

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 5 th March 2024
Application reference:	223174 – Full application
Applicant:	Chapelrise Developments LTD
Location:	698a High Road Leytonstone, Leytonstone, London, E11 3AJ
Proposed development:	<ul style="list-style-type: none"> • Conversion of the building into six self-contained flats (3 x 1-bed, 1 x 2-bed and 2 x 3-bed) (Use Class C3). • Excavation at basement level to facilitate the construction of a lower ground, ground and first floor side extension; lower ground and ground floor rear extension to provide an enclosed stairwell and associated lightwells. • Construction of a mansard roof extension with 5 dormer windows to the front and 5 dormer windows to the rear. • Construction of a replacement stepped front portico. • Refurbishment of brickwork to the front and rear elevations. • Internal refurbishment throughout including installation of an internal staircase. • Installation of replacement windows and boundary railings. • Provision of a timber refuse store and secure storage for 11 bicycles and associated landscaping.
Wards affected:	Leytonstone
Appendices:	None

1. RECOMMENDATION

- 1.1. Recommendation to GRANT planning permission under reference 223174 subject to conditions and the completion of a S106 Legal Agreement with the following Heads of Terms:

i) **Highways:**

- Car Free Development - the development is to be classified as car-free and residents will not be eligible for parking permits.
- A condition survey is required of the carriageway and footways fronting the site prior to the commencement of any works.
- A S106 request of £6,000 is requested toward improving sustainable modes of transport.
- A S106 contribution of £500.00 towards CLP monitoring.
- S278 works:
 - a. Renewal of vehicle crossover on Grove Road, E11
- ii) **SAMMS** - A financial contribution of £3,762 towards Strategic Access Management and Monitoring measures (SAMMs).
- ii) **Legal Fees** - Payment of the Council's legal fees for the preparation and completion of the Legal Agreement.
- 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.

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.

2. REASONS REFERRED TO COMMITTEE

2.1 The application has been referred to planning committee at the request of Councillor Marie Pye, and with the support of objections of local residents who have concerns for the proposed development in relation to the Grade II Listed building.

3. SITE AND SURROUNDINGS

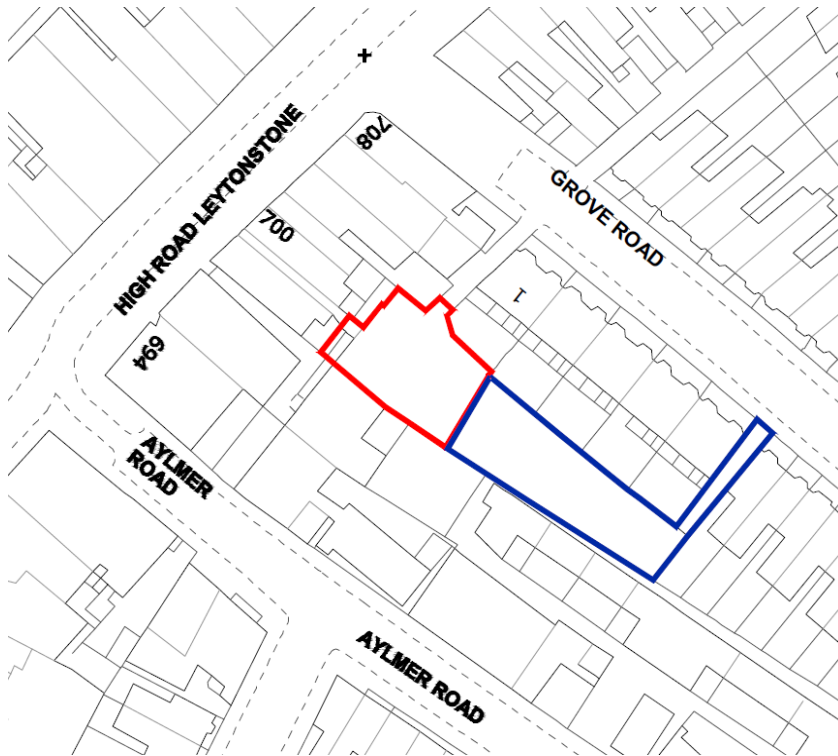
- 3.1 The proposal site comprises a large Grade II Listed building which is currently vacant and listed on the Heritage at Risk Register (1357632). The original use was residential and was last in use as the Royal British Legion Club and has been listed since 19th June 1985. The property forms part of a terrace of a trio of Georgian properties which are all Grade II listed from the late 18th century.
- 3.2 The site is within category Priority D with slow decay and has been listed in very bad condition. They have been built over and developed over the years, with 694a and 696a High Road Leytonstone converted into flats but are not on the register. They are characterised with brick stucco dressings, red pantile roof, each property 5 windows wide, projecting Doric porches and triglyph friezes. No.698 has a flat doorcase, square headed windows and gauged brick heads. The row of houses once had extensive rear gardens and grand front drives.
- 3.3 To the rear of the site is a large single storey pitched roof hall which was used when in ownership of the British Legion. The hall is now vacant, and the plot is largely developed over.
- 3.4 The building is positioned to the rear of High Road Leytonstone where there are two/three storey buildings with commercial use on ground floor and residential use on upper floors above. The expansion of London as a city in the 19th century resulted in encroachment onto the front driveways into the ground floor of the buildings to the front on High Road Leytonstone as shops and upper floors as residential.



- 3.5 The site is also enclosed by residential dwellings on Grove Road where the flank elevation is visible down a small access road between properties fronting Grove Road to the northeast and a view of the rear and front elevations are possible from the rear of adjoining properties. The site can be accessed between Nos. 696 and 698 High Road Leytonstone and through two alleyway entrances from Grove Road leading to the site. The flank wall of the other end

of the terrace (694a) is set up to the pavement on Aylmer Road to the southwest and the frontages of 694a and 696a can be viewed through railings and gate.

- 3.6 The property is not located within a Conservation Area. There are no trees that are subject to a Tree Preservation Order within the site or on adjoining land and the site is not subject to an Article 4 direction other than the Borough-wide change of use from Class C3 to C4.



4. APPLICATION PROPOSAL

- 4.1 The application follows on from application 161651 (LBC) and 161945 (Full) which were both approved, the details of which are set out section 5A below. A pre-application enquiry (PRE_21_0178) was also submitted to address the conditions of the former elapsed application to reduce the need for further conditions at application stage.
- 4.2 This report relates to a full planning application (223174). The application for listed building consent (223276) is Item 4a on this agenda. The proposal seeks planning permission for the following development:
- Conversion of the building into six self-contained residential flats (3 x 1-bed, 1 x 2-bed and 2 x 3-bed) (Use Class C3)
 - Excavation at basement level to facilitate the construction of a lower ground floor, ground and first floor side extension.
 - Lower ground and ground floor rear extension to provide an enclosed stairwell and associated lightwells

- Construction of a mansard roof extension with 5 dormer windows to the front and 5 dormer windows to the rear
- Construction of a replacement stepped front portico
- Refurbishment of brickwork to the front and rear elevations
- Internal refurbishment throughout including installation of an internal staircase
- Installation of replacement windows and boundary railings
 - Provision of a timber refuse store, secure storage for 11 bicycles and associated landscaping

5. RELEVANT SITE HISTORY

A. Planning

5.1 The relevant planning applications are as follows -

- **000345** - Construction of metal security gate between 700 High Road and 698 High Road E11 - Approved 28/04/2000
- **121043** - Part demolition at ground floor, and of external staircase, extensions at ground floor and to roof comprising dormer windows at front and rear. Formation of light wells at front and rear to serve basement and conversion of building into five residential units (2 x 2 bed flats, 2 x 2 bed maisonettes and 1 x 3 bed flat - Approved 24/04/2012
- **121148** - Listed building consent - Part demolition at ground floor, and of external staircase, extensions at ground floor and to roof comprising dormer windows at front and rear. Formation of light wells at front and rear to serve basement and conversion of building into five residential units (2 x 2 bed flats, 2 x 2 bed maisonettes and 1 x 3 bed flat - Approved 24/04/2012
- **161651** - An application for listed building consent. Extensions at lower ground floor, ground floor and first floor level including mansard roof extension to form six self-contained flats, along with the provision of cycle store and refuse collection area - Approved 17-02-2017.
- **161945** - Extensions at lower ground floor, ground floor and first floor level including mansard roof extension to form six self-contained flats, along with the provision of cycle store and refuse collection area - Approved 17-02-2017

B. Pre-application Advice

5.2 The application site was the subject of one previous submission in February 2022 for pre-application advice.

5.3 The submission related to the - Conversion of the Grade II Listed Building into six self-contained apartments to include side and rear extensions (PRE_21_0178) .

