Plan Policy SI 6 requires that developments make adequate provision for digital connectivity infrastructure.
- 3.202 The development of 224 student rooms is equivalent to the provision of 89 traditional homes, ratio 2.5 as per the Delivery Test Measurement Rulebook para 11 and the London.
- 3.203 The application included a Health Impact Assessment (HIA) which used Healthy Urban Development Unit's (HUDU) Healthy Urban Planning Checklist (2017) following the council's requirements. This HUDU aims to promote healthy urban planning by ensuring that the health and well-being implications of major planning applications are consistently considered in line with the Mayor of London's Social Infrastructure Supplementary Planning Guidance (2015). The HIA included an assessment of 'Vibrant Neighbourhoods' which considered healthcare services, education, access to social infrastructure, local employment and healthy workplaces, and access to local food shops and public buildings and spaces.
- 3.204 In general, the submitted HIA concludes that the proposed development would not result in adverse health and well-being impacts and would include several positive impacts. This demonstrates that proposal would accord with Policies CS13 and DM23, which seek the delivery of healthy places which would raise an argument that the proposed design would help to reduce pressure on healthcare infrastructure overall.
- 3.205 The application included a Utility Statement, which concluded that following a review of utilities record plans provided by the various statutory undertakers, it was apparent that foul/ surface water sewers, gas, electric, water and telecom assets do not present within the Site bar the individual connections for the existing development. Additionally, the capacity of the existing gas, electric, foul water, potable water and telecommunications utility networks are waiting on confirmation from the respective utility providers.
- 3.206 Thames Water has confirmed that they would not have any objection concerning foul water sewerage network infrastructure capacity. They also advised that the existing water supply infrastructure network would be suitable for up to 100 dwellings and requested a condition was requested to ensure that the development would only be occupied when suitable water supply infrastructure is in place for any homes above 100. Thames Water also requested informative advising that the site is near existing underground wastewater and water assets, to help ensure that these assets are adequately protected.
- 3.207 In terms of impacts on other types of infrastructure, it is noted that the development is part of the planned growth of the borough and a draft site allocation. It would contribute towards infrastructure provision generally through any local and Mayoral CIL income. Also, the scheme would contribute to infrastructure provision in several ways, including in the form of public realm improvements and through the recommended planning obligations, which would secure highway improvements, and enhancements to open spaces elsewhere in the Borough. As discussed in subsection 10K above, the impact of the proposed development on public transport infrastructure would be acceptable,

and TfL was consulted and has not raised any objection to the proposed development in respect of such impact. Moreover, it is noted that any Mayoral CIL income from the development would be allocated to be spent on public transport infrastructure.

- 3.208 It should be noted that the potential impacts of the proposed development on infrastructure in combination with other developments have been considered where relevant. Funding received via local and Mayoral CIL would be able to help address potential cumulative impacts.
- 3.209 Therefore, it is considered that the impact of the proposed development on infrastructure, including social and utility infrastructure, would be acceptable, subject to the recommended planning condition. It is also noted that the proposal would deliver some infrastructure, both on-site and off-site via recommended planning obligations and any local and Mayoral CIL income. The proposed development would accord with policies CS1, CS3, CS13.

## **M. SAFETY AND SECURITY**

### **DESIGNING OUT CRIME**

- 3.210 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.
- 3.211 The nature of the development would require 24hours concierge at reception, and the building would only be accessible to students 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 to both sides of the building. The MPS Designing Out Crime Officer reviewed the application and requested that the decision notice include a condition requiring details of measures ongoing review per phase and evidence of achieving the SbD certification.
- 3.212 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 Policies CS16 and DM33, Emerging LP1 policy 60 and London Plan Policy D11.

### **FIRE SAFETY**

- 3.213 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.
- 3.214 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.

- 3.215 The application included a Fire Strategy Assessment that is acceptable in principle. It covered all the requirements for Policy D12 including evacuation and means of escape for all building users, identifying fire appliances position, minimising fire spread, and materials of constructions. However, the application encountered design changes and would have a new layout than that represented in the submitted strategy. Accordingly, a condition requiring an updated Fire Strategy Assessment would be applicable in this instance.
- 3.216 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.
- 3.217 , DM17, DM23, DM34, DM36; Emerging LP1 Policy 51, Policy 71 and LP SI 5, SI6.

