

**LONDON BOROUGH OF WALTHAM FOREST**

Committee / Date:	Planning – 2 <sup>nd</sup> April 2024
Application Reference:	230402
Applicant:	Mr George Ruffy (GMH Mount Echo Limited)
Location:	55 Mount Echo Avenue, Chingford, London, E4 7JX
Proposed Development:	Demolition of single dwelling house and ancillary garages, construction of two separate buildings (a two and a half storey building and a part three/part four-storey building) to provide 9 residential units (4 x 3-bedrooms, 3 x 2-bedroom, 2 x 1-bedroom flats) with associated parking spaces, cycle parking, refuse storage and hard and soft landscaping.
Wards Affected:	Endlebury

**1. RECOMMENDATION**

- 1.1. That Planning Permission be **GRANTED** subject to conditions and informatives and completion of a Section 106 Legal Agreement (S106) with the following Heads of Terms:

**Highways and Transportation:**

- Highway works under a S278 will be required upon completion of the development, prior to occupation. The works will be funded by the Developer and carried out by the Council:
  - Renewal of the footway on both frontages of the site on Mount Echo Drive and Mount Echo Avenue
  - Removal of the redundant dropped kerb on Mount Echo Avenue and a provision of a grass verge.
  - Construction of a dropped kerb for bin collection within 15 metres of the bin store.
  - Renewal and extension of the existing dropped kerb adjacent to no.53 Mount Echo Avenue and subsequent removal of part of the grass verge
  - Installation of a short length of full height kerb between no.53 Mount Echo Avenue and the development boundary
  - Review of waiting and loading restrictions along both frontages of the site including a traffic management order
- A S106 contribution of £750.00 is required towards CLP monitoring.
- A S106 request of £9,000.00 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 condition survey to ensure, if the public highway is damaged as a result of the construction works, that any damage would be reinstated by the Council and funded by the developer.
- In the event that a CPZ is implemented in the future, with the exception of existing blue badge holders, this site must be classified as permit - free with no existing or future residents being entitled to parking permits.

**Carbon Offset Fund:**

- In the event that a verification report submitted under the terms of planning conditions demonstrates that the 35% carbon reduction target has not been met, a financial contribution towards a carbon levy.

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

- A financial contribution of £627 per new homes towards Strategic Access Management and Monitoring (SAMM) with a total of £5,623.

**Retention of Architect**

- The applicant shall retain the architect during the build phase until completion unless otherwise agreed in writing by the Council.

**Legal Fees:**

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

**Monitoring and Implementation:**

- Payment of 5% of the total amount of S106 contributions towards monitoring, implementation and compliance of the legal agreement.

**Minor Amendments**

- 1.2. That authority to be given to the Assistant Director - Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the S106 Agreement and to agree any minor amendments to the conditions or the legal agreement on the terms set out above.
- 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 in consultation with the Chair of the Planning Committee. In the absence of this S106 Agreement, the proposed development would not be able to deliver the development on the site. The implication of this happening is that the opportunity for securing the provision of affordable housing would be lost. Additionally, other financial and non-financial commitments would be lost, which otherwise would be secured by the S106 Agreement.

**2. REASONS REFERRED TO COMMITTEE**

- Due to level of Public Interest
- The application is referred to planning committee at the request of Councillor Cllr Emma Best and Cllr Roy Berg.

**3. SITE AND ITS SURROUNDINGS**

- 3.1. The application site is a detached mock Tudor single family dwelling located on the junction of Mount Echo Avenue with Mount Echo Drive.
- 3.2. The area is residential in character and includes properties of different styles, with the application property being the only mock Tudor property on this this side of the road.
- 3.3. The opposite side of Mount Echo Avenue and the top area of the street, Mount Echo Drive and Nevin Drive comprise substantial semi-detached mock Tudor properties, with the area at the bottom of the hill characterised by more modest single storey semi-detached bungalows.
- 3.4. The topography of the site slopes steeply south to north meaning the dwelling house sits prominently on the corner plot sitting forward of Echo heights to the west.
- 3.5. The application site adjoins Echo Heights to the west, a block of seven 3-storey 'modernist' townhouses and a 5-storey block of flats [Fig.1] and to the rear (south) of the property, fronting onto Mount Echo Avenue and adjoining the existing garages at 55 Mount Echo Avenue are three pairs of stepped 3-storey townhouses, as shown below in Fig.2.



Fig 1: Mount Echo Heights, Mount Echo Drive



Fig 2: Nos 43 – 53 Mount Echo Avenue

- 3.6. To the rear of the application site, adjoining 53 Mount Echo Avenue are two single storey garages, ancillary to the main property.

- 3.7. Mount Echo Avenue is not well served by public transport and has a low public transport accessibility rating (PTAL rating of 1b). However, Chingford train station is approximately 1.5 miles away, connecting the site with central and outer London and there are bus routes within a close walk of the site. The site is situated outside of any controlled parking zone.
- 3.8. The property is not located within a Conservation Area, is not listed and is not subject to an Article 4 direction other than the Borough-wide change of use from Class C3 to C4.
- 3.9. The site falls within the zone of influence of the identified Epping Forest Special Area of Conservation (EFSAC), under the EU Habitats Directive (92/43/EEC).
- 3.10. The site falls within the Borough-wide Air Quality Management Area (AQMA).
- 3.11. The site does not fall within an Archaeological Priority Zone.

#### **4. APPLICATION PROPOSAL**

- 4.1. The application seeks planning permission for the redevelopment of the site to provide a residential development comprising of 9 units and would include the demolition of the existing residential property and ancillary garages to the rear of the application site. The redevelopment comprises of 4x3 bedroom flats, 3x2 bedroom flats and 2x1 bedroom houses.
- 4.2. The proposal would include two distinct blocks. To the north of the site would sit a part three, part four storey building and to the south a two and a half storey building. Hard and soft landscaping surrounding the buildings and a communal garden located between the blocks. The proposed building would be built in a single brick however would be built with distinct patterns.
- 4.3. There would be communal amenity area in the central courtyard as well as private balconies or courtyards for each unit.
- 4.4. The proposal includes a refuse and cycle storage to the front of the site for the larger flatted block and two individual stores either side of the smaller block. 16 residential cycle parking spaces plus 2 Sheffield stands are provided for the development.
- 4.5. A revised and reduced car parking scheme was introduced to increase soft landscaping within the site, two car parking spaces would be located to the front of the southern block.
- 4.6. A landscape plan for the proposed development has been guided across the site to create high quality landscape and a visually attractive environment with planting, functional amenity space as well as a focal space to encourage social interaction.
- 4.7. The proposal before the committee was amended from the version initially submitted in February 2023 by the Applicant. These changes include:
  - A reduction in vehicular parking from 4 parking places to 2, with an increase in soft landscaping and amenity space;
  - Materials, facade detailing and fenestration revised;
  - Existing perimeter wall to the north retained;
  - Proposed boundary brick walls removed and replaced with hedges and shrubs.

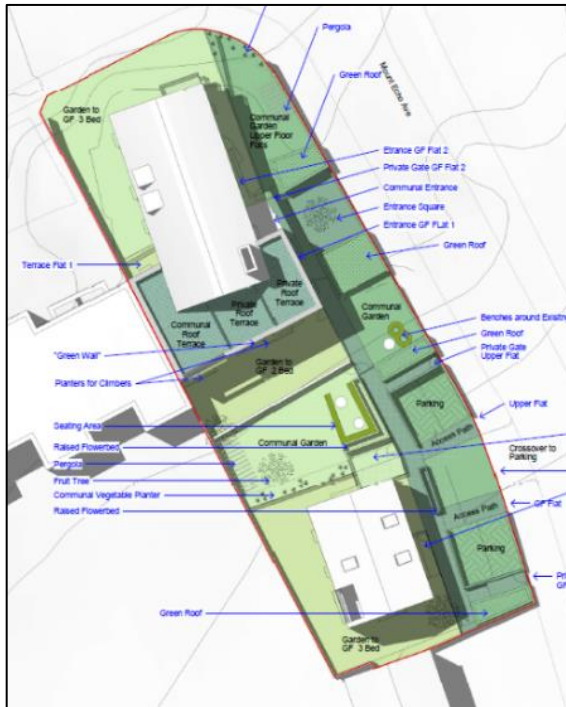


Fig 3: Site Plan - Original submission



Fig 4: Site Plan - Revised submission

## 5. RELEVANT SITE HISTORY

### Planning History

5.1. The application site has been subject of several applications to redevelop the site for residential use, as listed below:

**202653** - Demolition of detached house and ancillary garages block and construction of a four-storey building to provide nine residential flats (2 x 1-bedroom, 2 x 3-bedrooms, and 5 x 2-bedroom), with associated car parking spaces, bicycle and refuse storages, hard and soft landscaping – Withdrawn 2/2/2021.

This application was withdrawn prior to the committee meeting, the officer's recommendation was to grant.



**200546** – Demolition of detached house and ancillary garages block and construction of a four-storey building to provide nine residential flats (2 x 1-bedroom, 3 x 3-bedrooms, and 4

x 2-bedroom), with associated car parking spaces, bicycle and refuse storages, hard and soft landscaping. – Withdrawn 22/05/2020

**070217** - Erection of 1x 2 storey , 4 bed dwellinghouse and a double domestic – Refused 6/08/2007

**940427** - Erection of detached four bedroom house incorporating domestic garage – Refused 14/10/1994

**891046** - Erection of detached four bedroom house incorporating domestic garage - Approved 31/07/1989

### **Pre-Application**

PRE\_22\_0060 - Demolition of detached house and ancillary garages block and construction of two buildings (four storey and three storey) to provide 9 residential units (3no 3 bed flats, 4no 2 bed flats, 1no 3 bed house and 1 no 2 bed house) with associated parking spaces (5 parking), cycle parking, refuse storage and hard and soft landscaping.