5.4 This pre-application advice consolidates details forming part of this application.

C. Adjacent sites/ neighbouring properties:

5.5 **Clement House, 696a High Road Leytonstone**

5.6 861027 – Alterations to listed building to form 6 self-contained flats involving formation of 10 dormer windows – Approved 01-01-2001

6. PUBLIC CONSULTATION

6.1 A site notice was displayed on the site, dated 9/01/2023. The following properties were consulted:

- Nos. 694-710 High Road Leytonstone
- Rear of 710 To 712 High Road Leytonstone
- Nos. 1 - 20 Grove Road
- Nos. 11 - 14 Aylmer Road

6.2 No public representations were made as part of the consultation process and by close of the consultation period on the 2nd February 2023.

6.3 Objections were received from Councillor Marie Pye and Bushwood Area Residents Association. Those related to the listed building are dealt with in Item 4a. Below are the comments related to the full application:

Comment	Officer Response
There are other better prospective ideas which could use the building rather than poor quality accommodation.	The principle of residential use of the building has been established by the previous, approved application in 2012 and 2017, which was not implemented and expired. The immediate surrounding uses are residential and the removal of the social club or commercial use within this building would improve the residential environment for the surrounding location.
It is not an appropriate location for flats where it will be small, with little light, no amenity space and difficult access.	The adjacent terrace is in residential use and the building at 696 has been in use as flats since 1985. The location and reuse of the building as residential is considered suitable in this case. The quality of the internal accommodation will be discussed later in section 10 of this report
There is no mention of what will happen to the attached hall to the rear it is unclear if it will be demolished	The single storey hall is not part of the proposal and officers have not been approached with any proposed alternative use.
The planning application mentions amenity area but it would not expand to	The amenity open space provision will be given to the rear of the building, and this

the whole area to the rear so concerns surround what will happen to the site.	is discussed further at section 10 of this report
That there will only be one exit from the building onto the High Road and the site should have a secondary exit onto Grove Road via the alleyway.	Access will be available from the rear of the rear of the site onto Grove Road via the service road

7. OTHER CONSULTATIONS

7.1 The Council circulated consultation letters to internal and external consultees on the 9th January 2023.

7.2 The comments are listed below:

Consultees	Response
Highways	Details of the Highway Officers comments will be outlined below in section 10 of the report.
Transport Policy	<ul style="list-style-type: none"> • Car free and permit free nature of the scheme is welcomed and should be secured by planning agreement. • Cycle parking provision should be increased to provide a minimum of 11 cycle parking spaces so to accord with the London Plan policy.
Environmental Health	No Comments received
Waste Management	No Comments received
Structural Engineer	The location of the proposed works is sufficiently far enough away from the publicly maintainable highway that at no time would the permanent or temporary works support it. Therefore, it is considered that Technical Approval in accordance with CG300 are not applicable in this instance.
Sustainability and Energy	No objection subject to conditions
Thames Water	No objection. Suggested informative and conditions in the decision notice.
London Fire Brigade	No comment

8. DEVELOPMENT PLAN & MATERIAL PLANNING CONSIDERATIONS

DEVELOPMENT PLAN

8.1 **The London Plan (2021):** On Tuesday 2nd March 2021 the Mayor of London published the replacement London Plan. From this date it forms part of the development plan for the purpose of determining planning applications. the 2021 London Plan supersedes the 2016 London Plan, which no longer has any effect. the relevant policies within the London Plan 2021 are:

- GG2 Making Best Use of Land
- GG4 Delivering Homes Londoners Need
- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive Design
- D6 Housing quality and standards
- D7 Accessible Housing
- D10 Basement development
- D12 Fire Safety
- D14 Noise
- H1 Increasing housing supply
- H10 Housing size mix
- S113 Sustainable Drainage
- T5 Cycling
- T6 Car Parking
- DF1 Delivering of the Plan and Planning Obligations

8.2 **Waltham Forest Local Plan Core Strategy (2012):** The Waltham Forest Core Strategy (2012) was adopted on 1st March 2012. The Core Strategy contains 16 policies designed to deliver the Council's vision for the physical, economic, environmental and social development of the Borough. These policies will be used to direct and manage development and regeneration activity up to 2026. The policies considered relevant to this application are as follows:

- Policy CS2: Improving Housing Quality and Choice
- Policy CS6: Promoting Sustainable Waste Management and Recycling
- Policy CS7: Developing Sustainable Transport
- Policy CS12: Protecting and Enhancing Heritage
- Policy CS13: Promoting Health and Well Being
- Policy CS15: Well Designed Buildings, Places and Spaces
- Policy CS16: Making Waltham Forest Safer

8.3 **Waltham Forest Local Plan Development Management Policies (2013):** The Local Plan Development Management Policies Document was adopted in November 2013. This sets out the borough-wide policies that implement the Core Strategy and delivering the long-term spatial vision and strategic place shaping objectives. There is an emphasis on collaboration and a positive proactive approach to reaching a balance agreement that solves problems rather than a compromise that fails to meet objectives. The following policies are relevant in this case:

- Policy DM2- Meeting Housing Targets
- Policy DM3 - Affordable Housing Provision

- Policy DM5 - Housing Mix
- Policy DM7 - External Amenity and Internal Space Standards
- Policy DM14 - Sustainable Transport Network
- Policy DM16 - Parking
- Policy DM28 - Heritage Assets
- Policy DM29 - Design Principles, Standards and Local Distinctiveness
- Policy DM30 - Inclusive Design and the Built Environment
- Policy DM32 - Managing Impact of Development on Occupiers and Neighbours

9. OTHER MATERIAL CONSIDERATIONS

Shaping the Borough – London Borough Waltham Forest Draft Local Plan Part One Submission Draft:

The Waltham Forest Local Plan (LP1) will replace the current Waltham Forest Local Plan Core Strategy and Development Management Policies. It has undergone consultation and examination. The Council consulted on a schedule of Main Modifications from 21st July 2023 to 21st September 2023.