## **N. PLANNING OBJECTIONS**

- 3.218 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.
- 3.219 Additional policies and guidance specifically relevant to planning obligations related to affordable housing are set out subsection 10D of this report.
- 3.220 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.
- 3.221 Heads of terms for the recommended planning obligations, which would be captured in a S106, are set out in section 1 of this report.
- 3.222 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.
- 3.223 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**

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

- The delivery of 224 purpose-built student accommodation which will contribute to the housing numbers in the borough as per the London Plan.
- The delivery of 224 purpose-built student accommodation contributing to housing numbers in the borough as per the London Plan.
- The delivery of high-quality accommodation which meets modern standards of safety, design and construction, as well as an overall inclusive design.
- The provision of approximately 35% affordable student accommodation.
- Redevelopment of a site that would otherwise turn debilitated and unused following the move of the health centre to their new facilities adjacent to the site.
- Redevelopment of the site, in line with the Council's aspiration and masterplan for the St James area.
- The introduction of active frontages along this part of Brunner Road and St James path, along with improvements to the public realm that enhance the pedestrian experience and sense of security.
- The proposal completes the block along St James's Street and Brunner Road and positively responds to the townscape on Brunner Road.
- Economic benefits in the form of jobs provision during construction and operation of the development. Economic benefits to existing and future local businesses from additional residents.
- The proposal would achieve significant biodiversity net gain associated with landscaping and urban greening.

3.225 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:

- Outlook impact on set of bedroom windows at Essex Brewery which would sit at 13 metres from the proposal.
- The daylight on one for one first-floor window at No. 43-45 St James Street.

3.226 On balance, it is considered that the significant benefits of the proposed development would outweigh the relatively small amount of residual, unmitigated harm.

3.227 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 students.

- It would deliver a fast-track percentage of affordable student accommodation as per the London Plan requirements.
- It would provide an overall high standard of accommodation, including in terms of internal and external accessible spaces.
- Its design would be both high-quality and inclusive, in respect of its layout, massing, and detailed design matters related to the proposed final appearance of the development.
- It would have an, overall, acceptable impact on the amenities of neighbouring properties, with any residual, unmitigated harm being outweighed by its substantial benefits.
- It would have an overall acceptable impact in terms of transport-related considerations and would be “car free” for all new occupiers.
- 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 in relation to 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.

3.228 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

3.229 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.

3.230 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.

- 3.231 There should be due regard to the need to tackle prejudice and promote understanding to foster good relations.
- 3.232 The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 3.233 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.
- 3.234 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.
- 3.235 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

- 3.236 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.
- 3.237 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**

- 3.238 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).
- 3.239 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 four years from the date of this permission.

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

### **2. Health Centre Operation**

The development hereby permitted shall not commence until the existing health centre on-site has vacated the premises.

REASON: To enable the continuous operation of the health centre on-site until it's potential relocation in accordance with Policy DM7 of the Waltham Forest Local Plan Development Management Policies (2013).

### **3. Approved Drawings**

The development shall be carried out in accordance with the approved drawings listed under document titled: Drawing Issue – St. James Street, Walthamstow, Job Number 36030, File Reference PF-DC-002, *Last date of Issue: 25/09/23*.

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

### **4. Wheelchair Accessible Rooms**

The development shall have 10% of the bedrooms to be wheelchair-accessible in accordance with Figure 52 incorporating either Figure 30 or 33 of British Standard BS8300- 2:2018 Design of an accessible and inclusive built environment. Buildings - Code of practice.

REASON: To provide suitable housing and genuine choice for London's diverse population, in accordance with Policy CS2 of the Waltham Forest Local Plan Core Strategy (2012), and Policies D5 and D7 of the London Plan (2021).

### **5. Obscure and Non-Openable Windows**

Notwithstanding the approved plans, the northeast facing windows of the southeast six-bed communal room, facing the corner of Brunner Road and St James Street (south), 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).

## **6. 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).

## **7. Boundary Treatment**

Prior to the construction of roof slab level, details relating to the proposed boundary treatment along the public highway shall be submitted to and approved in writing by the Local Planning Authority. The details should include specification, location, materiality and both existing and proposed threshold levels. Boundary treatments should avoid structure footings within the extents of publicly maintainable footway and threshold levels should avoid any discharge of surface water onto public highway.

