

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 16 th July 2024
Application reference:	232678
Applicant:	St William Homes LLP
Location:	Lea Bridge Gas Works, 78 Perth Road, Leyton, London, E10 7PB
Proposed development:	A phased development comprising demolition of existing buildings and structures, and erection of buildings to provide a mixed use scheme residential units (Use Class C3), flexible residential facilities and commercial uses (Use Classes E and F2), together with public open space; public realm works and landscaping; car and cycle parking; servicing arrangements; energy measures; formation of new pedestrian and cycle access onto Clementina Road; formation of new pedestrian, cycle and vehicular access onto Orient Way; means of access and circulation This application is accompanied with an Environmental Statement.
Ward	Lea Bridge
Appendices:	None

1. RECOMMENDATION

1.1 That Planning Permission be GRANTED subject to:

- Resolving the outstanding Environment Agency’s objection under Delegated Authority
- Conditions, informatives and completion of a Section 106 Agreement with the following Heads of Terms:

Affordable Housing Provision

- 62 Shared Ownership home
- 104 London Affordable Rent
- Review mechanism – Early Stage Review required as per GLA comments
- Delivery clause –
- Trigger 1; Not to occupy more than 50% of OMU until Blocks I and C are complete, ready for occupation and transferred to an RP.
- Trigger 2; Not to occupy more than 80% of OMU until all affordable complete, ready for occupation and transferred to an RP.

Nursery

- St William to use reasonable endeavours to work with LBWF Early Years to secure a suitable operator, with LBWF confirmation that an operator is suitable not to be unreasonably withheld or delayed.
- St William only to enter into agreement with an Ofsted registered operator.
- Nursery to be occupied prior to final two open market dwellings are occupied.

Primary Healthcare Improvements

- Financial contribution of £280,-541.

Health NHS

- Lease offer requirements regarding the healthcare facility.
- If the healthcare provider enters into the agreement for lease, the developer will construct the primary care facility to shell and core within 24 (twenty-four) months of the date of the agreement for lease.
- Health Contribution sum to be paid by the developer if the healthcare facility is not provided.

Local Labour, Employment and Skills

- Construction Jobs –
- Local Labour – 35% Waltham Forest Residents to be employed on site
- Work Placements – 32
- Apprenticeships – 90
- Employment and Skills Plan - To be negotiated and prepared at least 6 weeks prior to implementation. Provide details of all new jobs created in the development to the Council in reasonable time.
- End Use – To procure that the end user is to liaise with the with the Employment, Business and Skills Service's lead contact to ensure efficient management and supply of local Council residents for employment and training opportunities post Implementation of the Development.
- To ensure that all of the jobs that are generated by the operator to go through the Council's Job brokerage service, Steps Into Work (SiW), in the End User Phase as local labour opportunities for Local Residents.
- To use reasonable endeavours to ensure that 50% (fifty percent) of non-technical jobs are taken up by Local People in the End-User Phase of the Development. If 50% is not achieved then the Developer shall demonstrate such reasonable endeavours to the Council's satisfaction and agreed in writing by the Council. End Use employment anticipated to be limited - estate management and nursery staff.
- Default Payments – as set out in LBWF's adopted Planning Obligations SPD if obligations above are not met.

Car Free Housing

- No residential unit eligible for parking space unless disabled/blue badge holder
- Each new Residential Occupier of the development must be informed prior to occupying any residential unit that they shall not be entitled to a residents parking permit unless blue badge holder.

Wheelchair Housing

- St William to prepare a Wheelchair Accessible Dwelling Marketing Strategy for the Development that sets out how the wheelchair homes will be promoted and advertised during the exclusivity period - to be agreed prior to first launch
- Not to commence first launch of off plan sales until the Wheelchair Accessible Dwelling Marketing Strategy is agreed by the Council.

Estate Management Plan

- To be agreed prior to first occupation. Details of EM company and CCTV to car parking areas.