- It is concluded that a proposed residential use on site would be acceptable in principle.
- There is no in principle objection to the housing being modern / contemporary in appearance and the site affords some creative license given mix of development close to the site. However,
- further analysis of how the proposal would integrate within the surrounding context
- high quality urban greening and biodiversity features must be designed into the scheme and should be proportionate and relevant to the site.
- The terraced wall on the western boundary is an interesting response to the topography of the site and its retention and enhancement through suitable planting is encouraged

191276 – Pre application enquiry for, new residential units – Proposal considered to be acceptable in principle, subject to design changes and additional information.

### **Planning Enforcement**

5.2. None.

## **6. PUBLIC CONSULTATIONS**

6.1. Following the initial validation of this application, the Council sent notification letters to neighbouring addresses and consultees on 15<sup>th</sup> March 2023.

6.2. Following the receipt of an amended scheme, the Council sent notification letters to neighbours on the 1<sup>st</sup> March 2024 and Site Notices were displayed on the 27<sup>th</sup> February 2024.

6.3. The following properties have been consulted:

43 – 55 Seymour Road (Odd)  
50 - 62 Seymour Road (Even)  
16 - 34 Mount Echo Avenue (Even)  
33 - 39 Mount Echo Avenue (Odd)



43 - 53 Mount Echo (Odd)  
 45 - 51 Mount Echo Drive (Odd)  
 1 - 33 Echo Height (Odd)  
 42 - 52 sunset Avenue (Even)  
 22 Mansfield Hill  
 25 - 27 Meadow Close (All)

- 6.4. As a result of the initial round of public consultation, 64 objections were received from neighbouring properties in the consultation period in March 2023.
- 6.5. 18 responses were received during a re-consultation period following minor amendments to the plans as well as additional documentation in March 2024.
- 6.6. The table below summarises the issues raised in these letters:

Objection Received	Response
<p><b>Principle of development</b></p> <p>Loss of family home - proposed flats would not relieve the shortage of family houses in the area</p>	<p>The principle of development has been discussed in section 10A. Whilst the proposal results in the loss of a single dwelling, the proposal creates 4 x 3 bedroom flats.</p>
<p><b>Design, character and heritage</b></p> <ol style="list-style-type: none"> <li>1. Out of character</li> <li>2. Loss of historical and emotional value: the existing house is a good example of 30s Tudor style, and a pride of the road</li> <li>3. Poor design of the proposal</li> <li>4. Loss of openness</li> </ol>	<p>In terms of massing, height and architectural design, officers are of the view that the proposal adequately responds to the urban form of the street scape, identifying the existing built form of the surrounding area and positively responding to the wider character. This is further explained in Section 10[B] of this report.</p>
<p>Overdevelopment - 9 units are too congested for the size of the plot.</p>	<p>Officers consider that the proposed quantum of development is appropriate to the plot size, making efficient use of existing developed residential land to provide a good standard of residential accommodation for future occupiers.</p>
<p>Proposed scheme would create sub-standard dwellings</p>	<p>The proposal provides a scheme that meets both internal and external space standards. This is further explained in Section 10[D] of this report.</p>
<p>Proposal not suitable for elderly nor disabled residents</p>	<p>The proposal would be conditioned to meet M4(2) accessible buildings in line with building control requirements, providing level access to each front door.</p>
<p><b>Amenity impact</b></p> <ol style="list-style-type: none"> <li>1. Loss of privacy, overlooking</li> </ol>	<p>Given the development site's reasonable separation distances away from neighbouring properties and it's proposed tapered nature, it is</p>

Objection Received	Response
<p>2. Overshadowing, loss of light 3. Noise</p>	<p>considered that the proposal would not unreasonably result in loss of light, overshadowing or overlooking to existing occupiers.</p> <p>With respect to noise and disturbance, conditions requiring noise mitigation measures and control of noise levels are recommended if granted.</p> <p>Furthermore, the application included a Sunlight and Daylight Assessment which assessed and concluded that the impact on neighbouring properties would not amount to an unreasonable harm. Officers concur with the findings. This is further explained in Section 10[E] of this report.</p>
<p>Loss of property value</p>	<p>The impact on property values is not a material planning consideration.</p>
<p>Waste overflow</p>	<p>The proposal has adequate refuse facilities for the size of the site. The refuse would be enclosed. This is further explained in Section 10[G] of this report.</p>
<p>Air and noise pollution during construction</p>	<p>With respect to noise and air pollution, conditions requiring noise mitigation measures and control of noise levels and air quality mitigation are recommended if granted.</p>
<p>Loss of view</p>	<p>The loss of views is not a material planning consideration.</p>
<p>Subject site is unstable land, proposal would cause risk of landslide and structural damage to other properties</p>	<p>This would be dealt with at construction phase, whilst in extreme cases can be a material consideration this site is not considered to have a high risk of landslides however would be subject to building control regulations.</p>
<p><b>Highways</b> Parking stress – lack of parking within the scheme</p>	<p>The proposal includes 2 parking spaces. The application is accompanied by Parking Assessment Report that concluded that the area has adequate on-street parking availability with occupancy of less than 53%. The application site is not situated in a CPZ.</p> <p>Therefore, given the site context officers consider that the proposed 2 on-site parking spaces are appropriate and in-line with the Council's policies for schemes to be car free.</p> <p>This is further explained in Section 10[F] of this report.</p>



Objection Received	Response
Damage to the roads during construction	Any damage to roads due to construction would be picked up in the required condition survey for the site. The highways team has raised no objections on this basis.
Pedestrian safety at risk during construction	The Highways team have not raised a concern in this regard, an Outline Construction Logistic Plan was submitted with the application and a detailed Construction Logistic Plan is required by condition.
Pedestrian and highway safety from increased vehicles	No objections were raised by the highway team. Whilst there may be a slight increase in vehicles as the site is not within a CPZ, it is not considered this would give rise to an unacceptable pedestrian and vehicle environment.
<p><b>Biodiversity</b></p> <ol style="list-style-type: none"> <li>1. Negative impact on habitat of Sparrows - a large number of Sparrows nesting in the trees within the boundaries of the affected site, they are a protected species under Wildlife and Countryside Act 1981.</li> <li>2. Reduction in soft landscaping</li> </ol>	<p>Through revisions the proposal has increased soft landscaping including along boundaries. Any works to trees would be undertaken inline with the Arboricultural Impact Assessment and an Arboricultural Method Statement via condition.</p> <p>This is further explained in Section 10[H] of this report.</p>
<p><b>Legal issue</b></p> <p>According to the title, a covenant states that no flats can be erected on the plot.</p>	<p>This is a legal matter and not regulated by Planning legislation.</p>
<p><b>Others</b></p> <ol style="list-style-type: none"> <li>1. Existing infrastructure such as electricity and drainage cannot cope with the proposal</li> <li>2. Increased stress on local services, such as GP and schools</li> </ol>	<p>Given the context of the site, it is not considered the proposal would be of a scale that would add significant impact on the overall range of local services in this part of the Borough.</p> <p>Community Infrastructure Levy (CIL) would be secured to help fund infrastructure, facilities and services – which are needed to support new homes and businesses.</p> <p>For the purposes of drainage, a SUDs condition will be included to ensure features are included within the scheme.</p>
<ol style="list-style-type: none"> <li>3. Inaccurate plans: a building, resembling a block of flats, is shown on the corner of Seymour</li> </ol>	<p>Officers have reviewed the plans/daylight report and consider that they accurately reflect the site and surrounding area.</p>

Objection Received	Response
<p>Road ,but in reality it does not exist</p> <p>4. Inaccurate plans: omission of the very tall structure on the corner on Echo Heights on the daylight report</p>	
<p>5. Advice from Echo Heights Residents Association was not sought</p>	<p>The appropriate 21 days statutory consultation was carried out, furthermore three site notices were placed around the application site to reach a larger consultation group.</p>

## 7. OTHER CONSULTATIONS

### Internal and External Representations Received

7.1. LBWF Consultation Responses' below lists the responses received from Waltham Forest Council consultees.

Consultees	Response
<p><b>Highways</b></p>	<p>No highway concerns raised and if the application is approved, this is subject to the following:</p> <ul style="list-style-type: none"> <li>• Conditions involving the submission of a Detailed Construction Logistics Plan, details of drainage, highways condition survey and boundary treatment.</li> <li>• Financial contributions towards monitoring the Construction Logistics Plan and improving sustainable modes of transport</li> <li>• S278 agreement for highways works</li> </ul>
<p><b>Environmental Health</b></p>	<p>No comments</p>
<p><b>Design</b></p>	<p>The existing building on the site is considered to be a Non-designated Heritage Asset. If the case officer is minded to agree with the principle of demolition, the proposal should be of the highest architectural quality, forms an</p>

Consultees	Response
	<p>appropriate response to the site in terms of building massing and ensures a level of detailing that is commensurate with the host building being lost.</p> <p>4 storeys on the corner is considered to be overbearing within the context.</p> <p>Notwithstanding the concerns with the form, scale and massing of the proposals, the general approach to elevations are welcome, and the solid-to-void ratio is considered appropriate in the context. The scale and colour of the brick tone appears to be appropriate, and the changes in brick bond helps to offer additional quality and a richness to the proposal, which is welcome</p>
<b>Nature Conservation Officer</b>	<p>Officers raised concerns to the proposed scheme with respect to landscaping and planting including the removal of two mature trees however were involved with the landscaping and biodiversity enhancement on site during the application assessment. Officer supports the proposal subject to planning conditions in respect to landscaping details, planting schedule and other recommendations. (See Section H)</p>
<b>Sustainability</b>	<p>Officers provided standard advice subject to conditions involving CO2 reduction targets and water use calculations and where the development does not achieve required carbon reduction standard a financial contribution would be paid towards a carbon offset fund.</p>
<b>Thames Water</b>	<p>No concerns were raised subject to conditions and informatives</p>

## 8. DEVELOPMENT PLAN

- 8.1. Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

8.2. Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that ‘if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise’. The development plan for Waltham Forest comprises the Core Strategy, the Development Management Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

#### London Plan (2021)

8.3. The London Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital from 2019 to 2041.

8.4. The policies relevant to this application are considered to include and not limited to:

- GG1 Building Strong and Inclusive Communities
- 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
- D14 Noise
- H1 Increasing housing supply
- H10 Housing size mix
- G1 Green Infrastructure
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving Air Quality
- SI7 Reducing Waste and supporting the circular economy
- SI13 Sustainable Drainage
- T5 Cycling
- T6 Car Parking
- T7 Deliveries, Servicing and Construction
- DF1 Delivering of the Plan and Planning Obligations