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 pedestrian and highway safety, in accordance with Policies CS7, CS13 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM14, DM15, DM29 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

## **8. Highway Condition Survey**

- a. 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.
- b. 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.

- c. 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).

## **9. 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).

## **10. 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 general visual amenity, and pedestrian and highway safety, protect the living conditions of existing and future residents in the locality in accordance with Policy CS7, CS13 and CS15 of the Waltham Forest Local Plan Core Strategy (2012), and Policies DM14, DM15, DM29 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

### **11. Delivery and Servicing Plan**

No above ground works shall take place until a Delivery and Servicing Plan (DSP), based on document titled: TRIBE ST JAMES STREET LIMITED-PROPOSED MIXED USE DEVELOPMENT: ST JAMES MEDICAL CENTRE, WALTHAMSTOW - DELIVERY & SERVICING MANAGEMENT PLAN, Report Reference 2201421-05B, dated 22/09/2023, prepared by Ardent Consulting Engineers, 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).

### **12. Travel Plan**

No above ground works shall take place until a final Travel Plan based on document titled: TRIBE ST JAMES STREET LIMITED-PROPOSED MIXED USE DEVELOPMENT: ST JAMES MEDICAL CENTRE, WALTHAMSTOW - FRAMEWORK TRAVEL PLAN, Report Reference 2201421-02B, dated 22/09/2023, prepared by Ardent Consulting Engineers, been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be fully implemented, and the implemented measures shall thereafter be retained and maintained as such for the lifetime of the development.

REASON: To ensure incorporation of sustainable transport measures to comply with Policies CS7 and CS15 of the adopted Waltham Forest Local Plan - Core Strategy (2012), Policies DM13 and DM14 of the adopted Waltham Forest Local Plan - Development Management Policies (2013), and Policy T4 of the London Plan (2021).

### **13. Cycle Parking Details**

- a. No above ground works shall take place until details of the proposed cycle stores for the proposed PBSA been submitted to and approved in writing by the Local Planning Authority. The details shall include types of racks, dimensions of stands dimensions of stores, number of stands. The approved details shall be fully implemented, and thereafter be retained and maintained as such for the lifetime of the development.
- b. No above ground works shall take place until details of the proposed cycle stores for the proposed commercial been submitted to and approved in writing by the Local Planning Authority. The details shall include types of racks, dimensions of stands dimensions of stores, number of stands. The approved details shall be fully implemented, and thereafter be retained and maintained as such for the lifetime of the development.

REASON: To encourage sustainable transport and ensure accessibility, in accordance with Policy CS7 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM14, DM15, and DM16 of the Waltham Forest Local Plan Development Management Policies (2013), and Policies T2, T5, T6, and T6.1 of the London Plan (2021).

#### **14. Basement Approval in Principle**

No demolition or development shall commence, until full details of basement AIP based on document titled: Phase 1 Desk Study and Stage 1 & 2 (Screening & Scoping) – Basement Impact Assessment Report - St James Street Health Centre, Walthamstow; E17 7PE; Report Job No: P4656J2637/JLW; Version V1.1; dated 16/12/2022; prepared by: Jomas Associates Ltd, been submitted to and approved in writing by the Local Planning Authority.

The approved Basement AIP shall be fully implemented, and the implemented measures shall thereafter be retained and maintained as such for the lifetime of the development.

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).

#### **15. 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: TRIBE ST JAMES STREET- JAMES HEALTH CENTRE; WALTHAMSTOW – AIR QUALITY ASSESSMENT; report reference 2201421-07B; dated 21/09/2023, and document titled: TRIBE ST JAMES STREET- JAMES HEALTH CENTRE, WALTHAMSTOW – CONSTRUCTION AND DEMOLITION METHOD STATEMENT; report reference 2201421; dated 22/02/2023, 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).

## **16. Land Contamination**

A. No development shall take place until a scheme including the following components (where applicable) to address the risk associated with site contamination has been submitted to and approved in writing by the Local Planning Authority:

- 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.
- e. In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported immediately to the Local Planning Authority and no further development shall take place until a revised remediation strategy has been submitted to and approved in writing by the Local Planning Authority.