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Public Access and Public Realm

- A Public Realm Delivery Strategy is submitted to the Council prior to implementation of the development.
- The public realm and public access routes are constructed and completed.
- Developer to maintain and manage public access routes and public realm.
- Allow access for the public to the completed public access routes and public realm 24 hours a day subject to closure of gates installed on the public access routes that meet the boundary of Leyton Jubilee Park between the hours of 20:00 and 08:00

Transport and Highways

- Financial Contribution £280,500 towards:
 - Orient Way Walking and Cycling improvements
 - Bus improvements along Orient Way and Church Road
- Section 278 Highways Agreement/Section 38 Agreement(if required)
 - S278 works in Clementina Road will be necessary to alter the two Clementina Road access points for pedestrians and cyclists, renewing and remodelling the existing access points, and relocating the existing cycle hanger.
 - The renewal of the footway on the Clementina Road frontage.
 - Removal of the existing vehicular access on Clementina Road and construction of a small dropped kerb to facilitate cycle and pedestrian access.
 - The revision of access points to facilitate walking and cycling.
 - The relocation of the existing bike hanger in Clementina Road.
 - Revision to parking bays and road markings as required including a traffic management order.
 - Renewal of the footway, cycle track, carriageway and road markings at the Orient Way access
- A financial contribution of £20,000 is requested towards CLP monitoring.
- A financial contribution of £25,000 for the consultation for extended CPZ hours in the neighbouring streets.
- A financial contribution of £20,000 for the purpose of introducing contraflows for cyclists on the one way streets in the Clementina Road area.

- A financial contribution of £20,000 is requested for off-site wayfinding.
- Car club membership for two years with an accredited car club operator. This means 1 transferable membership per household, with a maximum of 2 years per dwelling in total, regardless of any changes in ownership or occupation of a dwelling during this period
- Evidence of car club contract to be submitted prior to occupation.

Travel Plans

- Travel plan for nursery
- Travel Plan for residential
- Monitoring contribution of £8,000 – one off payment

Sustainability – Carbon Offset Fund

- A financial contribution of £652,423 towards a Carbon Offset Fund. 50% to be paid prior to implementation. The remainder of the contribution should become due prior to first occupation of any part of the development, with this final amount based on the findings of a post-construction Approved Carbon Emissions Report.
- Updated Energy Statements on commencement and completion based on As Built energy calculations.
- Construction of connection ready measures to Decentralised Energy Network
- The development is required to comply with Be Seen requirements as set out in Policy SI2 of the London Plan.

Epping Forest SAC

- Strategic Access Management and Marketing fee of approximately £101,050 towards mitigating the impact of the development on Epping Forest SAC
- Suitable Alternative Natural Greenspaces financial contribution towards the delivery of new footpaths in Leyton Jubilee Park as Suitable Alternative Natural Green Space improvements - to be delivered by the Highways Development team to an agreed financial cap of £400,566, subject to a step-in trigger date if highways fail to procure the contractor and/or delivery the works on time.
- To be installed prior to the first occupation of the development (obligation for the Highways Development Team).

Retention of Architect

- As a minimum, Architect (Pollard Thomas Edwards) to be retained in an oversight role to ensure the original design vision is achieved., unless otherwise agreed in writing with Local Planning Authority.

Monitoring and Implementation

- Contribution towards monitoring, implementation and compliance of the Section 106 legal agreement

Legal Fees

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

1.2 That authority to be given to the Assistant Director – Development Management and Building Control in consultation with the Environment Agency to resolve the outstanding objection subject to no material changes to the scheme.

1.3 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 Section 106 Agreement and to agree any minor amendments to the conditions or the legal agreement on the terms set out above.

1.3 In the event 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 the absence of this s106 Agreement, the proposed development would not be able to deliver the development on the site. Financial contributions towards the following material planning considerations are affordable housing, air quality, carbon offset fund (COF), the Walthamstow Wetlands Project, Epping Forest SAC, sustainability, employment and training strategies and highways, which must be secured by the Section 106 Agreement.

REASONS REFERRED TO COMMITTEE

1.4 The case has been referred to Planning Committee due to the nature of the proposal, significant public interest and scale of the development.