#### Shaping the Borough – Waltham Forest Local Plan LP1 (2024)

8.5. The draft version of the Local Plan underwent Regulation 18 public consultation between July 2019 and September 2019 and consultation on the proposed submission version between 26 October 2020 and 14 December 2020. It underwent examination and consultation on proposed modifications concluded on 21 September 2023. The Waltham Forest Local Plan (LP1) was subsequently adopted 29 February 2024 and therefore now forms a key part of the development plan in determining all planning applications. The previous Core Strategy (2012) and Development Management Policies (2013) are superseded by LP1. The relevant policies are:

- Policy 1 Presumption in Favour of Sustainable Development

- Policy 2 Scale of Growth
- Policy 3 Infrastructure for Growth
- Policy 4 Location of Growth
- Policy 5 Management of Growth
- Policy 6 Ensuring Good Growth
- Policy 8 Character-Led Intensification
- Policy 11 North Waltham Forest
- Policy 12 Increasing Housing Supply
- Policy 15 Housing Size and Mix
- Policy 16 Accessible and Adaptable Housing
- Policy 19 Small Sites
- Policy 48 Promoting Healthy Communities
- Policy 53 Delivering High Quality Design
- Policy 56 Residential Space Standards
- Policy 57 Amenity
- Policy 60 Promoting Sustainable Transport
- Policy 61 Active Travel
- Policy 62 Public Transport
- Policy 63 Development and Transport Impacts
- Policy 64 Deliveries, Freight and Servicing
- Policy 65 Construction Logistic Plans
- Policy 66 Managing Vehicle Traffic
- Policy 74 Non-Designated Heritage Assets
- Policy 79 Biodiversity and Geodiversity
- Policy 80 Trees
- Policy 81 Epping Forest and the Epping Forest Special Area of Conservation
- Policy 85 A Zero Carbon Borough
- Policy 87 Sustainable Design and Construction
- Policy 88 Air Pollution
- Policy 93 Waste Management
- Policy 94 Infrastructure and Developer Contributions

## 9. MATERIAL PLANNING CONSIDERATIONS

### National Planning Policy Framework (2023)

- 9.1. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. It contains a presumption in favour of sustainable development, described as at the heart of the framework.
- 9.2. For decision-taking the NPPF states that the presumption means "*approving development proposals that accord with an up-to-date development plan without delay*" 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*".
- 9.3. The NPPF gives a centrality to design policies; homes should be locally led, well designed, and of a consistent and high quality standard. Local planning authorities (LPAs) are to make

sure that the quality of approved developments does not materially diminish 'between permission and completion, as a result of changes being made to the permitted schemes'.

9.4. The specific policy areas of the NPPF considered to be most relevant to the assessment of this application are as follows:

- Delivering a sufficient supply of homes
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieve well-designed places
- Delivering a wide choice of high-quality homes
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment

Department for Communities and Local Government Technical Housing Standards – Nationally Described Space Standard (2015)

This standard relates to the internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal Area (GIA) of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home including bedrooms and storage.

Waltham Forest Local Plan Urban Design SPD (2010)

9.5. This document has the aim of raising the quality of design within the Borough. The core principles underlying the advice in the SPD are Inclusive Design and the social model of disability.

Waltham Forest Planning Obligations SPD (2017)

9.6. This document seeks to provide transparent, clear and consistent information for the negotiation of planning contributions.

## **10. ASSESSMENT**

10.1. The main issues which will be addressed in this report are:

- A. Principle of Development
- B. Design and Character (including Heritage)
- C. Housing Mix
- D. Standard of residential accommodation
- E. Impact on Neighbouring Amenity
- F. Transport and Highways
- G. Waste Management
- H. Trees, Landscaping and Ecology
- I. Sustainable Design and Energy Efficiency
- K. Environmental Impact

**A. PRINCIPLE OF DEVELOPMENT**

- 10.2. National, London and Local Plan policies all seek to encourage sustainable housing development on appropriate sites in urban areas. In particular, The London Plan (2021) identifies the urgent need to increase housing supply in London to address the substantial population increase in the capital and requires Waltham Forest to deliver 1260 new homes per year.
- 10.3. Waltham Forest Local Plan Part 1 (2024) has been recently adopted with a target of 27,000 additional homes to be provided over the plan period (2023-2035).
- 10.4. In planning for growth Policy 5 of the Waltham Forest Local Plan (2024) it seeks to make an effective use of previously developed land. Policy 8 seeks to ensure that appropriate density and intensification is achieved in a manner that is informed by, and responds to, the character and context of the site under consideration. Policy 12 sets out the housing supply target setting out this would be delivered by making effective and efficient use of land by seeking to optimise housing densities and ensuring new homes address different housing needs and provide a variety of housing choices.
- 10.5. The application is a large, detached property within a spacious plot which fronts two roads which lends itself to a redevelopment of this nature and level of development whereby the proposal would maximise the use of the land and optimise housing supply for the Borough.
- 10.6. The proposal creates 9 residential units resulting in the net gain of smaller residential family accommodation including 4 x 3 bedroom units to replace the larger 4 bedroom existing house.
- 10.7. In summary, the site is considered appropriate to maximise the use of the land through modest intensification to create a greater supply of family accommodation.
- 10.8. The proposal is considered to be acceptable in principle and remains to be assessed against other material planning issues, including design and character, housing mix, standard of accommodation and impact on neighbouring amenity. These issues, amongst other relevant planning considerations, shall be considered below.

**B. DESIGN AND CHARACTER (INCLUDING HERITAGE)**

- 10.9. The NPPF (2023) states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 10.10. Policies D4 and D6 of the London Plan (2021) states that development should be of a high quality of design and placemaking.
- 10.11. The Local Plan LP1 (2024) Policy 53, states that development proposals should reinforce or enhance local character, taking in account existing patterns of development, townscape, skyline, urban forms, building typologies, architecture, materials, and other features of local and historical significance. It adds that developments should respond appropriately to their context in terms of scale, height and massing.
- 10.12. Paragraph 209 of the NPPF states that the effect on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing



applications that directly or indirectly affect non-designated heritage assets, a balanced judgement required to have regard to the scale of any harm or loss and the significance of the heritage asset.

- 10.13. The proposal would remove the mock Tudor dwelling house and ancillary garages, with the development delivering a contemporary, high quality, residential development that adheres to good urban design principles in terms of responding well to the existing urban structure, urban grain and spatial constraints. Officers are of the view that the layout has been designed conservatively to enhance the use of the site.
- 10.14. To the northern front corner of the site, the larger flatted block (Building 1) would read as a continuation of the existing row of terrace/flatted development at Echo Heights stepping up from three storeys to four storeys. To the southern part of the site, the smaller block (Building 2) is situated next to the three storey town houses situated on Mount Echo Avenue. The proposal, in the form of two blocks responds to the differing characteristics neighbouring the site along Mount Echo Drive and Mount Echo Avenue. Officers do note that the development would be a change of state creating a visually different development on the site however officers consider it to be a good quality scheme architecturally.
- 10.15. Whilst Council's Design Team raised concerns of the scale and height of the proposal, Planning Officers consider that the set back provided to the corner and increased vegetation, included in the amendments of the scheme, would soften the appearance. The height, whilst tall at 4 storeys, would relate to the neighbouring corner of Echo Heights that sits at 5 storeys. The higher element is located at the lower level of the site in order to relate to the context and not appear incongruous in long views of Mount Echo Avenue. As such it is considered that the height would be appropriate within the context of the site.