Any investigation and risk assessment must be undertaken in accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR11).

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).

## **17. 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.

**18. 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).

**19. Noise**

No occupation of the development shall take place until noise mitigation measures have been fully implemented, in accordance with the approved document titled: TRIBE ST JAMES STREET- JAMES HEALTH CENTRE; WALTHAMSTOW – NOISE ASSESSMENT; report reference 2201421-08A; dated 22/09/2023.

The implemented noise mitigation measures shall thereafter be retained and maintained as such for the lifetime of the development. Noise mitigation measures shall produce internal noise levels specified in table 4 section 7.7 of BS8233 and meet the WHO night-time noise standard of 45 dB L<sub>Amax</sub>. Where mechanical ventilation systems are required, they shall meet or exceed the specifications set out in clause 6, schedule 1 of the Noise Insulation Regulations 1975 (as amended) with regard to acoustic performance and airflow rates.

REASON: To protect the amenities of future residents and safeguard the potential future operation of the Lord Brooke Public House in its established lawful use, 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 D13 and D14 of the London Plan (2021).

## **20. Construction Method Statement**

The development shall adhere to the document titled: Construction and Demolition Method Statement, Report Ref 2201421-11, Project reference 2201421, Dated February 2023, prepared by; Ardent Consulting Engineers.

REASON: To protect the amenities of future residents and safeguard the potential future operation of the Lord Brooke Public House in its established lawful use, 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 D13 and D14 of the London Plan (2021).

## **21. Archaeology**

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- a. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- b. Where appropriate, details of a programme for delivering related positive public benefits.
- c. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

REASON: In order to adequately mitigate any harm to the significance of heritage assets of archaeological interest, in accordance with Policy CS12 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM28 of the Waltham Forest Local Plan Development Management Policies (2013), and Policy HC1 of the London Plan (2021).

## **22. Overheating**

No above ground works for the development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing how any

potential overheating risk to homes will be mitigated in line with the London Plan (2021) cooling hierarchy. The details shall include:

- A Dynamic Overheating Assessment, which assess the overheating risk for any naturally ventilated spaces. This shall follow the CIBSE TM52 and TM59 methodology for the London Design Summer Year 1 (DSY1) weather file: 2020s, High emission, 50% percentile scenario. The assessment shall also investigate the risk of overheating using the DSY 2 & 3 weather files.
- Confirmation that guidance will be provided to occupants on minimising the risk of overheating in line with the energy hierarchy. The overheating guidance document shall be submitted.
- Openable windows and doors, internal blinds, and acoustic louvres, where feasible. Any required blinds shall be provided as part of the development.
- Details of mechanical ventilation where required.
- Evidence that any active cooling provision is lower than the notional MJ/m<sup>2</sup> cooling demand.

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 prevent overheating, 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 and SI 4 of the London Plan (2021).

### **23. 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).

### **24. Carbon Reductions**

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 documents titled: St James Road, London Borough of Waltham Forest - Overheating Assessment, Version 01, dated 17<sup>th</sup> November 2022, prepared by: JAW Sustainability; and St James Road, London Borough of Waltham Forest – Energy and Sustainability Strategy, Version 1.1, dated 24<sup>th</sup> January 2023, prepared by: JAW Sustainability;

and shall explain what measures have been implemented in the construction of the development (As Built). 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 Wastewater 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)).

## **25. BREEAM**

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).

## **26. Futureproof DHN Connection**

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

REASON: In the interests of sustainability and energy efficiency of the development, in accordance with Policy CS4 of the Waltham Forest Local Plan Core Strategy (2012)



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

### **27. 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).

### **28. Water Supply**

No occupation of more than 100 rooms of the development shall take place until:

- All water supply infrastructure network upgrades required to accommodate the additional demand to serve the development have been completed; or
- A Development and Infrastructure Phasing Plan for the development has been agreed with Thames Water, in which case no occupation of the development shall take place except in accordance with the agreed Development and Infrastructure Phasing Plan.

REASON: The development may lead to no or low water pressure and water supply infrastructure network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand, in accordance with Policies CS1 and CS3 of the Waltham Forest Local Plan Core Strategy (2012), Policies DM17 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013), and Policy SI 5 of the London Plan (2021).