2. SITE AND SURROUNDS

2.1 The application site comprises of a former utility site spanning 2.64 hectares. The Site has undergone demolition works and formally contained three decommissioned gas holders, comprising of two spiral gasholders with above ground tanks and a smaller telescopic gasholder with a below ground tank. The main gas production facilities were located to the west and north west and were demolished between 1970 and 1980. The footprint of the three gasholders remain along with a building containing a lobby, telemetry system and a diesel tank in the centre of the site alongside hardstanding and concrete roadways. Leyton Jubilee Park is positioned to the south of the site and the Dagenham Brook runs along the Lammas School's eastern boundary. Further west of the site is Hackney Marshes and the River Lea. A Pressure Reduction System (PRS) lies in the middle of the site but does not fall within the red line boundary.

2.2 The eastern boundary of the site is formed by The Lammas School. Directly south west of the site occupies Golden Business Park accommodates wholesale and distribution businesses. Orient Way Industrial Estate is allocated as Strategic Industrial Land (SIL) which includes a range of warehouse units extends across Orient Way and a National Rail railway line. The areas east and south of the site forms part of the Marsh Lane Playing Fields and is

also allocated as Metropolitan Open Land. A mobile phone mast is also present on the western boundary of the application site.

2.3 The site is designated as an allocated site as part of the draft Waltham Forest Local Plan (LP2) Site Allocations (SA05 – Lea Bridge Gasholders) for a comprehensive development to provide new homes, nursery and commercial space. The site allocation identifies the importance for any development on site should ensure a robust decontamination strategy to be incorporated from the outset. The allocation further allows for potential height to be introduced to the southern portion of the site with enhanced pedestrian and cycle connectivity throughout the site. The site lies within the Lea Bridge Strategic Location and is identified as potentially suitable for tall buildings in the Local Plan.

2.4 The entire site falls within Flood Zone 2 whilst the southern portions of the site are located in a Flood Zone 3. The land forms part of the historic utility site and has not been developed for any other industrial use. The Orient Way Industrial Estate is allocated as Strategic Industrial Land (SIL), which comprises of a range of warehouse units. The SIL allocation extends across Orient Way and a National Rail railway line. The site is not located within a Conservation Area and no statutory listed buildings are situated on site. The Parish Church of Emmanuel (Grade II listed) is located approximately 340m north-east of the site boundary, and Ice House at St Josephs Roman Catholic School (Grade II listed) is also located approximately 380m south-east of the site boundary. The site is designated as an Archaeological Priority Area.

2.5 The existing site contains a PTAL rating of 2. The PTAL of the surrounding area ranges from 1b to 3. Lea Bridge railway station is located approximately 0.5 miles north-west of the site. Leyton Midland Road Overground station is located approximately 1 mile east of the site and Leyton Underground station, served by the Central Line, is located 1.5 miles south of the site.

3. APPLICATION PROPOSAL

3.1 The proposal is seeking to redevelop the site with a mixed use development comprising of residential homes and commercial uses. The proposal would comprise of 10 buildings as per the original consent, ranging in height up to 21 storeys. The development is seeking to provide a total 643 homes and 1,338sqm of commercial uses. The scheme would deliver 35% affordable housing by habitable room, comprising affordable/social rented units and intermediate units (70:30 tenure split). The application would provide a total of 64 wheelchair accessible homes.

3.2 The proposal would incorporate five sub-phases as follows:

- Phase 1 – Block A;
- Phase 2 – Blocks H, I and J;
- Phase 3 – Blocks B, C, G and F;
- Phase 4 – Block D; and
- Phase 5 – Block E.

3.3 Sub-phase 1 is comprised of private units in Block A, including the concierge as well as the energy centre in Block B. Sub-phase 2 incorporates Blocks J, I and H, which are a combination of shared ownership and affordable rent. Sub-phase 3 incorporates the remainder of Block B, which is entirely shared ownership, as well as Blocks G, C and F, which

are a combination of private, shared ownership and affordable rent. Sub-phase 4 and 5 are comprised of Blocks D and E respectively and are both private sales.