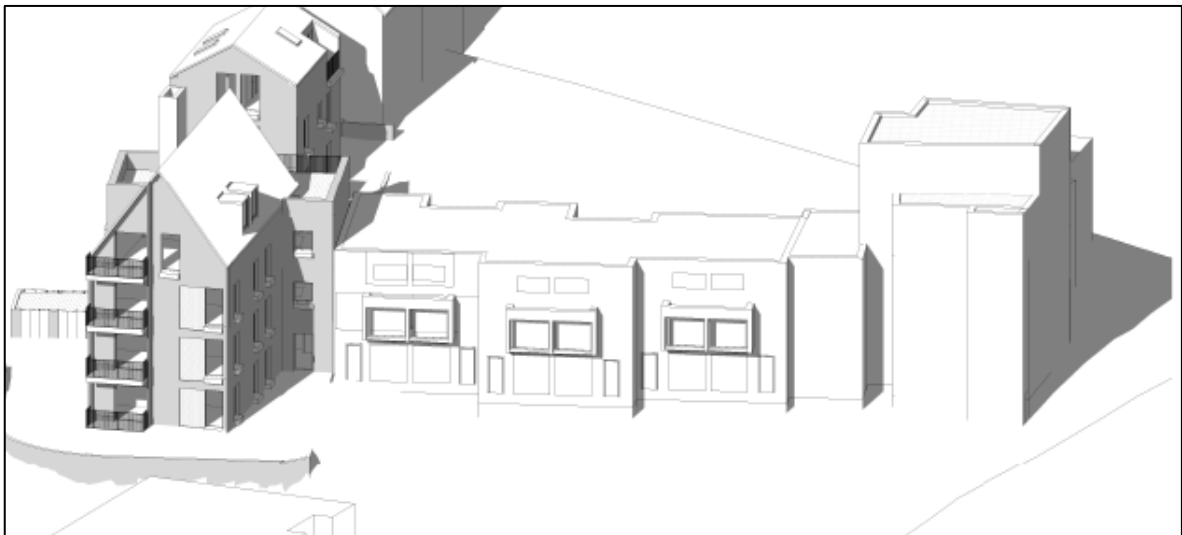


Fig 5: Mount Echo Drive Elevation



Fig 6: Mount Echo Avenue Elevation

- 10.16. The layout of the large corner site has been carefully considered with the four storey projection tapered towards the corner mimicking the similar layout of the other corner property opposite the site. A pitched roof was considered an appropriate roof form to this projection given the character of the existing property and mock Tudor properties with gable end projections as well as creating a softer appearance and a less dominant feature to the corner of the site.
- 10.17. In terms of fenestration and façade articulation, the building would contain vertical grouping of windows and balconies that would blend in with the proposed vertical proportions of the building. The proposed window alignment would seek to break down the scale and massing of the building and would therefore reduce any form of prominence.
- 10.18. Officers support the contemporary approach to architecture in the development, noting the predominance of high-quality brick finishes in the choice of materials which in general is considered to respond well to the location. Different brick patterns proposed will add interest and texture to the building, including sections of herringbone brickwork that take their cue from the existing building.
- 10.19. The revisions of the scheme sought to explore softer boundary treatments with hedges used on the perimeter of the site as well as internally to divide private and communal spaces. Entrance points are located in visible locations with breaks in the boundary treatment to announce the access points. To the north an existing terraced wall will be retained and re-planted to create an attractive and softened edge to the north of building 1.
- 10.20. The proposed elevations would incorporate a range of design features which would serve both a practical and aesthetic purpose. The reasonably well considered windows sizes and balconies would provide a high level of residential amenity for future occupiers, and would not detract from the overall visual balance of the building within the wider area.
- 10.21. The proposal has also taken full advantage of such prominent site on the corner of Mount Echo Avenue and Mount Echo Drive and includes a landscaping scheme to integrate the building to its surroundings, which is particular important given the sloping nature of the application site and visibility, to not only create a visually attractive development, but also to contribute to the quality of the development for future residents. Soft landscaping and biodiversity if further discussed in Section H. As such it is considered that the proposal would not materially harm the character of the street scene or the wider locality. It is considered that the massing is acceptable to neighbouring properties given the context of the site. The proposal is considered to sit comfortably within the character of the area relating to the surrounding built form and reflecting neighbouring properties.

- 10.22. It is considered that the proposed development would be of appropriate scale, size and design in context of the host property and surrounding area in accordance with policies.

Heritage and Planning Balance

- 10.23. It is noted that Council's Design Team raised concerns to the loss of a non-designated heritage asset. The existing property takes cues from a Tudorbethan design and influences from the arts and craft movement. Whilst it is noted that the property has some nice detailing, such as the herringbone brickwork and decorated bargeboards, the property does not have any links to locally or nationally important people or events and is not of any archaeological interest.
- 10.24. The demolition of the existing house would represent the loss of a building identified as a non-designated heritage asset. Paragraph 209 of the NPPF states that, in weighing applications that directly or indirectly affect such assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Whilst the proposal would result in the total loss of the building, the house is not located in a Conservation Area or an Area of Special Character. It is not listed or locally listed and is therefore demonstrably of limited architectural interest and of limited local significance. As such the degree of harm arising from its demolition would be less than substantial.
- 10.25. In this case the following public benefits are relevant:
- The development will provide nine high quality residential units, which are fully compliant with planning policies relating to the quality of new residential accommodation. Of particular importance is the fact that four units are family sized, helping to fulfil a strong demand for such accommodation in the Borough.
  - The development would achieve a high standard of design with a particularly good standard of well laid out and accessible communal external amenity space, providing a high quality, liveable environment for future residents.
  - The proposal will achieve a high standard of layout and landscaping which will represent an enhancement in the streetscene providing a visually harmonious bridge between the scheme and existing neighbouring development.
- 10.26. Overall, the design is of a high standard. The amount of visual space and landscaping around the building gives the development a rare character over many other flatted developments. Whilst it is acknowledged that reference has been made to the height of the flatted building, officers consider that it is balanced out by the provision of open areas within the development and provides a good example of gentle density that complements the prevailing suburban residential environment. Overall, this is a good quality scheme of a standard which the Council are seeking to encourage where new residential development comes forward. The high standard of design and layout is a consideration that weighs in favour of the proposed development in addition to the provision of new homes in the scheme.
- 10.27. With reference to the heritage aspect of the proposal, it is considered that the public benefits arising from the scheme significant outweigh the potential harm arising from the demolition of the existing. As such the proposal would be in accordance with policy Paragraph 209 of the NPPF, policies D4, D8 and D9 of the London Plan (2021) and Policy 53 of the Waltham Forest Local Plan Part 1 (2024).

### **C. HOUSING MIX**

- 10.28. The NPPF (2021) states that, ‘*sustainable development involves seeking positive improvements in the quality of the built environment, including widening the choice of high quality homes*’. The NPPF (2021) recognises that in order to create sustainable, inclusive and diverse communities, a mix of housing types, which is based on demographic trends, market trends and the needs of different groups, should be provided.
- 10.29. It should be noted that the Secretary of State in his letter to the Mayor (dated 13<sup>th</sup> March 2020) directed an amendment to the wording of the London Plan (2021) Policy H10 (A9) to state: “*The need for additional family housing and the role of one and two bed units in freeing up existing family housing.*”
- 10.30. The London Plan (2021) Policy H10 requires schemes to generally consist of a range of unit sizes, having regard to robust local evidence of need and the nature and location of the site.
- 10.31. Policy 15 of the Waltham Forest Local Plan Part 1 (2024) sets out that there is a need for a range of dwelling sizes and tenures to meet the housing needs of its diverse population.
- 10.32. Nine residential units would be provided, comprising the following:
- 4x3 bedroom flats
  - 3x2 bedroom flats
  - 2x1 bedroom houses.
- 10.33. 4 out of 9 units would be family sized accommodation. Officers consider that the proposal includes a mix of housing types and unit sizes, whilst also maximising of family sized and consequently complies with the relevant policies on Housing Mix, particularly Policy 15 of the Waltham Forest Local Plan LP1 (2024).

### **D. STANDARD OF RESIDENTIAL ACCOMMODATION**

#### *Internal Space Standards*

- 10.34. The ‘Technical Housing Standards – nationally described space standard’ (2015) stipulate the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected for the proposed units. The policy seeks for high quality internal and external design, which should consider the sense of ‘arrival’ at the building and the ‘home as a place of retreat’, with acceptable size of rooms and functional room layouts, that meet the minimum spatial requirements.
- 10.35. Policy D6 of the London Plan (2021) sets out the housing quality and standard design specifications for new developments. Including internal rooms sizes, dual aspect, built in storage.
- 10.36. Policy 56 of the Waltham Forest Local Plan Part 1 (2024) requires all new residential development to meet minimum internal and external amenity spaces.
- 10.37. Proposed Standard of Accommodation:

<b>Unit number</b>	<b>Local Plan Policy 56 / London Plan Space Standard (GIA sqm)</b>	<b>Proposed Space Standard (GIA sqm)</b>
Building 1: No. 1 (ground floor flat) 4 person, 2 bedroom	70	81 – meets
Building 1: No. 2 (ground floor flat) 5 person, 3 bedroom	86	87 – meets
Building 1: No. 3 (First floor flat) 4 person, 2 bedroom	70	73 – meets
Building 1: No. 4 (First floor flat) 5 person, 3 bedroom	86	87 – meets
Building 1: No. 5 (Second floor flat) 4 person, 2 bedroom	70	73 – meets
Building 1: No. 6 (Second Floor Flat) 5 person, 3 bedroom	86	87 – meets
Building 1: No. 7 (Third Floor flat) 2 person, 1 bedroom	50	68 – meets
Building 2: 8 (Ground and First Floor Flat) 5 person 3 bedroom	93	110 – meets
Building 2: 9 (Second Floor Flat) 2 person 1 bedroom	50	50 – meets

- 10.38. All of the proposed residential units would either meet or exceed the minimum internal space standards contained within the London Plan (2021) and Waltham Forest Local Plan (2024). All units would offer a good layout with usable space with access to private amenity space.
- 10.39. The habitable rooms within each unit would also meet the minimum spatial requirements in that double bedrooms would meet or exceed 11.50 sqm and single bedrooms would meet or exceed 7.50 sqm.

10.40. The proposed floor to ceiling height of units to the ground, first and second floors would exceed 2.50 metres in height, both proposed units located in the roof of both blocks would meet the minimum height of 2.5m for 75% of the GIA.

10.41. All units have open-plan living areas with integrated kitchen and dining areas with built-in storage.

*Internal Sunlight and Daylight for the occupiers:*

10.42. Policy D6 of the London Plan (2021) states that housing developments should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect units. A single aspect dwelling should only be provided when it can be demonstrated that all habitable rooms contain adequate passive ventilation, privacy, acceptable levels of daylight and appropriate orientation.

10.43. All the units are double aspect and all the rooms have a clear outlook. The main living areas in each case open out on to private amenity space. All habitable rooms would have a good standard of natural light.

*External Amenity*

10.44. 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.

10.45. Policy 56 of the Waltham Forest Local Plan Part 1 (2024) sets out that one and two bed flats and maisonettes should provide a minimum of 10sqm of external amenity space per dwelling. Flats and maisonettes containing three bedrooms or more should provide a minimum of 10sqm of external amenity space per dwelling plus an additional 1sqm 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. Private external amenity spaces must be a minimum of 5sqm and achieve a minimum depth and width of 1.5m. Communal external amenity spaces must be a minimum of 50sqm and should be easily accessible to all residents of the development, regardless of tenure;

10.46. Proposed External Amenity Provision:

<b>Unit number</b>	<b>Amenity Space (Against that required in Local Plan Policy 56)</b>
Building 1: 1 (ground floor flat) 4 person, 2 bedroom	Required: 10 Proposed: 36.5
Building 1: 2 (ground floor flat) 5 person, 3 bedroom	Required: 11 Proposed: 64

Building 1: 3 (First floor flat) 4 person, 2 bedroom	Required: 10 Proposed: 7.5*
Building 1: 4 (First floor flat) 5 person, 3 bedroom	Required: 11 Proposed: 5.9*
Building 1: 5 (Second floor flat) 4 person, 2 bedroom	Required: 10 Proposed: 7*
Building 1: 6 (Second Floor Flat) 5 person, 3 bedroom	Required: 11 Proposed: 5.8*
Building 1: 7 (Third Floor flat) 2 person, 1 bedroom	Required: 10 Proposed: 5.6*
Building 2: 8 (Ground and First Floor Flat) 5 person, 3 bedroom	Required: 11 Proposed: 79
Building 2: 9 (Second Floor Flat) 2 person 1 bedroom	Required: 10 Proposed: 5*

*\*Additional useable communal amenity space (271 sqm) is provided within the development that addresses the individual deficit in relation to each flat.*

- 10.47. In total, the proposed development would provide 487.3 square metres of external amenity space, of which 216.5 square metres would be provided by private balconies and external space of varying sizes and 271 square metres by communal amenity space at ground floor level.
- 10.48. It is proposed that all the new flats would have policy compliant sized private amenity spaces in the form of projecting balconies and private courtyard style garden ground floor units as per the above minimum standards and would exceed the external amenity space requirements in accordance with the London Plan and Policy 56 of the Local Plan (2024).