### **29. 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.

### **30. 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.

### **31. 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.

- 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.

B. All planting approved as part of the hard and soft landscaping scheme shall be carried out in the first planting season following the practical completion or first occupation of the development, whichever is sooner. The approved hard and soft landscaping scheme shall otherwise be installed prior to the occupation of the development.

C. No construction of the roof slab level for the development shall take place until a landscape maintenance and management plan has been submitted to and approved in writing by the Local Planning Authority. The landscape maintenance and management plan shall include long-term design objectives, management responsibilities, and maintenance schedules for the approved hard and soft landscaping scheme, and a commitment that any planting that dies, is removed, or becomes seriously damaged or diseased within a period of five years following the practical completion or first occupation of the development, whichever is sooner, shall be replaced with others of similar size and species.

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).

### **32. Trees**

The development shall accord with the submitted documents titled:

- Arboricultural Survey - 85,85 and 86 Brunner Road and St James Health Centre, Waltham Forest, E17 7NW; Document date: 19<sup>th</sup> August 2022; Document Reference: PJC/6125/2201 Rev -
- Arboricultural Impact Assessment, Method Statement and Tree Protection Plan - 85,85 and 86 Brunner Road and St James Health Centre, Waltham Forest, E17 7NW; Document date: 21<sup>st</sup> December 2022; Document Reference PJC/6125/22-02 Rev-

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.

### **33. Designing Out Crime**

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

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) 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).

### **34. Fire Strategy**

No above ground works shall take place until an updated 'Fire Strategy Statement' been submitted and approved in writing by the Local Planning Authority. The Fire Strategy Statement shall include 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).

### **35. Use Class Restrictions**

Other than the areas highlighted as commercial under approved plans, the premises shall be used for no other purpose than as a student accommodation. No change of use of this premises that would otherwise be permitted by the Town and Country Planning (Use Classes) Order 1987 (as amended) or the Town and Country Planning

(General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that order, shall be carried out without planning permission having first been obtained from the Local Planning Authority.

REASONS: To ensure delivery and protection of the premises for student accommodation purposes, Policies DM17, DM23 and DM32 of the Waltham Forest Local Plan Development Management Policies (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 documents submitted in support of the planning application for this scheme (as amended) are listed below:
  - Construction and Demolition Method Statement, Report Ref 2201421-11, Project reference 2201421, Dated February 2023, prepared by; Ardent Consulting Engineers.
  - TRIBE ST JAMES STREET LIMITED, ST JAMES MEDICAL CENTRE, WALTHAMSTOW – Utilities and Services, Project Ref No. 2201421-10, Project No. 2201421, dated January 2023.
  - TRIBE ST JAMES STREET LIMITED, ST JAMES MEDICAL CENTRE, WALTHAMSTOW – Healthy Streets Transport Assessment, Report Ref. 2201421-01B, dated 22/09/2023.
  - TRIBE ST JAMES STREET LIMITED, ST JAMES MEDICAL CENTRE, WALTHAMSTOW – Framework Travel Plan, Report Ref. 2201421-02B, dated 22/09/2023.
  - TRIBE ST JAMES STREET LIMITED, ST JAMES MEDICAL CENTRE, WALTHAMSTOW – Delivery & Servicing Management Plan, Report Ref. 2201421-05B, dated 22/09/2023.
  - TRIBE ST JAMES STREET LIMITED, ST JAMES MEDICAL CENTRE, WALTHAMSTOW – Air Quality Assessment, Report Ref. 2201421-07B, dated 21/09/2023.
  - TRIBE ST JAMES STREET LIMITED, ST JAMES MEDICAL CENTRE, WALTHAMSTOW – Noise Assessment, Report Ref. 2201421-08A, dated 22/09/2023.
  - TRIBE ST JAMES STREET LIMITED, ST JAMES MEDICAL CENTRE, WALTHAMSTOW – Flood Risk Statement and Drainage Strategy, Report Ref. 2201421-09C, dated 28/09/2023.
  - TRIBE ST JAMES STREET LIMITED, ST JAMES MEDICAL CENTRE, WALTHAMSTOW – Student Management Plan, Report Ref. 2201421-04A, dated 13/01/2023.
  - ARCHAEOLOGICAL DESK BASED ASSESSMENT, Health Centre, St James Street, Waltham Forest; prepared by RPS; version 4, dated 13/01/2023.