- 9.1 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).
- 9.2 The Draft new Local Plan proposes to be a “combined” document comprising 12 thematic policies and a revised spatial strategy, splitting the borough into North, South and Central Waltham Forest.
- 9.3 The Draft Local Plan clearly sets out the Council’s growth agenda which seeks to facilitate the sustainable delivery of 27,000 new homes and 46,000sqm of employment floorspace over the next plan period. The draft policies relating to housing type and mix are reflective of the London Plan (2021).
- Policy 1 - Presumption in Favour of Sustainable Development
 - Policy 12 Increasing Housing Supply
 - Policy 19 Small Sites
 - Policy 56 Delivering High Quality Design
 - Policy 58 Residential Space Standards
 - Policy 59 Amenity
 - Policy 68 Managing Vehicle Traffic
 - Policy 100 - Infrastructure and Developer Contributions

National Planning Policy Framework (2023)

- 9.4 The National Planning Policy Framework (“NPPF”) sets out the Government’s planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. It contains a presumption in favour of sustainable development, described as at the heart of the framework.
- 9.5 For decision-taking the NPPF states that the presumption means “approving development proposals that accord with an up-to-date development plan without (Item 4.1) delay” and where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless “...any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”. The NPPF gives a centrality to design policies; homes should be locally led, well designed, and of a consistent and high-quality standard.
- 9.6 The specific policy areas of the NPPF considered to be most relevant to the of this application are as follows:
- Achieving well designed places
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment

Other Material Policies and Guidance

- The London Plan, Supplementary Planning Guidance – Housing (2016)
- Department for Communities and Local Government Technical housing standard – nationally described space standard.
- Supplementary Planning Document Urban Design (2010)
- Supplementary Planning Document Residential Extensions and Alterations (2010)
- Supplementary Planning Document Revised Planning Obligations (2017)
- Waste & Recycling Guidance for Developers (LBWF, 2019)

Epping Forest of Special Area of Conservation

- 9.7 Waltham Forest shares a boundary with the Epping Forest Special Area of Conservation and following research in the form of a visitor survey by Footprint Ecology, has been found to fall within a wider Zone of Influence (ZOI) based on the distance the majority of visitors will travel to visit Epping Forest SAC. This report identified that 75% of visitors travelled up to 6.2Km to the SAC and as result of the whole of the London Borough of Waltham Forest falls within this ZOI for recreational pressure. All new residential development within this ZOI constitutes a LSE (Likely Significant Effect) on the sensitive interest features of the SAC through increased recreational pressure, either when considered ‘alone’ or ‘in combination’. According an “Appropriate Assessment” has been carried out on this application.

- 9.8 The Council as Local Planning Authority is obliged to ensure that any grant of planning permission would have sufficient mitigation measures in place so as to ensure that there would be no harmful impact on the Epping Forest SAC arising from LSE. The Local Planning Authority is a “competent authority” under the Habitat Regulations and is legally obliged to take Natural England’s advice into account in decision making and attach great weight to it.
- 9.9 For schemes comprising one or more units of residential accommodation a new package of costed Strategic Access Management Measures (SAMM) has been prepared by the City of London Conservators of Epping Forest. This Mitigation Strategy has been agreed by all of the partners in the agreement and is in the process of adoption. A new SAMM levy is now in operation which requires a contribution of £627 per unit from all new residential schemes. Natural England is supportive of this approach, provided the total expected contribution is delivered to the City of London Conservators to support the delivery of SAMM in Epping Forest SAC. Community Infrastructure Levy (CIL) would secure financial contributions towards the SANGS, allocated to projects within the relevant catchment area, as identified in the strategy.
- 9.10 Should there be a forthcoming approval for this application the development, based on current circumstances and regulations would be liable for £627 x 9 payment towards the Epping Forest SAMM levy.

Local Finance Considerations

- 9.11 Local Finance Considerations are a material consideration in the determination of all planning applications. 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 Community Infrastructure Levy (CIL).
- i. There are no grants which have been or will or could be received from central government in relation to this development.
 - ii. The Council has not received but expects to receive income from LBWF CIL in relation to this development.
 - iii. The Council has not received but expects to receive income from Mayoral CIL in relation to this development.

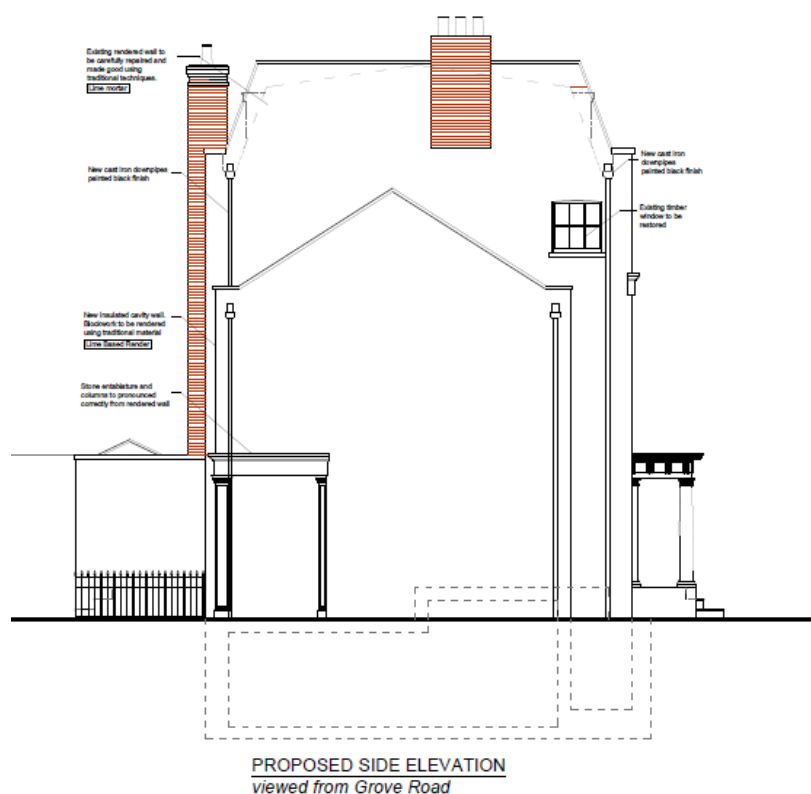
10. ASSESSMENT

- 10.1 The main issues for consideration, in relation to the proposed development are as follows:
- A. Principle of Development
 - B. Character and Appearance
 - C. Quality of Residential Accommodation
 - D. Impact on Neighbouring Properties
 - E. Highways and Transport Impact
 - F. Waste Management
 - G. Trees and Landscaping

- H. Environment and Sustainability
- I. Epping Forest of Special Area of Conservation
- J. Planning Obligations

A. Principle of Development

- 10.1. The application proposes alterations and extensions to the existing Grade II listed building to convert the use of the building into six self-contained residential flats, with associated refuse and cycle storage and landscaping.
- 10.2. The principle of the change of use of the building to residential has been established by the approval of previous applications for conversion into flats.
- 10.3. Policy H1 of the London Plan states that to ensure housing targets are achieved, boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their planning decisions, especially sites with PTALs of 3-6 and small sites.
- 10.4. Policy H2 of the London Plan states that boroughs should pro-actively support well-designed new homes on small sites (i.e. those below 0.25ha) through planning decisions in order to increase the contribution of small sites to meeting London's housing needs and to provide opportunities for a variety of locations, housing types and developers.
- 10.5. Policies CS2 and DM2 seek to ensure a continuous supply of homes to meet a range of housing needs and seeks to protect existing housing stock. Specifically, Policy CS2 states that previously developed, particularly unused or underused land, should be prioritised for residential development to maximise the number of quality homes in the borough, and that effective and efficient use of land should be made by seeking to optimise housing densities.
- 10.6. The loss of commercial use in this location, with associated noise and servicing issues is considered acceptable and would result in the building coming back into use as well as improving the level of residential amenity to the surrounding occupiers.
- 10.7. As stated above No. 698a High Road Leytonstone is on the 'Heritage at Risk' Register due to its poor condition and the proposed works would enhance the building and considering works are completed to a satisfactory standard, Historic England considers removal of the asset from the Heritage at Risk Register. An application for listed building consent (223276) has been submitted linked to this application to implement the scheme.
- 10.8. In order to fulfil the scheme and make best of the building, the proposal also seeks permission for the excavation of the basement level to facilitate the multi-storey side extension and lightwells, a mansard roof extension to replace the existing, a replacement portico to the front, internal works relating to the listed building and for a new staircase, new boundary railings and replacement windows.



10.9. Given the nature of the proposed development to improve the building, the proposal would be considered acceptable and where the adjacent buildings are in residential use, the continuation of the terrace as residential use would be appropriate in this setting.