*Inclusive design*

- 10.49. All the proposed flats would meet Building Regulation requirement Part M(4)2 for accessible and adaptable dwellings. All residential entrances will be level threshold and the communal space has been designed as one level.



## E. IMPACT ON NEIGHBOURING AMENITY

- 10.50. Local Plan Policy 57 states that new development should respect the amenity of existing and future occupiers, neighbours and the surrounding area by avoiding harmful impacts from overlooking, enclosure and/or the loss of privacy, outlook and daylight/sunlight to adjacent residential properties.
- 10.51. The London Plan (2021) Policy D6 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context.
- 10.52. The proposal has been carefully designed to protect privacy and overlooking to future and existing residents.
- 10.53. Windows within the proposal have been carefully designed, with only the direct relationship with properties opposite the site across from Mount Echo Avenue.

### *Outlook and Privacy*

- *No. 1-13 Echo Heights*

- 10.54. No. 1 Echo Heights sits adjoining the site to western aspect. The proposal extends forwards from the building line of No. 1 however is set a minimum of 4m from the windows of No. 1 with the building tapering away as it extends outwards. As such the windows to this elevation would be at an oblique angle maintaining the privacy for residents within Echo Heights. Towards the rear, the proposal is set back from the rear building line, creating limited impact to this elevation.

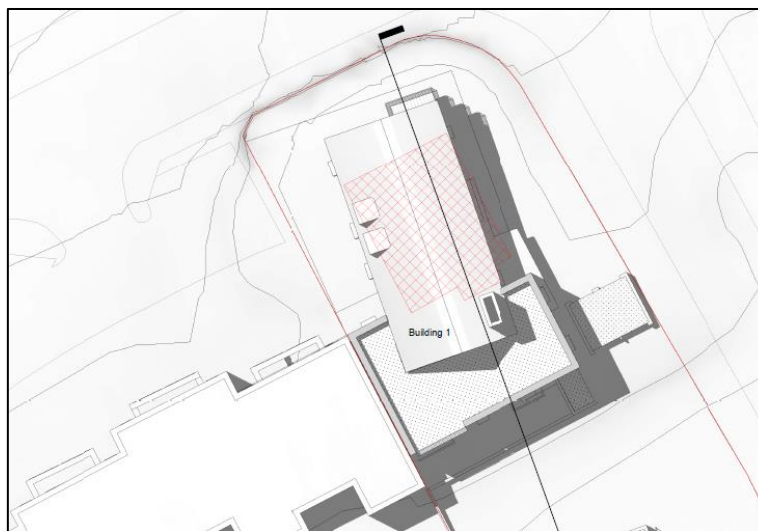


Fig 7: Building 1 to the east of Echo Heights

- *No. 53 Mount Echo Avenue*

- 10.55. The building footprint broadly aligns with No. 53, however it is slightly stepped forward. The proposal would however be set 4m from the boundary creating an acceptable relationship

between the properties. Whilst windows are proposed in the flank elevation of the proposal, these would face the blank flank wall of No. 53 and as such would not have an unreasonable harmful impact to the privacy of No. 53.

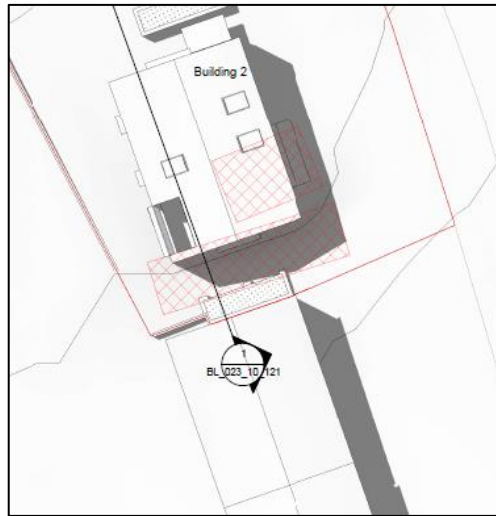


Fig 8: Building 2 to the north of 53 Mount Echo Avenue

- *Nos. 55 and 62 Seymour Road (north) / Nos. 26-34 Mount Echo Avenue (east)*

10.56. The proposed residential blocks would be situated across the road from these neighbouring properties (to the north and east), at a distance in excess of 20 metres and would look onto the flank/front elevation of the Nos. 55 and 62 Seymour Road and front gardens/driveways and front elevation of Nos. 26-34 Mount Echo Avenue.

10.57. It is considered due to the minimum separation distance of 20 metres across the street that ample levels of privacy would be maintained for existing occupants of properties fronting Seymour Road and Mount Echo Avenue, opposite the application site.

#### *Balconies and Roof Terrace*

10.58. Careful consideration was given to the positioning of balconies and roof terraces whereby they are situated to the elevation fronting Mount Echo Drive and to the rear of both blocks. As such limited overlooking opportunities would be achieved by future occupants. Furthermore, the roof top terrace on the four storey element would be set behind a parapet wall and would not have any direct overlooking to neighbour properties.

#### *Daylight, sunlight, and overshadowing*

10.59. A Daylight and Sunlight Report was submitted to ensure that the impact on daylight and sunlight on neighbouring properties is minimised. The report provides a detailed daylight and sunlight technical study of the development and considers the height being proposed.

10.60. The submitted daylight and sunlight assessment concluded that the proposal would give rise to limited harm in terms of loss of daylight and sunlight to existing neighbouring residential properties.

- 10.61. The Vertical Sky Component has been calculated for each of the 29 assessed windows for both the existing and proposed conditions. All windows retain 80% of their current values and they are compliant with BRE recommendations in relation to daylight impacts.
- 10.62. The Annual Probable Sunlight Hours has been calculated for each of these windows for both the existing and proposed conditions using the methodology described previously, both over the whole year, and through the “winter months”. The results show that all of the assessed windows retain 80% of their existing values both annually and over the winter months. The scheme is therefore compliant with BRE guidance in relation to sunlight impacts.
- 10.63. The rear gardens of Echo Heights would retain a high amount of sunlight hours meeting the BRE guidance.

## **F. TRANSPORT AND HIGHWAYS**

- 10.64. The National Planning Policy Framework (2023) at para 104 sets out that transport issues should be considered at the earliest stages of development proposals in order to ensure that the impact of development on the transport networks can be assessed and that opportunities to promote the use of active travel and public transport are prioritised. This is carried forward in paras 110 -113 which amplify these priorities in a placemaking context, harnessed to need to ensure safe and suitable access to the site for all users.
- 10.65. London Plan (2021) Policies T1 and T5 set out proposals should support the delivery of the Mayor’s Healthy Streets transport strategy which aims to ensure that by 2041 80% of all trips in London are to be made by walking cycling or public transport. Policy T6 sets out the thresholds for car parking in new development which should be restricted in line with levels of existing and future public transport in the area. It states that developments should provide the minimum necessary parking, and that an absence of local on-street parking controls should not be a barrier to development.
- 10.66. Waltham Forest Local Plan Part 1(2024) Policy 66 - Managing Vehicle Traffic sets out that proposals which (A) provide parking in less well-connected areas (eg the application site) must be accompanied by a robust Transport Assessment; and that (B) parking must not exceed maximum London Plan standards and those at Appendix 1 of LP1 and finally (C) that all development should provide Blue Badge spaces in accordance with best practice set in the London Plan and LP1.

### *Car Parking*

- 10.67. The proposal originally provided 4 parking spaces. This was reduced to 2, in order to provide more landscaped space between the blocks and a better relationship with the street.
- 10.68. The parking provision does not exceed the maximum set out within the provisions of The London Plan and Local Plan policy. A number of objections raised concerns that the actual parking demand will exceed the parking capacity of the development, leading to overspill parking on the surrounding road network. However, in this case the surrounding area is characterised by suburban housing which largely have private off-street parking, which reduces the level of demand for on-street parking. As such, it is considered that any overspill parking, including any visitor parking, could be absorbed without detriment to highway safety or the free flow of traffic.

- 10.69. The proposed two spaces would be located in an area previously used by two garages and served by an existing cross over. To accord with the required width of two spaces (6m in total), the existing cross over would be widened.
- 10.70. Overall the proposal is considered to strike an appropriate balance between the need to comply with maximum parking standards and to avoid any significant impact on the surrounding road network. Provision can be made in the legal agreement to restrict future residents from applying for parking permits should a CPZ be introduced in the future. Overall, the proposal is compliant with policy on car parking for development of this scale in this location.

#### *Cycle Parking*

- 10.71. London Plan standards at Policy T5 Table 10.2 for residential development requires 1.5 cycle parking spaces per 1 bed units, and 2 spaces for all other residential units.
- 10.72. Appendix 1 of the Local Plan (2024) sets out the Council's cycle parking standards at 1 space per studio; 1.5 spaces per 1 bedroom home; 2 spaces per 2 bedrooms home; 3 spaces per all other dwellings.
- 10.73. The proposal would provide 16 spaces plus 2 Sheffield stands. The overall level of provision meets London Plan standards however would not meet Local Plan (2024). Given the constrained nature of the site, and the importance to provide a softened edge within the street scene the amount of cycle parking provided in this case is considered appropriate for the scale of the site.
- 10.74. As is standard practice, the proposed cycle parking provision and details will be secured by way of condition subject to planning approval.
- 10.75. As such, the proposed cycle stores would be safe, accessible, secure and would benefit from passive surveillance. The level of cycle provision is on balance acceptable subject to conditions requiring details as to how the scheme meets the LCDS guidance as far as reasonably possible.