Proposed Tenure Mix:

Proposed Unit Mix	London Affordable Rent	Shared Ownership	Market	Total
Studio	0	0	82	82(12.57%)
1-bed	27	17	181	225(34.50%)
2-bed	33	39	196	268(41.10%)
3-bed	50	4	23	77(11.80%)
Total	110(16.87%)	60(9.20%)	482(73.92%)	652 (Uplift of 79 homes)
(26.07%)170 Affordable	(64.70%)	(35.29%)		

Proposed Commercial Space Breakdown:

Total Non-Residential Floorspace	Proposed Amount
Concierge	129sqm
Gym	214sqm
Nursery	303sqm
Community Space	133sqm

3.4 The concierge and post room are located in Building A. Building B contains a resident's gym, whilst Building G contains a nursery with capacity for 50 children. The nursery space is located at the north of Block G, fronting both the Clementina Square and the Lower Valley route. Secure playspace would be situated to the west. The nursery space has been designed to ensure that it is flexible and able to respond to any future needs.

3.5 As per the Consented Scheme, the proposal provides access from Orient Way which will form the main vehicular access to the proposed development. The Orient Way access will provide access to all car parking spaces, as well as access by refuse collection and servicing/delivery vehicles. The existing access points from the north will be designated for use by pedestrian and cyclists only and no vehicular access is permitted from the north. There will be pedestrian and cyclist routes running across the site, connecting the northern accesses to the Jubilee Park and Marsh Lane to the site. The proposal is also seeking to direct access for cyclists to access the segregated cycle lane along Orient Way via the development site. The landscape masterplan seeks to create a series of new public spaces with links to the Leyton Jubilee Park.

3.6 The site is home to an Arqiva telecommunications mast which lies adjacent to its boundary with the Goden Business Park. This will be removed and the Mobile Phone Operator equipment will be relocated to a new roof top installation within the proposed development located at Block J.

3.7 The development is proposed to be car free apart from a number of spaces for disabled residents and two standard parking spaces for short term lease. The proposal would accommodate 32 parking spaces throughout the development. This would comprise of 28 residential M4(3) compliant car parking spaces, 2 car club parking spaces and 2 NHS parking spaces.

3.8 The site's utility function will be retained in part because it will continue to distribute gas via the on-site Pressure Reduction Station (PRS). The perimeter of the PRS will be screened with a 2.5m high feature brick wall which will be softened with vegetation where possible. The design of the wall references the framed gasholders of past and local historic garden walls. This would incorporate a clean contemporary framing with traditional brick detailing.

Comparison to Original Permission Ref: 201329

3.9 As set out in section 4 below planning permission has been granted for the comprehensive mixed-use redevelopment of this site in July 2021. This application has been submitted to address the requirement for two stair cores in tall buildings and ensure that the scheme remains viable. In summary, the previously consented proposal included, 573 new homes, including 158 affordable homes, a 50-place nursery for local children, a new community square with play space at the pedestrian entrance on Clementina Road, more than 150 new trees, over 40% of the development being open space and over 1,000 cycle parking spaces to encourage sustainable modes of travel.

3.10 The proposal is seeking to incorporate additional height and massing to the buildings predominantly at the southern portions of the site which would accommodate additional homes to the scheme. Blocks A and H located would remain unchanged adjacent to the neighbouring residential properties along Clementina Estate. This would therefore see an uplift of approximately 79 homes.

3.11 The architectural development of the consented scheme includes both the refinement of the building forms of D & E into more formal volumes, and work on the detailing of the brick openings, vertical divisions into base, mid section and top, and elaboration of the base and entrances.

Building Height Comparison

Building	Storey Height (Consented Scheme)	Storey Height (Proposed Scheme)
A	2-4	2-4
B	5-6	5-6
C	5-9	8-12
D	7-18	10-20
E	7-17	10-21
F	5-11	8-14
G	5-9	5-11
H	3-4	3-4
I	5-9	5-11
J	5-9	5-12

Amendments

3.12 During the course of the application, amendments were provided with the following changes:

- A new health / NHS facility introduced into Block C.
- Inclusion of an additional wheelchair parking bay within close proximity of Block C.
- A reduction in building footprint (north to south) of approximately 1m on Block C.
- Removal of the community space and introduction of two new shared ownership flats into Block H.
- Two ground floor shared ownership flats changed to affordable rent within Block I.
- One ground floor private sale flat in Block G changed to shared ownership.
- Three ground floor private sale flats changed to shared ownership in Block F.
- One L1-floor private sale flat changed to shared ownership in Block F.
- A reduction in overall residential units (total 643 units).
- Relocation of affordable rent homes from Block J to Block C

3.13 In order to deliver the affordable homes early in the build programme, the London Affordable Rented homes are located in Blocks I and C. Some of the affordable tenures are located in the lower valley. The previously proposed community space to block H has been replaced with 2 x shared ownership units reverting to the consented scheme layout. A new health centre provision is proposed to Block C in the lower valley with the remainder of the block being London Affordable Rent homes. The affordable tenures are now proposed to be located within blocks H, I, B, C, G and F spread throughout the scheme.