B. Character and Appearance

- 10.10. Policy DM29 of the Development Management Policies (2013) states that the Council will expect a high standard of urban and architectural design for all the new development. Policy 56 of the Emerging Local Plan supports development which enhances the local character and distinctiveness.
- 10.11. Due to the importance of the listed building the prominence of the building will remain intact, aside from external renovation work that would bring the building back to its former glory. These works are set out in more detail in Item 4.1a of this agenda.
- 10.12. The existing single storey rear and side extensions which were later additions to the property, would be demolished and replaced with space for amenity use for the occupiers of the building. To the side, a new two storey side extension would be constructed which would be substantially set down from the main roof of the building, designed in scale and materials to be read as a minor, subordinate addition to the host building. The proposed gable ended pitched roof would read harmoniously with the main building and would be appropriate

for the setting. This extension would remove the existing external staircase on this flank elevation.

- 10.13. The further excavation at lower ground floor level to provide an acceptable internal head height and lightwell would enhance the usability of the site for the proposed purpose.



PROPOSED FRONT ELEVATION

- 10.14. To the front of the property, the existing portico would be demolished with a like-for-like replacement as the one at No. 696a High Road Leytonstone, with a flat top and supported by pillars. The overall character of the building would be maintained, and appearance of the additions would be acceptable and reconstruct the outlook of the listed building to match the surrounding buildings, reading as a more cohesive terrace.
- 10.15. At roof level, the existing roof would be replaced with a mansard roof with the installation of dormer windows in line with the window placement on the principal façade of the property. The design of the replacement roof would be in character with the design and age of the building whilst not creating any bulk or massing that would be considered inappropriate. The dormer windows would not protrude excessively over the roof eaves line and would appear set back from the principal elevation. A roof slate sample was submitted and would be acceptable for the material of the roof.

- 10.16. All windows are to be replaced with timber windows as proposed, to match the adjacent property. Sash horns would not be included in the window details as No.696 has been renovated without this detail and the Conservation Officer is content to exclude this detail given the comparable example. It should be noted the window horns were only introduced in the mid-19th century as glass making improved and these were not an original feature toward the character of the building. The refurbishment of the brickwork to the front and rear elevations would continue to preserve the existing historic fabric of the listed building and enhance the external elevations through this restoration.
- 10.17. Black metal railings would be installed to the front of the property, matching the railings at the neighbouring property which would be appropriate in this setting.
- 10.18. Internally, the main staircase within the building would be restored for access to the upper levels, as well as two further staircases within the building which would be located in the new proposed rear extension with no historic fabric attached.
- 10.19. Overall, the new additions to the building would be considered appropriate in scale and design for the building to be restored for the use of residential accommodation. The extensions would not result in an overdevelopment of the site and would enhance the character and appearance of the listed building and the surrounding area. The proposal would therefore be compliant with Policy DM29 of the Development Management Policies (2013) and Policy 56 of the Emerging Local Plan.

C. Quality of Residential Accommodation

Internal Space Standards

- 9.21 Policy CS2 of the Local Plan states that all new residential units will be required to be of high quality and design.
- 9.22 To ensure that good quality homes are built, to create a suitable and sustainable living environment for present and future generations and to mitigate against the adverse effects of overcrowding, Policy DM7 of the Local Plan, Policy 58 of the Emerging LP1 and the Technical Housing Standards – nationally described space standard (2015) sets out the required minimum internal standards for new residential units.

Policy DM7 and Policy 58 Requirements	Proposed	Complies?
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<p>Overall unit size 1 bed 2 person – 50sqm 2 bed 3 person – 61sqm Single storey 3 bed 5 person – 86sqm Two storey 3 bed 5 person – 96sqm</p>	<p>Flat 1 (two storey): 3 bed 5 person 124sqm Flat 2: 1 bed 2 person 89sqm Flat 3: 1 bed 2 person 50sqm Flat 4: 1 bed 2 person 51sqm Flat 5 (single storey): 3 bed 5 person 87sqm Flat 6: 2 bed 3 person 68.5sqm</p>	<p>Complies</p>
<p>Combined living room/kitchen/diner 2person – 23sqm 3person – 25sqm 4person – 27sqm 5person – 29sqm</p>	<p><u>Ground Floor</u> Flat 1: 37 sqm Flat 2: <u>27sqm</u></p> <p><u>First Floor:</u> Flat 3: 28sqm Flat 4: 20 sqm</p> <p><u>Second Floor:</u> Flat 5: 30sqm</p> <p><u>Third Floor</u> Flat 6: 32sqm</p>	<p>Complies</p> <p>Complies Complies</p> <p>Complies</p> <p>Complies</p>
<p>Bedrooms</p> <p>Single – (1 person) 8sqm Double - (2 persons) 12sqm</p>	<p><u>Lower Ground Floor</u> Flat 1 Room 1: 16.9sqm Room 2: 8.8sqm Room 3: 11.6sqm Flat 2 Room 1: 13.5sqm</p> <p><u>First Floor:</u> Flat 3 Room 1: 13.6sqm Flat 4 Room 1: 18sqm</p> <p><u>Second Floor:</u> Flat 5 Room 1: 15.6sqm Room 2: 13.3sqm Room 3: 11sqm</p> <p><u>Third Floor</u> Flat 6 Room 1: 12sqm</p>	<p>Complies</p>

	Room 2: 9sqm	
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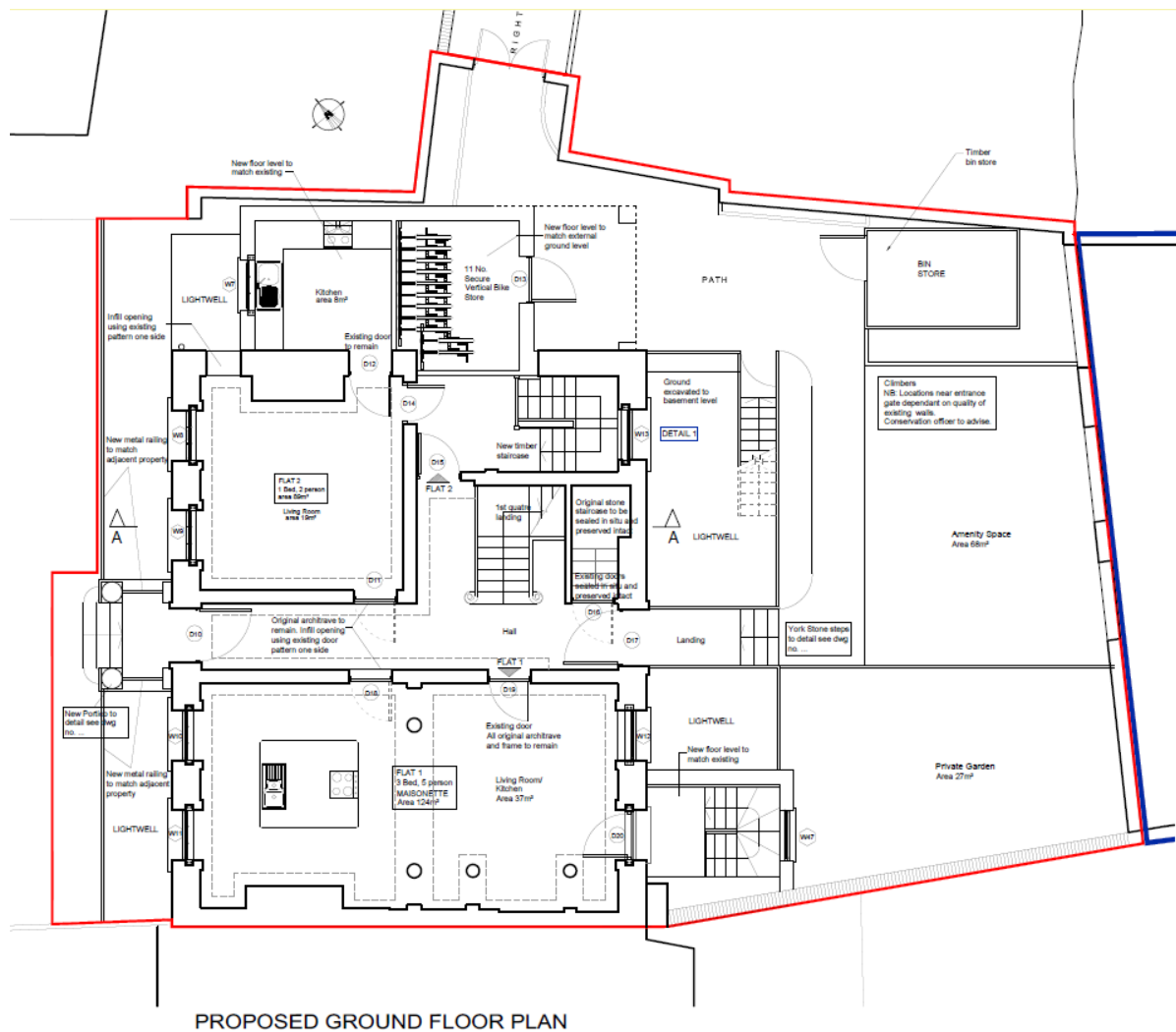
- 9.23 The above table created shows all units would be compliant with the requirements for the combined living/kitchen/diner area and for bedrooms suggesting the proposed internal living arrangements for each unit would provide good quality living accommodation.
- 9.24 The London Plan Policy D6 also requires that a single bedroom has a floor area of at least 7.5m² and a double (or twin bedroom) has a floor area of at least 11.5m²; the development is able to meet and exceed these bedroom space requirements.
- 9.25 In terms of internal head height, the nationally described space standard sets a minimum ceiling height of 2.3 metres for at least 75% of the gross internal area of the dwelling. All floors of the building would adequately meet a minimum of 2.3m ceiling height for 100% of the building. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, The London Plan requires a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. The ground and first floor would have ceiling heights of 3.1m exceeding this requirement but the other floors would fail on this. Unfortunately, most top floor ceiling heights are unable to achieve a taller ceiling height without raising the ridge and in this instance this would be unfavourable. Therefore, on balance the proposed ceiling heights of the building would be acceptable.
- 9.26 The development can adequately meet the internal living space standards provided by DM7 and DM29 of the Development Management Policies (2013) and the Policy 58 of the Emerging Local Plan (2020) and it would comply with the London Plan space standards.