#### *Highway Works*

- 10.76. The Council's Highways Team raised no objections to the proposal. The Highways Team subject to approval, recommend S278 works, and S106 contributions, which are outlined in Section 1 of the committee report, be secured for the following extent of works which include but are not limited to:
- Highway works under a S278 will be required upon completion of the development, prior to occupation. The works will be funded by the Developer and carried out by the Council:
    - Renewal of the footway on both frontages of the site on Mount Echo Drive and Mount Echo Avenue
    - Removal of the redundant dropped kerb on Mount Echo Avenue and a provision of a grass verge.
    - Construction of a dropped kerb for bin collection within 15 metres of the bin store.

- Renewal and extension of the existing dropped kerb adjacent to no.53 Mount Echo Avenue and subsequent removal of part of the grass verge
- Installation of a short length of full height kerb between no.53 Mount Echo Avenue and the development boundary
- Review of waiting and loading restrictions along both frontages of the site including a traffic management order

- A S106 contribution of £7500.00 is required towards CLP monitoring.
- A S106 request of £9,000.00 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 condition survey to ensure, if the public highway is damaged as a result of the construction works, that any damage would be reinstated by the Council and funded by the developer.
- In the event that a CPZ is implemented in the future, with the exception of existing blue badge holders, this site must be classified as permit - free with no existing or future residents being entitled to parking permits.

10.77. The above works should be carried out prior to occupation and an application for Highways Works will be required to regularise the above detail of works. Section 59 of the Highways Act allows the recovery of expenses in the event of extraordinary traffic. A highways condition survey is therefore recommended by condition, to assess whether there is any deterioration of the highway as a result of the construction works, so these are repaired as part of the construction works.

#### *Construction Logistics Plan*

- 10.78. Policy T7 of the London Plan (2021) set out the policy for assessing the effects of development on transport capacity.
- 10.79. Policy 63 and 65 of Waltham Forest Local Plan (2024) sets out that a Construction Logistics Plan (CLP) setting out the potential impacts of construction traffic, and how this will be reduced. An Outline CLP should be submitted at application stage, followed by a Detailed CLP at the pre-construction phase.
- 10.80. The Council's Highways development requested a number of changes and clarifications to the submitted Outline Construction Logistics Plan (OCLP). The changes were made and the report was updated and considered acceptable by the Highways Team. A Detailed Construction Logistics Plan (CLP) will be secured by condition in line with Policy T7 of the London Plan (2021).

### **G. WASTE MANAGEMENT**

- 10.81. Policy SI7 of the London Plan (2021) seeks to reduce waste and support the circular economy.
- 10.82. Policy 57 of the Local Plan (2024) states that new developments should ensure that the provision of adequate facilities for the storage, collection and disposal of refuse is well secured.
- 10.83. The proposed refuse and recycling storage would be provided at ground floor and this would include four bins (1 bins for refuse, 1 for recycling and 1 for food waste) for the larger block and 2 sets of 3 individual bins for the smaller block.

- 10.84. The final design of the proposed bin storage enclosure to ensure compliance and capacity would be secured by a way of a planning condition to ensure that the development complies with the objectives of adopted Local Plan Policy 57 (2024).

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

- 10.85. The NPPF (2023) consultation draft highlights the important contribution that trees make to the character and quality of urban environments as well as mitigating and adapting to climate change. The Framework seeks to ensure that new streets are treelined and opportunities are taken to incorporate trees elsewhere in developments and that existing trees are retained.
- 10.86. Policy D8 of the London Plan (2021) requires development proposals to encourage and explore opportunities to create new public realm where appropriate. Proposals should ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable. Lighting, including for advertisements, should be carefully considered and well-designed in order to minimise intrusive lighting infrastructure and reduce light pollution.
- 10.87. Policy 81 of the Local Plan states that proposal should seek to protect and enhance biodiversity. Development proposals will not normally be granted planning permission where they pose adverse direct or indirect effects on any land or area within the identified Sites of Importance to Nature Conservation (SINC).

##### *Trees and Landscaping*

- 10.88. The application is supported by an Arboricultural report which identifies removal of 14 trees and mature vegetation within the site which are all Category C or U.
- 10.89. The proposed development provides a comprehensive landscaping strategy to mitigate the loss of the trees which is considered to be appropriate although details regarding further habitat inclusions and more native species would be included with the provision of a condition.
- 10.90. The landscape strategy for the proposed development has been guided across the site to create high quality landscape and a visually attractive environment with planting, functional amenity space, facilitate free and easy movement between buildings and through the courtyard as well as a focal space to encourage social interaction.



Fig 9: Landscaping Plan

- 10.91. The Council's Nature and Tree Preservation Officer has reviewed the proposal and considers the proposed changes to the scheme including the retention of the wall to the front, replacement of 2 mature trees and a greater increase in soft landscaping including hedges to the boundary to be acceptable.
- 10.92. As such, it is considered that the proposed landscaping would be of a high-quality, with suitable levels of greening, subject to the recommended conditions, in accordance with Local Plan LP1 - Policy 79 and London Plan Policies D8, G1, and G5.

#### *Epping Forest SAC*

- 10.93. 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 ZOI based on the distance most 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. It is anticipated that new residential development within this ZOI constitutes an LSE (Likely Significant Effect) on the sensitive interest features of the SAC through increased recreational pressure, either when considered 'alone' or 'in combination'. The Council as Local Planning Authority is obliged to ensure that any grant of planning permission would have sufficient mitigation measures in place 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.
- 10.94. The Council and Natural England have agreed an approach to address the impact of residential development on the SAC, including seeking contributions towards the Strategic Access Management Measures (SAMMS) and a Suitable Alternative Natural Greenspace (SANGS) strategy, which has been published as part of the Local Plan process. A Habitat Regulations Assessment Screening and Appropriate Assessment has been prepared by Simple Planning which confirms that SAMMS contributions are appropriate for the impact of the development on the integrity of any European designated sites, such as the Epping Forest SAC and SSSI either considered alone or in combination with other plans or projects. A contribution of £627/unit £5643 in total) towards SAMMS is sought and secured through the Section 106 agreement. Financial contributions towards the SANGS would be secured via



the Community Infrastructure Levy (CIL) and would be allocated to projects within the relevant catchment area as identified in the strategy.

- 10.95. On the basis of the above, it is considered that the proposed development would have an acceptable impact on ecology. As such, the proposed development would accord with Policy 81 of Waltham Forest Local Plan Part 1 (2024), and London Plan Policies G1 and G6.

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

### *Carbon Emissions*

- 10.96. An energy statement was provided with the planning application. This sets out energy efficiency measures to be incorporated into the build. It also indicates that photovoltaic panels will be installed along with passive design. The statement confirms that, energy efficiency measures will achieve a 10% reduction in emissions at the “Be Lean” stage when compared to a Part L 2013 baseline as per Local Plan Policy 85; the project will achieve a minimum 35% reduction on CO<sub>2</sub> emissions compared to a Part L 2013 baseline; and design measures will limit predicted water consumption to 105 litres per day.
- 10.97. A planning condition can require that the proposed development achieves the desired levels in relation to carbon reduction and, if this is not achieved, a financial contribution would be made towards a carbon levy.

### *Water Efficiency*

- 10.98. Local Plan Policy 89 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.
- 10.99. A Sustainability statement was submitted which showed a predicted usage of 94.7litres meeting the target. It is considered acceptable to condition any permission to demonstrate how this target would be achieved, thereby according to Policy 89 of the Local Plan – LP1 (2024).

## **J. ENVIRONMENTAL IMPACT**

- 10.100. Policy 50 of the Waltham Forest Local Plan Part 1 seeks to control and mitigate pollution in all its forms, including noise, vibration, light, smell as well as land, water, and air-based considerations. The Council’s Environmental Health Team reviewed the proposed development and considered that the development would be acceptable subject to mitigation measures to reduce any detrimental impact on amenity and to deliver an acceptable living environment for future residents. These issues are reviewed as follows:

### *Air Quality*

- 10.101. If planning permission is granted, an Air Quality and Dust Management Plan (AQDMP) to control these matters during construction should be submitted and approved by the Council and this is to be secured by means of a planning condition.

*Contaminated Land*

- 10.102. Policy 90 of the Waltham Forest Local Plan (2024) seeks to manage contaminated land and prevent the spread of contamination.
- 10.103. The Council's Contamination Officer did not provide any comments however it is considered that a condition relating to the site provide details of the results of the investigations and remediation measures if required would be appropriate.
- 10.104. Officers also consider the potential for asbestos contamination on the site and the attachment of a suitable condition is recommended.
- 10.105. It is considered appropriate to condition requiring details that ensure that the development would not pose a risk on contamination. The development would therefore be consistent with Policy SD1 of the London Plan (2021) and policy 90 of the Waltham Forest Local Plan Part 1 (2024).

*Flood Risk/ Sustainable Urban Drainage*

- 10.106. The application site is not within a flood zone and is therefore at very low risk of alluvial flooding.
- 10.107. Although the application site is not within a flood zone and is therefore at very low risk of alluvial flooding, the development would be conditioned in case of approval for the implementation of flood mitigation solutions, so that development does not create any flooding or surface water run off issues in the wider area.
- 10.108. On any forthcoming consent, a drainage condition would be required, detailing potential Sustainable Urban Drainage System (SuDS) features for the site, which should include permeable paving, raingardens, soakaways, and specifications of infiltration test results together with recommended soakage rates where soil conditions are suitable for infiltration, to ensure compliance with Policy SI13 of the London Plan (2021), and Policy 91 of the Local Plan LP1 (2024).