3.14 Construction is therefore phased with Blocks A and B first to deliver the energy centre then H, I and J and then Blocks C – G follow as the last phase of construction. In order to deliver the affordable homes early in the build programme, the London Affordable Rented homes are located in Blocks I and C. Given the modified internal layouts the proposal would drop from 652 homes to 643 homes.

4. Relevant Site History

4.1 Planning History Table:

Reference	Description of Development	Decision Date
193976	Request to remove a Hazardous Substance Consent	Approved 18/05/2020
193222	EIA Scoping opinion	Agreed 6/11/2019
180131	Prior Approval Demolition	Prior Approval not Required 09/02/2016
201329	A comprehensive phased development comprising demolition of existing buildings and structures, and erection of buildings	Approved 09/07/2021

	to provide a mixed-use scheme including 573 residential units (Use Class C3) in 10 buildings ranging from 2 to 18 storeys, 582m2 flexible residential facilities and commercial uses (Use Classes A1, A2, A3, A4, B1, C3, D1 and D2), together with public open space; public realm works and landscaping; car and cycle parking; servicing arrangements; sustainable energy measures; formation of new pedestrian and cycle access onto Clementina Road; formation of new pedestrian, cycle and vehicular access onto Orient Way; means of access and circulation.	
213448	Non-material amendment to planning permission number 201329 dated 19/7/2021 involving changes to the approved location of the substations and the removal of an existing Glass Fibre Reinforced (GRP) substation in Clementina Square, reducing the plant enclosure and increasing the public realm.	Approved 24/11/2021
213445	Non-material amendment to planning permission number 201329 dated 19/7/2021 involving changes to Block A for the relocation of parking spaces to the south side of the block, alterations to cycle parking and refuse stores, changes to the internal layout of the building block to relocate two private wheelchair accessible units (3B5P) to Blocks E and F and changes to the roof line by lowering the ridge line of the approved pitched roof form.	Approved 05/05/2022
213449	Non-material amendment to planning permission number 201329 dated 19/7/2021 involving a reduction to the height of the parapet of the building blocks (between 100mm and 1,070 mm) and changes to the internal layout of Blocks B, C, D, E, F, I, J and G. The amendments would increase the size of the entrance lobbies of Blocks D and E, by 6.5 sqm. And include alterations to the position of external doors that would access the plant rooms on Blocks A, B and E, by reason of maintenance and alterations to the positioning of the refuse stores. The proposed amendments also seek to add a cycle store between Blocks F and G and change the internal layout of the approved cycle store on Block J to include a mezzanine, due to the height of the cycle store and would also regularize a new parking arrangement around Blocks D, F, J and G. The changes would not involve a reduction to cycle spaces.	Approved 05/05/2022
213450	Non-material amendment to planning permission number 201329 dated 19/7/2021 involving changes to Block H for the re-location of the building so this is closer to Block I by 1.1 metres. The changes include a reduction in massing and footprint of the building block and amendments to the internal layout including the repositioning of the refuse store and one one-bedroom residential flat at ground floor. In addition, the alterations would include changes to the pitched roof form to reduce the ridge height facing Clementina Road and remove the undercroft, to relocate the car club bays alongside four car parking spaces towards the east of the site.	Approved 18/05/2022

Pre-Application

4.2 Prior to the submission of this planning application, the applicant has been involved in an extensive programme of pre-application discussions with officers. This has included engagement through a Development Performance Agreement (PPA). This has included meetings with a number of specialist officers at the Council, including highways, drainage, energy, planning, secure by design, urban design and waste. In addition to the above, officers and the applicant's organised a Design Review by Design Council.

5. Consultation

5.1 Public Consultation

5.2 Sites Notices were displayed originally on 11th December 2023 around the site. In addition to this 1,133 letters of consultation were sent out on 6th December 2023 to residents surrounding the site. On 29th November 2023 a press notice was issued.