External Space Standards

- 9.27 In terms of amenity space standards, the Emerging Local Plan and Policy DM7 states that a minimum of 10 sq.m amenity space should be provided per bedroom. (e.g: 2 bed flat - 20 sq.m and 3 bed flat - 30 sq.m) for flats Each flat should provide an element of private amenity space, however, the overall provision can be provided in the form of both private amenity space and communal amenity space. Balconies should be a minimum size of 5 sqm.
- 9.28 Policy 58 of the Emerging Local Plan states that for flatted development of one and two bedrooms, a minimum of 10 sqm amenity space is to be provided. Flats and maisonettes containing three bedrooms or more should provide a minimum of 10 sqm of external amenity space per dwelling plus an additional 1 sqm for each additional occupant. These external amenity space requirements should include some private outdoor amenity space for each dwelling in the form of balconies, terraces and/or private gardens (including roof gardens). The remaining external amenity space requirements can include communal,

landscaped amenity space in accordance with guidelines set out in the London Plan. Communal external amenity spaces must be a minimum of 50 sqm and should be easily accessible to all residents of the development, regardless of tenure.

- 9.29 London Plan Policy D6 - Housing quality and standards, requires a minimum of 5 sqm of private outdoor space to be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant, unless there are higher local standards. Furthermore, the minimum depth and width for all balconies and other private external spaces should be 1.5m. in order to be considered usable.
- 9.30 Private Garden space of 27sqm has been offered to Flat 1 for a 3-bed 5-person maisonette, which would be 3sqm short of the 30sqm requirement within Policy DM7. It would be located to the rear of the site accessed from the ground floor level. There should be heavier weight given to the emerging Policy 58 where the standard requires a minimum of 10sqm, plus 1 sqm for each additional occupier, which in this case would mean a total of 12sqm should be offered – in this case the garden space for Flat 1 exceeds this requirement as well as exceeding the London Plan requirement.
- 9.31 In relation to the remaining units, there would be shared communal outdoor space of 68sqm and given the weight to Policy 58 mentioned above, the communal space provided at ground floor level for the remaining units would be accessed from the rear of the building, and be compliant with the policy requirements and it is considered an adequate level of outdoor amenity space has successfully been demonstrated on the plans for the development.



D. Impact on Neighbouring Properties

- 9.32 Policy DM32 (Managing Impact of Development on Occupiers) of the Local Plan and Policy 59 of the Emerging Local Plan aim to ensure that daylight/sunlight, outlook and privacy are maintained for existing occupants and their neighbours in their homes and gardens as well as for the intended occupants of new habitable rooms.
- 9.33 The built form of the buildings to the front of the site are all commercial units on the ground floor and have no windows to the rear looking into the ground floor of the residential units, and as a result of the proposed extensions and the enhancements of the building, there would be no impact to the amenity of the shops to the front. The upper floor residential units on High Road Leytonstone are in close proximity of 7.8m apart from each other. It is considered there would be some impact on the amenity to each other in regards to overlooking, but given some separation distance, this would not be reason enough to negate a reason for refusal. On balance, this would be an acceptable impact.

- 9.34 The new two storey side extension would have a first-floor rear facing window looking onto the rear gardens of the properties on Grove Road, serving a living/kitchen area for Flat 4. However, this is considered to have the same level of outlook as other properties on the street scene and would not give rise to any level of harm for these neighbouring properties. It would not overlook into the windows of these properties.
- 9.35 The demolition of the rear extension would be replaced with outdoor amenity space and given its setting within the rear of the gardens at Grove Road, there would be no harmful impact as a result of newly created outdoor amenity space and this would have a similar impact as is already existing to the rear of the properties on Grove Road, set within the rear gardens.
- 9.36 The amenity of neighbouring properties would not be reduced in any discernible way by the replacement mansard roof. It would not create a sense of enclosure, affect access to sunlight, untenably increase overlooking or reduce the amenity in any of the neighbouring properties

E. Highways, Traffic Management and Parking

- 9.37 Policy DM14 (Sustainable Transport Network) of the Development Management Policies (2013) and Policy 62 of the Emerging Local Plan states that the Council will actively encourage sustainable travel. Developments should not have a harmful impact on the walking and cycling environment.
- 9.38 The site has a PTAL rating of 4 and is within a 5-minute walk to Leytonstone Underground and Leytonstone Bus Station. There are also a number of day and night buses providing public transport on High Road Leytonstone.