*Archaeology*

- 10.109. Policy HC1 of the London Plan (2021) states that development proposals affecting heritage assets and their setting should be sympathetic to the assets' significance and appreciation within their surroundings. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations in the design process. In addition, Policy DM22 of the WFLP Development Management Policies (2013) states that the Council will ensure the preservation, protection and where possible, the enhancement of the archaeological heritage of the Borough.
- 10.110. The site does not fall within an Archaeological Priority Zone (APZ) and given the size of the site, an Archaeological Desk Based Assessment was not considered as part of the application as such the development would not be contrary to Policy HC1 of the London Plan (2021) and Policy 73 of Waltham Forest Local Plan (2024) in terms of any impact on significant archaeological remains on site.

## **K. PLANNING OBLIGATION**

10.111. Section 106 Legal 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 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.

10.112. 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 the following Heads of Terms which are also outlined in Section 1 of this report.

- Highways and Transportation
- Car Free Housing
- Carbon Offset Fund
- Epping Forest Special Area of Conservation
- Retention of Architect
- Legal Fees
- Monitoring and Implementation

## **L. ADDITIONAL CONSIDERATIONS**

### Public Sector Equality Duty

10.113. 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.
  - The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
  - 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.
  - It is considered that the recommendation to grant permission in this case would not have a disproportionately adverse impact on a protected characteristic.

### Human Rights

- 10.114. 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.
- 10.115. 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 grant 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 grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

### **M. CONCLUSION**

- 10.116. The report provides officer's comprehensive consideration of the planning application and its supporting documentation, including the additional information submitted and any representations received.
- 10.117. The conditions set out in the agreed s.106 Heads of Terms (set out in paragraph 1.1 of this committee report) 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.
- 10.118. The report has considered the proposals in light of the Local Plan LP1 (2024) policies and other material considerations or representations relevant to the environment effects of the proposals.
- 10.119. The application has been subject to a planning balance assessment, and if approved, would deliver public benefits, not least including:
- The development will provide nine high quality residential units, which are fully compliant with planning policies relating to the quality of new residential accommodation. Of particular importance is the fact that four units are family sized, helping to fulfil a strong demand for such accommodation in the Borough.
  - The development would achieve a high standard of design with a particularly good standard of communal external amenity space, providing a high quality, liveable environment for future residents.
  - The proposal will achieve a high standard of landscaping which will represent a significant enhancement.

### **N. RECOMMENDATION**

- 10.120. 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 Legal Agreement and to agree any minor amendments to the conditions or the Legal Agreement on the terms set out above.

10.121. In the event that the Section 106 legal agreement is not completed within a reasonable timeframe following the date of Planning Committee, the Assistant Director of Development Management and Building Control is hereby authorised to refuse the application in consultation with the Chair. In the absence of this Legal Agreement, the proposed development would not be able to deliver the residential development on the site. The implication of this happening is that the opportunity for securing the provision of affordable housing would be lost. Additionally, financial and non-financial contributions would be lost, which otherwise would be secured by s.106 legal agreement.

## PLANNING CONDITIONS

### Time Limit

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

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

### Approved Plans and Documents

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

#### Drawings References:

- *Site Plan*

BL\_023\_10\_903 - P1 dated 20<sup>th</sup> January 2023  
BL\_023\_10\_902 - P1 dated 20<sup>th</sup> January 2023  
BL\_223\_10\_900 - P3 dated 18<sup>th</sup> December 2023

- *Existing Plans*

BL\_023\_10\_119 - P1 dated 27<sup>th</sup> January 2023

- *Proposed Sections*

BL\_223\_20\_250 - P5 dated 18<sup>th</sup> December 2023  
BL\_023\_10\_121 - P2 dated 18<sup>th</sup> December 2023  
BL\_023\_20\_251 - P3 dated 18<sup>th</sup> December 2023  
BL\_023\_20\_400 - P2 dated 18<sup>th</sup> December 2023

- *Proposed Floor Plans*

BL\_023\_10\_110 - P5 dated 18th December 2023  
BL\_023\_10\_111 - P5 dated 18th December 2023  
BL\_023\_10\_112 - P4 dated 18th December 2023  
BL\_023\_10\_113 - P6 dated 8<sup>th</sup> February 2024

- *Proposed Elevations*

BL\_023\_30\_303 - P5 dated 18th December 2023  
BL\_023\_30\_304 - P4 dated 18th December 2023  
BL\_023\_30\_305 - P5 dated 18th December 2023  
BL\_023\_30\_306 - P3 dated 18th December 2023  
BL\_023\_30\_311 - P3 dated 18th December 2023  
BL\_023\_30\_310 – P3 dated 21<sup>st</sup> November 2023

- *Other plans*

BL\_023\_10\_910 -P7 dated 8<sup>th</sup> February 2024  
BL\_023\_10\_911 - P1 dated 8<sup>th</sup> February 2024  
BL\_023\_20\_202 - P4 dated 18th December 2023  
BL\_023\_20\_203 - P5 dated 18th December 2023

Supporting Documents:

Energy Statement dated January 2023  
Sustainability Statement for Planning dated January 2023  
ARBORICULTURAL IMPACT ASSESSMENT dated 27<sup>th</sup> January 2023  
Planning, Design and Access Statement December '23 Update dated 8<sup>th</sup> February 2024  
OUTLINE CONSTRUCTION LOGISTICS PLAN dated February 2023  
Heritage Note dated 30<sup>th</sup> November 2023  
Technical Note dated November 2023  
Daylight and Sunlight Assessment dated December 2023

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

**Materials**

3. Prior to the commencement of development, notwithstanding site clearance and investigation works, demolition and construction to slab level, 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 safeguard and enhance the visual amenities of the locality, in accordance with Policy 53 and Policy 57 of the adopted Waltham Forest Local Plan Part 1 (2024).

**Contamination**

4. Prior to the commencement of development, notwithstanding site clearance and investigation works, the developer must carry out a pre-demolition and refurbishment asbestos survey and submit to the Local Planning Authority to be approved in writing. This shall be carried out in accordance with HSG264. The submitted details shall include a mitigation scheme to eliminate risks to future occupiers and the surrounding local environment from asbestos contamination. The details shall be prepared by a suitable qualified person and the development shall be carried out in accordance with the details approved under the terms of this condition. In the event that Asbestos is found in the surveys carried out as part of this condition, no part of the development hereby approved shall be occupied until a verification report has been submitted to and approved in writing by the local planning authority demonstrating that sources of asbestos contamination have been eliminated.

REASON: To ensure the risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without



unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies 48, 89 and 90 adopted Waltham Forest Local Plan Part 1 (2024).

5. Prior to commencement of construction works, a scheme including the following components (where applicable) to address the risk associated with site contamination shall be submitted to and approved in writing by the Local Planning Authority (LPA).
  - A) A Desk Study report including a preliminary risk assessment and conceptual site model.
  - B) A ground investigation based on the findings of the Desk Study Report to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - C) The results of the investigation and revised risk assessment and based on these, in the event that remediation measures are identified necessary a remediation strategy shall be submitted giving full details of the remediation measures required and how they will be undertaken.
  - D) A verification report providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete.

Any investigation and risk assessment must be undertaken in accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR11). In the event that additional significant contamination is found at any time when carryout the approved development it must be reported immediately to the LPA.

*(For the avoidance of doubt, this condition can be discharged on a section by section basis.)*

REASON: To ensure the risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies 48, 89 and 90 adopted Waltham Forest Local Plan Part 1 (2024).

### **Construction Management Plan**

6. Prior to the commencement of any part of the development, including demolition and site clearance, a 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
  - 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/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/control-dust-anddo/planning/implementing-londonplan/supplementary-planning-guidance/control-dust-and>

In particular the applicant shall:

- Submit for approval an Air Quality (dust) risk assessment
- Submit for approval an Air Quality & Dust management Plan (AQDMP)
- 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 57, 63, 64, 87 and 88 of the adopted Waltham Forest Local Plan Part 1 (2024).

7. No 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).

### **Construction Logistic Plan**

8. Prior to the commencement of the development, a detailed Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the local planning authority. The Construction and Logistics Plan must be submitted using the TfL template and guidance found here: [www.constructionlogistics.org.uk](http://www.constructionlogistics.org.uk). The logistics plan shall include details of site access, journey planning, access routes, hours of deliveries, 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 and the Construction and Logistics Plan should be implemented throughout all demolition and construction works.

REASON: To ensure considerate construction and to protect the amenities of the nearby residents to ensure that disruption is kept to a minimum and does not affect highway traffic

flows to comply with Policies 50, 57, 63, 65, 87 and 89 of the adopted Waltham Forest Local Plan Part 1 (2024).

9. Prior to the commencement of any development on the site including demolition and site clearance, but excluding site preparation and enabling works, a specification for a highway site 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. The highway condition survey shall then be carried out in accordance with the approved timescales contained within the approved specification and it shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied. Any damage to the highway incurred as a result of the construction works, will have to be reinstated 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 highway and pedestrian safety, in order to comply with Policies 63 and 66 of the adopted Waltham Forest Local Plan Part 1 (2024).

### **New building Services Plant**

10. Noise from all new building services plant for the lifetime of the development shall be controlled to a level not exceeding 10dB(A) below the typical underlying background noise level (LA90) during the time of plant operation at a position one metre external to the nearest noise sensitive premises. The underlying background LA90 shall be determined in the absence of the new plant noise. This assessment shall be completed in accordance with BS4142:2014+A1:2019 'Method for Rating and Assessing Industrial and Commercial Sound'.

**REASON:** To protect the amenities of adjoining occupiers and the surrounding area in order to comply with Policy 50 and 57 adopted Waltham Forest Local Plan Part 1 (2024).

### **Cycle Parking**

11. Prior to the commencement of the development on site, notwithstanding site investigation works, clearance and demolition, detailed drawings of the cycle storage facilities, including enclosures, access and security, must 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 the areas identified cycle storage shall be retained as such for the lifetime of the development.

**REASON:** To comply with London Cycle Design Standards, Policy 53, 60 and 61 of the adopted Waltham Forest Local Plan Part 1 (2024).

### **Residential**

12. All residential units shall be built to The Building Regulations (2010) Access to and use of Buildings, Approved Document M (2015 as amended), Volume 1: Dwellings, M4(2): Accessible and adaptable dwellings.