5.3 During the course of the application amendments were provided and as a result additional consultation took place. Site Notices were displayed on 26th February 2024 around the site. A total of letters of consultation were sent out on 07th March 2024. A press notice was issued on 06th March 2024.

5.4 The applicant has previously carried out a pre-application public consultation process for this Application has been carried out between June 2023 and October 2023 and consisted of a hybrid engagement strategy to increase the accessibility of the public consultation. This included included hosting an online public consultation via a dedicated project website (leabridgegasworks.co.uk). The website ran alongside two in-person public exhibitions, held at Lea Bridge Library, Lea Bridge Road, E10 7HU, on 6th and 8th July 2023. A Statement of Community Involvement, prepared by Kanda Consulting, is submitted as part of this Planning Application.

5.5 The Council received 15 representations from the public consultation objecting to the development. The planning issues contained within the letters of objection are summarised within the table below:

Objections	Officer Responses
<u>Design, Height, Scale + Massing</u>	
The height, massing and visual impact of the Lea Bridge Development is unsympathetic to the adjacent Clementina Estate, and dominates the skyline around Jubilee Park.	The site is identified as suitable for tall buildings in the Local Plan. The overall height and massing is considered acceptable at this site. The proposal is considered to be of exemplar design quality due to the contextual response, high quality materials, positive environmental and sustainability credentials. The approach to height on the site is to locate the lowest building heights to the north of site with the ambition to respect the setting and context of the

	<p>Clementina Estate whilst the taller buildings would be situated to the southern portions.</p> <p>The site is therefore considered on balance, to be considered acceptable for a tall building of exemplar design quality.</p> <p>Refer to Part C of the report for a full assessment.</p>
<p>The Waterworks area, part of the Lee Valley Park, is used extensively for local recreation and will be adversely and unacceptably impacted.</p>	<p>It is considered that the site can support additional height in design and townscape terms, due to the site being identified as a site for transformation and given the robust contextual and place making analysis that supports this application.</p> <p>Refer to Part C of the report for a full assessment.</p>
<p>Proposal would have negative impact on the views and enjoyment of the surrounding residential and green spaces including important Metropolitan Open Land.</p>	<p>The proposed articulation is accepted, by virtue that the taller elements would have limited visual and amenity impact on residential properties at the north side and would achieve an acceptable relationship with the streetscape and the green areas at Leyton Jubilee Park.</p> <p>The TVIA has been updated to assess the impacts on the additional height in townscape terms. It is considered that the proposal is appropriate in townscape terms.</p> <p>The tower elements would serve as a defining landmark that serve as focal point and gateway to the northern edge of the Leyton Jubilee Park and be well articulated with the other building blocks at the north side of the site.</p> <p>Refer to Parts C and O and of the report for a full assessment.</p>
<p>The heights of up to 18 storeys conflicts with the development principle set out in Policy 2.D of the Olympic Legacy Supplementary Planning Guidance 2012 which sets out a guide to storey heights of between of 4-6 storeys for the Gas Works Site (with GLA quoted as source).</p>	<p>The site is identified as suitable for tall buildings in the Local Plan, which supersedes GLA SPG. The principle of stepped height across the site was established in the previous consent, and the incremental addition to height across the blocks, in this iteration, is considered to be appropriate in design and townscape terms.</p> <p>Refer to Part C of the report for a full assessment.</p>
	<p>The site is identified as a Strategic Local suitable for tall buildings in the Local Plan. The Draft Local Plan</p>