Car Parking

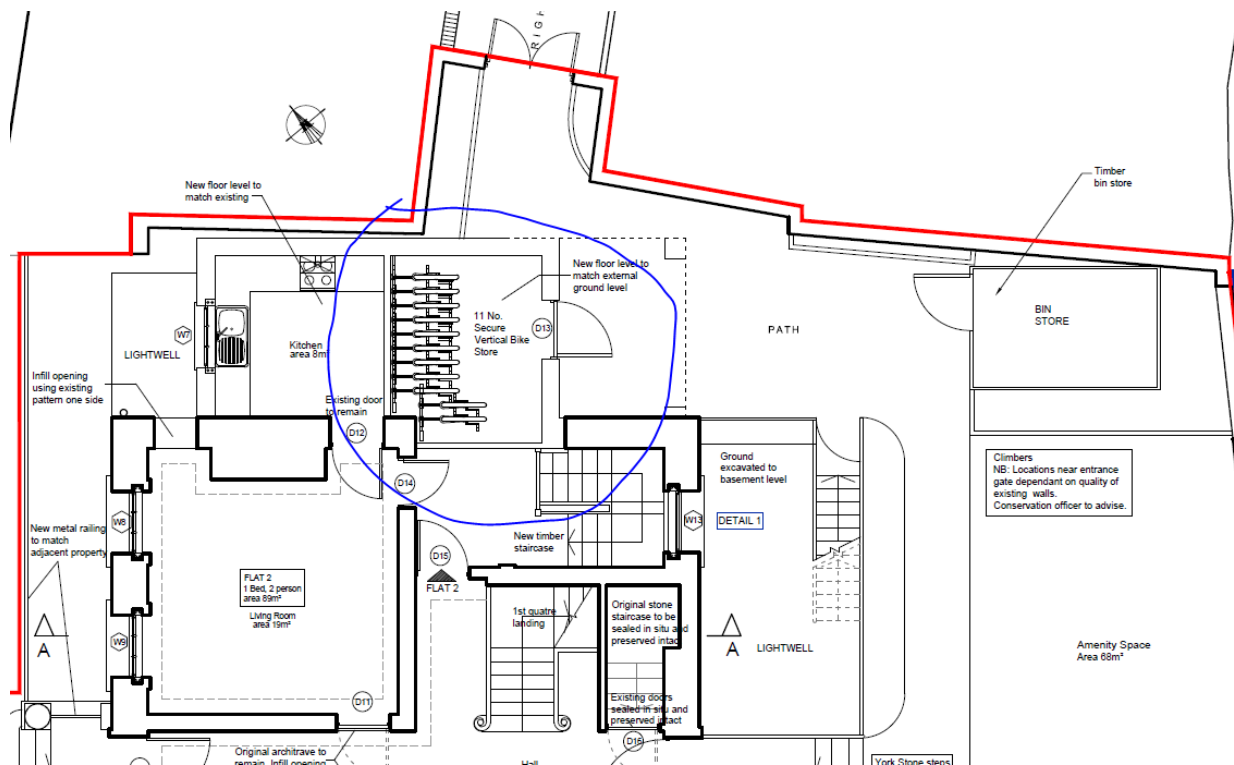
- 9.39 Local Plan Policy DM16 states that the Council would seek to effectively manage parking by encouraging car-free and car-capped development in locations that have high levels of parking stress.
- 9.40 The site is located within a CPZ. As such the proposal should be considered car-free. To ensure the proposal remains car-free, permission would be subject to a s106 agreement ensuring occupiers are not provided residential car permits for the area.
- 9.41 In summary, Officers are satisfied that the proposed conditions and Section 106 Agreement would provide sufficient mitigation against any potential car parking pressure generated by the proposal. This conclusion is supported by Highways Officers and would ensure compliance with the objectives of Policy DM16.

Cycle Parking

- 9.42 Local Plan Policy DM16 sets the minimum requirements for cycle parking for new developments at one cycle-rack/one-bedroom for dwellings and two cycle-racks/two-bedrooms above. Accordingly, the proposal would be required to

provide a minimum of 8 cycle spaces for each bedroom provided across the units proposed. Policy 63 of the Emerging Local Plan states that provision of cycle parking should be proportionate to the scale of development, should be accessible and appropriate.

- 9.43 Cycle storage would be provided within the new side extension at ground floor level. The floor levels would be finished to match the external ground level with a new door for easy access. The capacity of the cycle store would be proportionate in the provision for 11 cycle spaces which meets the above requirement. Access to the cycle store would be given from the rear access via the access road leading to Grove Road.

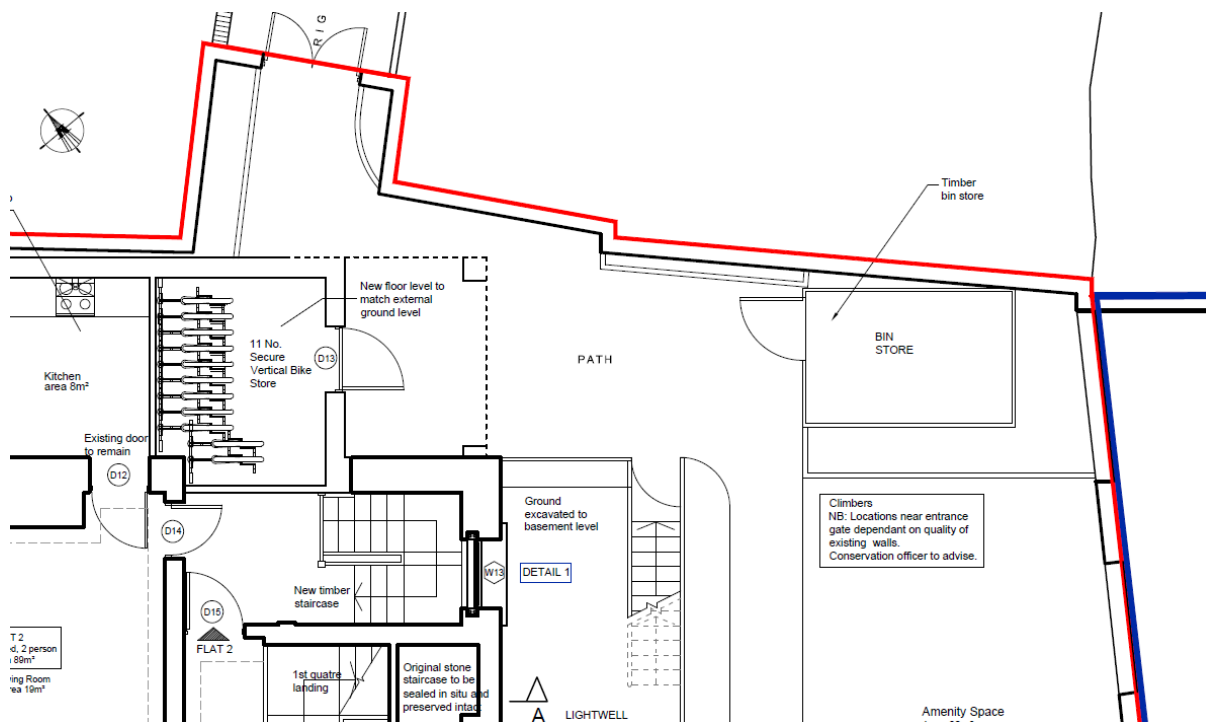


Proposed Highways Works

- 9.44 A Section 278 Agreement has been requested by Highways as a way of addressing highways issues that are raised by this development. The works should include the renewal of vehicle crossover on Grove Road to the north of the site. The access in the form of the alleyway from Grove Road will be transformed into a pedestrian access route to the site.
- 9.45 An outline construction logistics plan has been submitted for consideration and has gained highways approval within the live status of this application through seeking amendments.
- 9.46 Section 106 contributions have been requested for £6,000 toward improving sustainable modes of transport including walking and cycling routes in the sites vicinity which will directly benefit new residents in this development, and a further £500.00 towards CLP monitoring.

G. Waste Management

- 9.47 Policies CS6 and DM32 of the Local Plan (2013) states the requirement that new development should ensure that waste is managed in the most environmentally friendly way in order to protect human health and the environment from pests and other environmentally damaging effects.
- 9.48 Refuse and recycling bins are to be stored within a timber enclosure in the rear amenity space. Due to the site having a High Road Leytonstone address, the site is situated where sack collections are operated. Residents have to present waste in bags on the closest edge of the pavement (but not on a cycle path) between 6 am and 9am on Mondays, Wednesdays and Fridays: They can also be presented between 9 pm and 11 pm on Mondays, Wednesdays and Fridays. In relation to any concerns regarding the amalgamation of waste from six new residential units, it is considered that the frequency of sack collections twice a day on three days of the week would not present a harmful impact on the High Road, in terms of pedestrian safety or untidy and unpleasant odours. Given the early and late collection times, this would not interfere with pedestrian movement and furthermore, it is unlikely that all six units would be disposing of waste at the same time, or the same days throughout the week.



