
Planning Committee

Minutes of
09 January 2024 at 7.04 pm

Present:

Chair: Councillor Jenny Gray

Vice-Chair: Councillor Sebastian Salek

Committee Members: Kira Lewis, John Moss and Keith Rayner

Councillors in Attendance: Councillor Sally Littlejohn

Officers in Attendance:

Justin Carr	Assistant Director - Development Management and Building Control
Antonio Coquillat	Deputy Area Manager
Sonia Malcolm	Planning Manager - South Area Team
Zarina Ali	Planning Officer
Madara Tukisa	Planning Officer
Cyrus Wong	Planning Officer
Joanna West	Planning Lawyer
Jenny Richards	Democratic Services Officer

117. Apologies for absence and substitute members

None.

118. Declarations of interest

None.

119. Minutes of the previous meeting

The minutes of the meeting held on 5 December 2023 were agreed by the Committee.

120. Development management

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

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

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

121. Garages Rear of 28-58 Woodhouse Road, Leytonstone, London E11 (213516)

Resolved

That planning permission be granted for application 213516 in line with the recommendations and reasons contained in the committee report subject to:

- The conditions and informatives set out in the committee report;
- The additional condition and reason agreed by the Committee as follows:

Before the first occupation of the proposed Flat 3 at ground floor level, hereby permitted the ground floor flank elevation windows serving the bedroom shall be fitted with obscured glass and shall be permanently retained as such.

Reason: To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property, in accordance with Policies CS13 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM4, DM29 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

- Completion of a Section 106 Legal Agreement (S106) with the following Heads of Terms:
 - i. **Highways –**

- Section 278 agreement of the Highway Act 1980 for highway works required upon completion of the works relating to the development prior to occupation. The extent of works will include but are not limited to:
 - Renewal of crossover and refreshment of existing road markings
 - Car Free Development – the development is to be classified as car-free and new residents will not be eligible for parking permits.
 - A S106 request of £9,000 is requested toward improving sustainable modes of transport including walking and cycling in the vicinity of the site which will directly benefit new residents in this development.
 - A contribution of £500 is requested for CLP monitoring.
- ii. **SAMMS** – A financial contribution of £627x 9 = £5643 towards Strategic Access Management and Monitoring measures (SAMMs).
 - iii. **Monitoring Fee** – A financial contribution towards the implementation and monitoring of and securing compliance with the S106, equal to 5% of the total of all other financial contributions.
 - iv. **Legal Fees** – Payment of the Council’s legal fees for preparation and completion of the Legal Agreement.
 - v. **Carbon Offset** – Cash in Lieu payment of £13,793, based on a Carbon Levy of £95 over 30 years.
- 1.2 That authority to be given to the Assistant Director of Development Management and Building Control in consultation with the Council’s Legal Services for the sealing of the S106 agreement and to agree any minor amendments to the conditions or the S106 agreement on the terms set out above.
- 1.3 In the event that the S106 agreement is not completed within 12 weeks following the date of Planning Committee, the Assistant Director of Development Management and Building Control is hereby authorised to refuse the application. In the absence of this S106 agreement, the proposed development would not be able to deliver the residential development on the site.

122. Land at the rear of 48-50 Station Road, Chingford, London E4 7BE (231885)

That planning permission be granted for application 231885 in line with the recommendations and reasons contained in the committee report and update report, subject to:

- The conditions and informatives set out in the committee report and update report;
- The update to condition 6 therein, agreed by the Committee as follows:

Noise from the use of the premises shall be at least 10dB(A) below the typical underlying background noise level (LA90) when measured at the

boundary of residential premises 1A or 1B Buxton Road, Chingford, London, E4 7DP. The underlying background LA90 shall be determined in accordance with BS4142:2014 +A1:2019 'Methods for rating and assessing industrial and commercial sound.