**REASON:** To ensure inclusive development in accordance with Policy 16 of the adopted Waltham Forest Local Plan Part 1 (2024) and Policy D7 of the London Plan (2021).

13. Notwithstanding approved drawings, the development hereby permitted shall have the following mix of accommodation:
- 2 x one-bedroom units
  - 3 x two-bedroom units
  - 4 x four-bedroom units

REASON: To ensure the agreed mix is delivered and in the interest of the creation of mixed and balanced communities in accordance with policy 15 of the adopted Waltham Forest Local Plan Part 1 (2024) and Policy H10 of the London Plan (2021).

### **Balconies & Amenity Spaces**

14. Prior to the commencement of development on site, notwithstanding site investigation work, clearance and demolition and notwithstanding any indication on the submitted drawing, details relating to the siting, design finish of all balconies and roof terrace and details of privacy screens shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out solely in accordance with the approved details, and thereafter shall be fully retained and maintained accordingly for the lifetime of the development.

REASON: In the interest of general visual amenity, and avoid overlooking of neighbouring properties so as to preserve the amenity of existing and future residents, in accordance with Policies 53 and 57 of the adopted Waltham Forest Local Plan Part 1 (2024).

15. All private and communal amenity spaces shall be laid out and implemented in accordance with the approved plans and shall not be used for any other purpose. The balconies and communal amenity spaces shall be retained for the use of the occupiers of the development for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the amenities of adjoining occupiers and the surrounding area in order to comply Policies 53 and 57 of the adopted Waltham Forest Local Plan Part 1 (2024).

### **Hard and Soft landscaping**

16. Prior to the commencement of development on site excluding ground works, details of the hard and soft landscaping to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of the retained and proposed planting around the site as well as two replacement mature trees, along with the requirement to demonstrate any permeable areas. The development shall be carried out solely in accordance with the approved details and all approved planting shall be carried out in the first planting season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedges, shrubs, and greenspaces forming part of the approved scheme which within a period of five years, dies, is removed, or becomes seriously damaged or diseased shall be replaced with others of similar size and species.

REASON: To ensure a satisfactory appearance and in the interest of local amenity and biodiversity in accordance with Policies 53, 77, 79 and 80 relating to trees of the adopted Waltham Forest Local Plan Part 1 (2024).

### **Landscape Management Plan.**

17. 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 for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved Landscape Management Plan shall be implemented prior to the first occupation 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, in accordance with Policies 53, 77, 79 and [80 if related to trees] of the adopted Waltham Forest Local Plan Part 1 (2024).

### **Arboricultural Method Statement. (AMS) - Tree protection**

18. No site clearance, preparatory work or development shall take place (excluding erection of site hoarding) until a scheme for the protection of any retained trees (the Tree Protection Plan) on and close to the site, and the appropriate working methods (the Arboricultural Method Statement) in accordance with British Standard BS5837 – 2012. Trees in Relation to design, demolition, and construction – Recommendations has been agreed in writing by the local planning authority.

REASON: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies 53, 79 and 80 of the adopted Waltham Forest Local Plan Part 1 (2024).

### **Arboricultural Impact Assessment (AIA)**

19. The development shall fully conform with the recommendations of the Arboricultural Impact Assessment, submitted with this application dated [March 2023]. The development shall be carried out solely in accordance with the approved details, and all works shall comply with BS 3998:2010(Tree Work - Recommendations) and shall be supervised by a suitably qualified Arboriculturalist and any post-construction mitigation measures shall thereafter be maintained for the lifetime of the development.

REASON: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies 53, 79 and 80 of the adopted Waltham Forest Local Plan Part 1 (2024).

### **Replacement of damaged trees, hedges, and soft landscaping**

20. If within a period of 5 years from the date of planting trees, hedges, and soft landscaping or any replacement planting, is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree, hedge or associated soft landscaping with the scheme, of the same size and species as that originally planted shall be planted at the same place within the first available planting season, unless the local planning authority gives its written consent to any variation.

REASON: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies 53, 79 and 80 of the adopted Waltham Forest Local Plan Part 1 (2024).

21. The existing trees, hedges and other soft landscaping features on the site shall not be removed, felled, topped, lopped, or disturbed in any way as a result of the development hereby granted, without the prior written consent of the Local Planning Authority. This includes no damage caused to the roots of the trees/hedges within or adjacent to the boundary of the application site. If any trees, hedgerow, or soft landscaping is removed, felled, topped, lopped, or disturbed without consent then another of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction, or death of the original unless the local planning authority gives its written consent to any variation.

REASON: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies 53, 79 and 80 of the adopted Waltham Forest Local Plan Part 1 (2024).

### **Habitat boxes**

22. Prior to the commencement of development on site, notwithstanding site investigation and clearance works, demolition and constructions to slab level, details of the bat/bird/ habitat boxes shall be submitted to and approved in writing by the local planning authority. The bat/bird/ habitat boxes shall be installed prior to first occupation of the development hereby approved and shall thereafter be maintained in accordance with the approved details in perpetuity.

REASON: In the interest of biodiversity and local amenity, in accordance with Policy 79 of the adopted Waltham Forest Local Plan Part 1 (2024).

### **Boundary Treatment**

23. Prior to the commencement of development on site, notwithstanding site investigation and clearance works, demolition and constructions to slab level, details relating to the siting, design and height and finish of all new walls, gates, fencing, railings, and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. In line with the LBWF Biodiversity Action Plan, new boundary fences should be permeable at multiple points for ground based wildlife where appropriate. The development shall be carried out solely in accordance with the approved details, prior to the first occupation of the use hereby approved and thereafter shall be fully retained and maintained accordingly for the lifetime of the development.

REASON: In the interest of general visual amenity, and amenity of neighbouring occupants, in accordance with Policies 53 and 57 of the adopted Waltham Forest Local Plan Part 1 (2024).

### **Energy and Sustainability**

24. Prior to the commencement of the development on site, notwithstanding site investigation and clearance works, demolition and construction to slab level, details of the specific measures to be adopted to achieve at least a 35% reduction in carbon emissions over the below Part L of the Building Regulations on site, together with details of the renewable sources of energy to be incorporated within the development, shall be submitted to and approved in writing by the Local Planning Authority. Any subsequent shortfall shall be compensated by payment to the Council's Carbon Offset Fund. The approved measures

shall be incorporated into the development, and thereafter maintained in accordance with the approved details for the lifetime of the development.

REASON: To ensure the development is sustainable and to comply with Policies 85 and 87 of the adopted Waltham Forest Local Plan Part 1 (2024).

### **Water Reduction**

25. Prior to the commencement of development on site, notwithstanding site investigation and clearance works, demolition and constructions to slab level, 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.

REASON: To minimise the water use of the development, in accordance with the requirements of Policy SI5 of the London Plan (2021).

### **Waste Management**

26. Prior to the commencement of development on site, notwithstanding site investigation and clearance works, demolition and constructions to slab level, details relating to the siting, design and finish of the waste storage enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out solely in accordance with the approved details, prior to the first occupation of the use hereby approved and thereafter shall be fully retained and maintained accordingly for the lifetime of the development.

REASON: To ensure that adequate arrangements are made for the storage and collection of refuse and recycling and to comply with Policies 57 and 93 of the adopted Waltham Forest Local Plan Part 1 (2024).

### **Surface Water Drainage**

27. Prior to the commencement of development on site, notwithstanding site investigation, clearance works and demolition, specifications of a surface water drainage system based on sustainable drainage principles to include details of design, implementation, adoption, maintenance and management shall be submitted to and approved in writing by the Local Planning Authority. The approved SUDS shall be fully implemented prior to first occupation of any building and thereafter maintained in accordance with the agreed details for the lifetime of the development.

REASON: To prevent the increased risk of flooding, both on and off-site to ensure that adequate drainage facilities are provided in accordance with Policies 89 and 91 of the adopted Waltham Forest Local Plan Part 1 (2024).

### **Thames Water Conditions**

28. 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 in accordance with Policies 68 and 89 of the adopted Waltham Forest Local Plan Part 1 (2024).

### Informatives

1. To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which offers a pre planning application advice service. The scheme was submitted in accordance with guidance following pre application discussions and the decision was delivered in a timely manner.
2. A legal agreement will be entered into with the London Borough of Waltham Forest in conjunction with this grant of planning permission.
3. "Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development may be liable to pay the London Borough of Waltham Forest Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Waltham Forest CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties may now need to assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at [CIL@walthamforest.gov.uk](mailto:CIL@walthamforest.gov.uk). The Council will then issue a Liability

Notice setting out the amount of CIL payable on commencement of the development.

Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.

Further information and all CIL forms are available on the Planning Portal at [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil) and the Waltham Forest Council website at <https://walthamforest.gov.uk/content/community-infrastructure-levy>. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at <http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/>.

Note: The Mayoral CIL Charging Schedule (MCIL1) (adopted 2012) will be superseded by MCIL2 Charging Schedule; and will take effect from 1 April 2019. The London Borough of Waltham Forest has been moved from Band 3 to band 2, increasing the MCIL2 rate from £20 to £60 per sq m h(excluding indexation)."

4. **IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences**
  - You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a



scheme or details of the development must first be approved by the Local Planning Authority.

- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
  - Beginning development in breach of a planning condition will invalidate your planning permission.
  - If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a Certificate of Lawfulness.
5. Construction and demolition works audible beyond the boundary of the site should only be carried out between the hours of 0800 and 1800 hours Mondays to Fridays and 0800 and 1300 hours on Saturdays, and not at all on Sundays or Public/Bank Holidays.
  6. The submitted Construction Environmental Management Plan shall include details of: Site hoarding Wheel washing Dust suppression methods and kit to be used Bonfire policy Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 Confirmation if a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors Copy of an asbestos survey. Unexploded Ordnance Survey
  7. 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 Councils Street Naming/Numbering Officer.
  8. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit <http://nrmm.london/>.
  9. 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.
  10. This notice is without prejudice to your responsibilities under any other legislation.
  11. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via <https://protect-eu.mimecast.com/s/LRWGCDqvVHwYkxIH5QRGB>. Please refer to the Wholesale; Business customers; Groundwater discharges section.
  12. 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.