- Community Infrastructure Levy (CIL) - Determining whether a Development may be CIL Liable Planning Application Additional Information Requirement form; Applicant Name: Tribe St James Street Ltd, c/o CMA Planning; PP-11808099; Local Authority Planning Application Number: 230208.
- Drawing Title: Highway Adoption Plan; drawing number: 221421-D06 Rev D; dated: 18/09/2023.
- St James Street – Walthamstow, Design and Access Statement Addendum 02; Job number 36030; dated 11/10/2023; Rev B; prepared by Carey Jones Chapman Tolcher.
- Viability Report, St James Street Health Centre, 47 St James Street, Walthamstow, E17 7NH; dated October 2023; prepared by James R. Brown
- St James Health Centre, 47 St James Street, Walthamstow, E17 7NH- Health Impact Assessment; prepared by: ICENI Projects Limited, dated: February 2023.
- St James Street, Landscape Strategy; document number: 22.021-BOSK-ZZ-XX-RP-L-9001-P08; dated: 21/09/2023; prepared by BOSK Studio.
- Statement of Community Involvement, St James Street, Walthamstow, Tribe; dated December 2022; prepared by: becq.
- LBWF Epping Forest Recreational Pressures Habitat Regulation Assessment (HRA) Screening and Appropriate Assessment Template, Application Reference; 230208.
- Daylight & Sunlight Report, Health Centre, St James Street-Walthamstow, E17 7PJ; reference 5655; dated 25/09/2023; prepared by eb7.
- Accommodation Schedule, including Nett & Gross Floor Area; reference PF-AS-008; prepared by Carey Jones Chapman Tolcher, date of revision 25/09/23.
- Preliminary Ecological Appraisal of Land at Aston Grange, Walthamstow, Greater London, dated November 2022, job number: JBA 22/092, by James Blake Associates.
- Proposed Student Accommodation Hall, St James Street, Walthamstow (the "Residence"), Student Housing Management Plan; prepared by TRIBE.
- Arboricultural Survey - 85,85 and 86 Brunner Road and St James Health Centre, Waltham Forest, E17 7NW; Document date: 19<sup>th</sup> August 2022; Document Reference: PJC/6125/2201 Rev -
- Arboricultural Impact Assessment, Method Statement and Tree Protection Plan - 85,85 and 86 Brunner Road and St James Health Centre, Waltham Forest, E17 7NW; Document date: 21<sup>st</sup> December 2022; Document Reference PJC/6125/22-02 Rev-
- Phase 1 Desk Study and Stage 1 & 2 (Screening and Scoping) Basement Impact Assessment for St James Street Health Centre, Walthamstow, E17 7PE; Job No: P456J2637/JLW; Version V1.1; dated: 16/12/2022.
- DEMAND STUDY: PURPOSE BUILT ACCOMMODATION, Proposed site: St James Street Health Centre, Walthamstow, East London, DEMAND ASSESSMENT & MARKET ANALYSIS; prepared by: Knight Frank.
- St James Street, Walthamstow, London Plan Fire Statement; dated 20<sup>th</sup> January 2023; report ref: 15315BC; prepared by BB7.

- STJAMES HEALTH CENTRE, Planning Statement; dated January 2023; prepared by CMA Planning.
  - Cover Letter to: Mr Karim Badawi; dated 25<sup>th</sup> January 2023; prepared by CMA Planning; titled: St James Health Centre, 47 St James Street, Walthamstow, E17 7NH – Application Submission – Planning Portal reference: PP-11808099.
3. 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).
  4. 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.
  5. The AQDMP can form part of the CEMP and shall include the following for each relevant phase of work (i.e., demolition, earthworks, construction, and track out):
    - 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 NOx 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 logbook for action taken in response to incidents or dust-causing episodes, the mitigation measure taken to remedy any harm caused, and measures employed to prevent a similar incident reoccurring.

No development (including demolition) shall commence until all necessary pre-commencement measures described in the AQDMP have been put in place and set out on site. The 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.
  6. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit: <http://nrmm.london/>.

7. 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](mailto: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.
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. The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://protect-eu.mimecast.com/s/0elpC6WQAt12N51F6mnLz>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.