Reason: To protect the amenities of the nearby residents from excessive noise and dust and to comply with Policies CS13 of the adopted Waltham Forest Core Strategy (2012), Policies DM15 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013), and Policy 59 of the Emerging Draft Local Plan (2021)

123. Garages Between 48 to 56 Haldan Road, Chingford, London, E4 9JJ (231539)

Resolved

That planning permission be granted for application 231539 in line with the recommendations and reasons contained in the committee report, subject to:

- The conditions and informatives set out in the committee report;
- The additional condition and reason agreed by the Committee as follows:

The proposed lighting scheme shall be implemented in accordance with the details as shown in the Landscape Design Report (dated 13/06/23) and Drawing no. JKD021P01 Revision 01 dated 13/06/23 and thereafter retained as such.

Reason: To protect the amenities of adjoining occupiers, ensure the safety of future occupiers and to ensure minimal disruption to local wildlife, to comply with Policies CS5, CS13, CS15 and CS16 of the adopted Waltham Forest Local Plan - Core Strategy (2012) and Policies DM23, DM24, DM32 and DM35 of the adopted Waltham Forest Local Plan - Development Management Policies (2013).

- Completion of a legal agreement under Section 106 (S106) of the Town and Country Planning Act 1990 (as amended) with the following Heads of Terms:

Epping Forest:

- A financial contribution of £3,135 (5x £627) towards Strategic Access Management and Monitoring measures in relation to the Epping Forest Special Area of Conservation.

Transport:

- A S106 request of £5,000 is requested toward improving sustainable modes of transport including walking and cycling in the sites vicinity which will directly benefit new residents in this development.
- A S106 contribution of £250 is requested for CLP monitoring.

- A S106 contribution of £2,500 is requested towards future CPZ consultations.
- S278 works will be required upon completion of the works relating to the development prior to occupation. An application for Highway Works will be required. The applicant must submit an application 6 months post commencement. The extent of works will include but are not limited to:
 - Retaining of the dropped kerb to a smaller length and reinstatement of the footway and kerb to full height on Haldan Rd.
 - A new Traffic Management Order and new double yellow lines for at the frontage of this crossover to keep access clear for servicing and for access and visibility for cyclists entering and exiting the site. The length of the double yellow lines will be confirmed once a swept path plan is provided showing a refuse vehicle turning into the access frontage and then turning out.

River Ching Flood Study :

- A S106 contribution of £10,000 is requested towards the Ching Corridor Flood Study
- A S106 contribution of £25,000 is requested towards implementing flood mitigation measures obtained from the Ching Corridor Flood Study.

Monitoring and legal fees:

- A financial contribution towards the implementation and monitoring of and securing compliance with the S106, equal to 5% of the total of all other financial contributions.
- Payment of the Council's legal fees for preparation and completion of the Legal 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 Section 106 Agreement and to agree any minor amendments to the conditions or the legal agreement on the terms set out above.
- 1.3 In the event that the S106 agreement is not completed within a reasonable timeframe following the date of Planning Committee, the Assistant Director - Development Management and Building Control is hereby authorised to refuse the application on the basis of the harm that would arise through the absence of this Section 106 agreement and the contributions necessary to deliver the supporting infrastructure associated with the development. Financial contributions towards the following material planning considerations are the impact on the Epping Forest SAC and highways matters, which must be secured by the Section 106 Agreement.

124. Public Speakers

4.1	Garages Rear of 28-58 Woodhouse Road, Leytonstone, London E11 (213516)	Paul Hynes Alexander Smith Stuart Richards Andrew MacDougall
4.2	Land at the rear of 48-50 Station	Andrew Turner

	Road, Chingford, London E4 7BE (231885)	Ian Coward
4.3	Garages Between 48 to 56 Haldan Road, Chingford, London, E4 9JJ (231539)	Mark Baker Richard Egan Jacqueline Medcalf on behalf of Michael Brammer Arron Breedon

The meeting closed at 8.54 pm

Chair's Signature _____

Date _____