- 9.49 In light of this, a waste management strategy condition is recommended to detail how the waste will be collected. This information is required to ensure that adequate arrangements are made for the storage and collection of refuse and recycling and to comply with Policies CS6, CS13 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policy DM23, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

H. Trees and Landscaping

- 9.50 Policy CS5 of the Waltham Forest Local Plan - Core Strategy (2012) seeks to protect and enhance green infrastructure and biodiversity. Policy DM35 of the Waltham Forest Local Plan – Development Management Policies (2013) states where there are existing biodiversity resources on-site or in the vicinity of a development site, the developer must provide measures for their retention, the integration of existing wildlife habitats and features, and their restoration and enhancement where appropriate.
- 9.51 Paragraph 231 of the NPPF recognises the important contribution trees make to the character and quality of urban environments and are therefore encouraged as part of new development.
- 9.52 There is some planting shown to the front and rear elevations, but no details have been provided of the level of landscaping in the amenity area. In order to enhance the biodiversity value and add trees and soft landscaping to the site, a detailed soft and hard landscaping scheme could be conditioned to be submitted prior to commencement of works on site, which would include measures to enhance the biodiversity value. This condition could be added if the scheme was to be recommended for approval, to ensure the proposal would comply with Policies CS5 (Green (Infrastructure and biodiversity) and DM35 (Biodiversity) of the Local Plan and paragraph 131 of the NPPF with regards to trees and local biodiversity.



PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION

I. Environment and Sustainability

9.53 Policy DM10 (Resource efficiency and high environmental standards) requires developments to ensure high environmental standards of development and sustainable resource management and efficiency to support the long-term sustainability of our environment and respond to climate change in a practical and effective way.

9.54 The proposed development would be required to incorporate measures to provide resilience to climate change, going beyond the minimum Building Regulation requirements.

- (i) Water Efficiency - Local Plan Policy DM34 states that developments should implement water efficiency measures to achieve usage of less than or equal

to 105 litres per person per day for residential use. The application states that reduced water consumption facilities will be installed to reduce portable water consumption to 105 litres per day per person with suitably designed reduced flow shower, basin and water chamber hardware to be installed with reduced capacity baths. Grey water facilities will be installed where possible to re-use waste water. Further detail should be provided regarding this and a suitable condition has been included.

- (ii) Surface Water Drainage - All new schemes need to be designed to ensure redevelopment will be safe without increasing flood risk and designed to sufficiently manage water run-off as directed by Local Plan Policies CS4 and DM34 and London Plan Policy S1 13. With a recommended condition regarding SuDS the proposed development would be considered acceptable in respect of surface water drainage and flood risk in line with Local Plan Policies CS4 and DM34 and London Plan Policy S1 13.

9.55 In consideration of all the points above, subject to appropriate conditions the proposal would achieve an acceptable level of sustainable measures in line with The London Plan and Local Plan policies DM7, DM10, DM11, DM34 and DM35.

J. Planning Obligations

9.56 Section 106 Agreements are a material consideration in the determination of a planning application. The purpose of such an Agreement is to make otherwise unacceptable development acceptable and they should only be sought where they meet all of the following tests:

- 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.

9.57 In terms of the s106 Agreement, the required Heads of Terms, having regard to planning policy, the Waltham Forest Local Plan Revised Planning Obligations SPD (2017) for this development relate to:

i) Highways:

- (a) Car Free Development - the development is to be classified as car-free and residents will not be eligible for parking permits.
- (b) A condition survey is required of the carriageway and footways fronting the site prior to the commencement of any works.
- (c) A S106 request of £6,000 is requested toward improving sustainable modes of transport.
- (d) A S106 contribution of £500.00 towards CLP monitoring.
- (e) S278 works:

- i. Renewal of vehicle crossover on Grove Road, E11
- ii) **SAMMS** - A financial contribution of £3,762 towards Strategic Access Management and Monitoring measures (SAMMs).
- ii) **Legal Fees** - Payment of the Council's legal fees for the preparation and completion of the Legal Agreement.
- 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.

10. CONCLUSION

- 10.1 The land is not designated and there are no policy restrictions preventing residential development on this site. In consideration of the nature and character of the surrounding area, it is concluded that a residential use is acceptable in principle. The bringing back into use a Grade II Listed Building would thereby be assured.
- 10.2 The proposed alterations to the building have had regard to the scale and massing, structure and form of development in the area, and would be appropriate in its context given the residential nature of the locality.
- 10.3 The proposed development would result in the creation of modern residential units ensuring good standard of accommodation for future occupiers. The development has been designed to ensure that the amenity of existing residents would not be compromised.
- 10.4 The proposal would have an acceptable impact on neighbouring amenity in terms of daylight sunlight, overlooking or loss of privacy.
- 10.5 The proposed development would have an acceptable impact on highway safety and provide adequate car and cycle parking.
- 10.6 The development would provide in principle adequate bin and cycle storage facilities that would be conveniently collected.
- 10.7 The conditions set out in the S106 Heads of Terms agreed would ensure that any adverse impact of the scheme is mitigated against, and the positive aspects of the proposal advanced by the applicant are carried out through the implementation.
- 10.8 All material considerations have been taken into account and the proposal has been considered acceptable in regard to the:
 - Principle of Development
 - Urban Design
 - Living Conditions- Future Occupiers
 - Highway and Transport Impact
 - Waste Management

- Environment and Sustainable Design
- Planning Obligations

10.9 Officers are satisfied that the responses to the consultation have been addressed and that the development would not unduly affect neighbouring residential amenity. Considering the consistency of the scheme with the Local Plan and considering all material planning considerations, the proposal is considered acceptable.

11. ADDITIONAL CONSIDERATIONS

Public Sector Equality Duty

11.1 In making your decision you must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

- A.** Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- B.** Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
- C.** Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- D.** The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

11.2 The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 is only one factor that needs to be considered and may be balance against other relevant factors.

11.3 It is considered that the recommendation to approve permission in this case would not have a disproportionately adverse impact on a protected characteristic.

Human Rights

11.4 In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as the London Borough of Waltham Forest to act in a manner that is incompatible with the European Convention on Human Rights.

11.5 You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered

that the recommendation to refuse permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation to refuse permission is a proportionate response to the submitted application based on the considerations set out in this report.

12. **RECOMMENDATION**

12.1 The Planning Committee is requested to resolve that planning permission be granted subject to the following S.106 Heads of Terms, conditions and informatives

12.2 Section 106 Heads of Terms

i) **Highways:**

- Car Free Development - the development is to be classified as car-free and residents will not be eligible for parking permits.
- A condition survey is required of the carriageway and footways fronting the site prior to the commencement of any works.
- A S106 request of £6,000 is requested toward improving sustainable modes of transport.
- A S106 contribution of £500.00 towards CLP monitoring.
- S278 works:
 - i. Renewal of vehicle crossover on Grove Road, E11

ii) **SAMMS** - A financial contribution of £3,762 towards Strategic Access Management and Monitoring measures (SAMMs).

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

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.

CONDITIONS

1. The development hereby permitted shall begin no later than the expiration of three years from the date of this permission.

Reason: to comply with the provisions of section 91(1)(a) of The Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans and thereafter maintained as such for the lifetime of the development:

- Heritage Statement (dated 14-10-2022)
- Design and Access Statement (undated)
- Location Plan (dated October 2022)
- Basement Impact Assessment (dated 14-12-22)
- 41-200, 41-201, 41-202, 41-203, 41-204, 41-205, 41-206, 41-207, 41-208, 41-209, 41-210, 41-211, 41-250, 41-251, 41-252, 41-253, 41-254, 41-255, 41-256, 41-260, 41-261, 41-262, 41-263, 41-264, 41-265, 41-266, 41-270, 41-271, 41-272, 41-273, 41-274, 41-276, 41-277, 41-278, 41-279 (dated October 2022)
- 41-275A (dated 10-02-2023)

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

3. The materials to be used for the external surfaces of the development shall be in accordance with the submitted details and shall thereafter be retained as such for the lifetime of the development.

Reason: To safeguard the visual amenities of the area in accordance with Policy CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

4. Prior to the development hereby approved, the developer is required to carry out a condition survey of the carriageway and footways fronting the site at Grove Road. The condition survey report would need to be submitted to the Council's Highways team for records including a site location plan highlighting the location of the photographs. Any damage to the highways as a result of the construction works would be reinstated by the Council and funded by the developer.

Reason: In the interest of highway and pedestrian safety, in order to comply with Policies CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM15 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

5. Prior to the commencement of the development on site, notwithstanding site investigation and clearance works, demolition and construction to slab level, a Landscape Management Plan which includes long term design objectives, management responsibilities and maintenance schedules relating to the landscaping and planting, shall be submitted to and approved in writing by the Local Planning Authority. The approved Landscape Management Plan shall be implemented prior to the completion of the development hereby approved and thereafter maintained for the lifetime of the development.

Reason: To ensure the well-being of the trees and in the interest of biodiversity and visual amenity, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012), Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

6. Prior to first occupation of any part of the development hereby permitted, a Waste Management Strategy, which sets out a scheme for the storage and disposal of waste and recycling, including details of methods for collection and enclosures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and the refuse stores brought into use prior to first occupation of any of the dwellings hereby permitted and shall be retained as such together with the approved Waste Management Strategy being operated for the lifetime of the development.

Reason: In the interests of highway and pedestrian safety in accordance with Policies CS7 and CS15 of the Waltham Forest Local Plan - Core Strategy (2012).

7. Prior to the commencement of the development, a Detailed Construction Logistics Plan shall be submitted to and approved by the local planning authority. The logistics plan shall include details of site access, journey planning, access routes, hours of delivery, temporary traffic arrangements or restrictions, site operation times, loading and unloading locations and material storage. All works shall be carried out in accordance with the approved details throughout all demolition and construction works. All works shall be carried out in accordance with the approved details throughout all demolition and construction works. This must be submitted using the CLOCS template and guidance found here: www.constructionlogistics.org.uk.

Reason: In the interests of highway and pedestrian safety in accordance with policies CS7 and CS15 of the Waltham Forest Local Plan - Core Strategy (2012).

8. Prior to the commencement of development on site (notwithstanding site investigation and demolition and site clearance works), a scheme detailing measures to reduce water use within the development, to meet a target water use of 105 litres or less per person, per day, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme and thereafter retained, as such for the lifetime of the development.

Reason: To minimise the water use of the development, in accordance with the requirements of Policy SI 5 of the London Plan (2021).

9. Prior to the commencement of the development, notwithstanding site investigation and clearance works and demolition, full details relating to the following shall be submitted to and approved by the Local Planning Authority:
 - a) The design and quantity of secure, lockable, and enclosed cycle stores for short and long stay cycle parking. The scheme shall provide a minimum of 11 secure bicycle parking spaces.
 - b) All forms of external lighting to be provided on site.
 - c) Boundary treatment in and around the site, including gates.

The development shall be carried out fully in accordance with the approved details prior to first occupation of the development and shall be thereafter maintained as such for the lifetime of the development.

Reason: Insufficient details have been provided as part of the planning application and in the interest of security and sustainable development, in compliance with Policies CS6, CS13, CS15 and CS16 of the adopted Waltham Forest Local Plan - Core Strategy 2012 and Policies DM13, DM14, DM23, DM24 and DM32 of the adopted Waltham Forest Local Plan - Development Management Policies (2013).

- 10 Prior to the commencement of any part of the development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The method statement shall include details of the following:

- Works of demolition and construction shall be carried out during normal working hours, i.e. 08:00 to 18:00 hours Monday to Friday, and 08:00 to 13:00 hours on Saturdays, with no noisy working audible at the site boundary being permitted on Sundays or Bank Holidays
- Construction Vehicle Access Strategy to demonstrate that appropriate measures are taken to avoid disruption to the local highway network
- Likely noise levels to be generated from plant
- Details of any noise screening measures
- Proposals for monitoring noise and procedures to be put in place where agreed noise levels are exceeded
- Where works are likely to lead to vibration impacts on surrounding residential properties, proposals for monitoring vibration and procedures to be put in place if agreed vibration levels are exceeded. Note: it is expected that vibration over 1mm/s measured as a peak particle velocity would constitute unreasonable vibration.
- The method statement shall make reference to and comply with The Mayor of London's supplementary planning guidance (SPG) 'The control of dust and emissions from construction and demolition' [https://www.london.gov.uk/whatwehttps://www.london.gov.uk/whatwedo/planning/implementing-london-plan/supplementaryplanningguidance/control-dust-and-emissions-from-construction-and-demolition](https://www.london.gov.uk/what-we-do/whatwedo/planning/implementing-london-plan/supplementaryplanningguidance/control-dust-and-emissions-from-construction-and-demolition)

In particular the applicant shall:

- Submit for approval an Air Quality (dust) risk assessment
- Submit for approval an Air Quality & Dust management Plan
- Equipment and plant used on site shall comply with the requirements for 'Non-Road Mobile Machinery' (NRMM)
- Submit a for approval Dust monitoring programme

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

Reference shall be made to:

- BRE four-part Pollution Control Guides 'Controlling particles and noise pollution from construction sites'. BS 5228: Noise and vibration on construction and open sites Unexploded Ordnance Desktop Survey

Reason: To ensure considerate construction and to protect the amenities of the nearby residents from excessive noise and dust and to comply with Policies CS7 and CS5, CS13 of the adopted Waltham Forest Local Plan - Core Strategy (2012) and Policies DM12, DM14, DM15, DM24 DM32 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013)) and comply with the Policy SI1 of the London Plan and the GLA NRMM LEZ.

11. No Non-Road Mobile Machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).

REASON: To ensure that air quality is not adversely affected by the development in line with the Mayor's SPG: The Control of Dust and Emissions during Construction and Demolition, to comply with Policy SI1 of the London Plan (2021).

12. Within six months of commencement of construction above ground floor slab level, full details relating to the following shall be submitted to and approved by the Local Planning Authority:

A. Soft landscaping details

- Include information on species, sizes, and densities of proposed plants.
- Specify any proposed green roofs and living walls.
- Include long term design objectives, management responsibilities and maintenance schedules of landscape areas.

B. Landscape Management Plan and Planting and maintenance

- Provide detailed planting and maintenance plans, including:
 - o Planting methods
 - o Maintenance schedules
 - o References to relevant British Standards and horticultural and arboricultural best practice guidance
 - o Any new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the Local Planning Authority agrees any variation in writing.

C. Habitat enhancement

- Include details on habitat enhancement, including:
 - o Number and type of habitats
 - o Bricks and boxes proposed for birds and invertebrates.
 - o Permeability of site boundaries for ground-based wildlife

The development shall be carried out fully in accordance with the approved details. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out not later than the first planting and seeding seasons prior to the first occupation of any of the residential units, or the completion of the development, whichever is the sooner and shall be thereafter maintained as such for the lifetime of the development.

Reason: To ensure the well-being of the neighbouring trees and in the interest of biodiversity, in accordance with Policies CS5 and CS15 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM29 and DM35 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

INFORMATIVES

1. To assist applicants the Local Planning Authority has produced policies and provided written guidance, all of which is available on the Council's website and which have been followed in this instance.
2. The applicants are reminded that all building materials should be stored on land in their ownership and that neither materials nor vehicles should obstruct the public highway, footpaths or any other land over which other persons have right of access.
3. A legal agreement has been entered into with the London Borough of Waltham Forest in conjunction with this grant of planning permission to ensure that the one of the dwellings in the development is car-capped, i.e. future occupiers of the units will not be eligible for parking permits.
4. This determination does not constitute permission to build under the Building Regulations 2010. Works should not commence until any appropriate building regulation applications have been submitted and where necessary approved.
5. This notice is without prejudice to your responsibilities under any other legislation.
6. The applicant is advised that this decision must be read in conjunction with the application for Listed Building Consent – reference 223276.