<p>The proposed high density of The Development is out of character for the surrounding residential area.</p>	<p>Part – Site Allocations (LP2) identifies the intensification approach of the site as “Transformation” which allows for the introduction of tall buildings to the site. The indicative home number set out within the allocation favours higher density development.</p>
<p>The TVIA seems to ignore the heritage value of what is a unique estate of Warner Flats. These homes are iconic to this part of London and represent only a handful of small estates in the entire UK. The Development plans will harm these non-designated heritage assets.</p> <p>The site is not indicated for tall buildings and the towers on site would have a negative impact on the sites near the Marshes and other green open spaces such as Marsh Lane Fields (Jubilee Park).</p>	<p>Townscape and Visual Impact Assessment considers relevant heritage assets within the vicinity of the development. The TVIA concludes that the cumulative effects of the proposal while considering other developments in the wider area would not raise many considerable concerns.</p> <p>The proposed scheme is considered to have an acceptable relationship in terms of height and massing with neighbouring properties to the north. The proposed buildings along the northern segments of the site would remain unchanged when compared to the existing consent on site and these buildings would contain pitched roof forms around Clementina Square</p> <p>The site is identified as suitable for tall buildings in the Local Plan. The Draft Local Plan Part – Site Allocations (LP2) identifies the intensification approach of the site as “Transformation” which allows for the introduction of tall buildings to the site.</p> <p>Refer to Parts C and O of the report for a full assessment.</p>
<p>The height, massing and visual impact of the proposed development is unsympathetic to the adjacent houses and industrial buildings, particularly the Clementina Estate, and will dominate and decimate the skyline around Jubilee Park. This contravenes the Mayoral Plan for London Policy on Tall Buildings D9 Ciii protecting open land from intrusive high-rise construction.</p>	<p>The proposed scheme is considered to have an acceptable relationship in terms of height and massing with neighbouring properties to the north. The proposed buildings along the northern segments of the site would remain unchanged when compared to the existing consent on site and these buildings would contain pitched roof forms around Clementina Square.</p> <p>The tower elements would serve as a defining landmark that serve as focal point and gateway to the northern edge of the Leyton Jubilee Park and be well articulated with the other building blocks at the north side of the site.</p> <p>Refer to Part C of the report for a full assessment</p>
<p><u>Land Contamination</u></p>	

<p>The location of the site is dangerously contaminated, and poses a potential risk to those living and working in the local community.</p>	<p>The contamination and its potential risks to society have been investigated and assessed. By understanding the contamination, it has been possible to prepare a remediation strategy to appropriately manage risks.</p> <p>Refer to Part L of the report for a full assessment</p>
<p>The development would be built over a previous gasworks site. When mixed with other chemicals in the air this could cause serious pollution and dangerous chemicals leaked into the surrounding atmosphere.</p>	<p>Air quality and former gasworks chemicals have been assessed through detailed soil, groundwater and air sampling and chemical analysis. This was a key part of the contamination studies undertaken.</p> <p>The applicant has considered These measures would monitoring sufficiently via appropriate planning conditions.</p> <p>Detailed plans for management of air quality and odour have been developed and were submitted in support of the planning application.</p> <p>Refer to Part L of the report for a full assessment.</p>
<p>Hazardous substances such as naphthalene, cyanide, benzene, arsenic, and asbestos, posing a risk of cancer and severe health issues, have been found on the proposed site.</p>	<p>These substances have been found in the soil and groundwater. By investigating these substances it has been possible to determine how they can be managed safely during construction and following occupation of the new development.</p> <p>Refer to Part L of the report for a full assessment.</p>
<p>The proposed remediation strategy is inadequate and does not protect residents and park users from pollutants before, during and after construction. Human health and lives will be put at risk from:</p> <ul style="list-style-type: none"> • Airborne pollutants raised in construction • Transport and removal of contaminated soil through residential areas and park-adjacent areas • Contamination of ground water and contaminant 	<p>With regards to airborne pollutants, management plans for air quality, odour and dust have been developed in collaboration with environmental health and air quality officers.</p> <p>Transport and removal of contaminated soil off-site will utilise HGVs with covered wagons. Waste will be removed via the new site access to Orient Way and will not be transported through residential areas.</p> <p>Officers considered the measures put in place would be suitable.</p> <p>Detailed assessments have been undertaken to assess contamination risks to groundwater. A remediation strategy for groundwater has been</p>

<p>transfer through groundwater</p>	<p>agreed with the Environment Agency (responsible for protecting groundwater).</p> <p>Refer to Part L of the report for a full assessment.</p>
<p>Concerns that remedial work of this land is not sufficient to prevent carcinogenic chemicals from this industrial site from affecting residents. Its removal would require transporting it through residential areas. Reassurance is lacking any substance.</p>	<p>Air quality and odour management plans consider contaminants at the site and mitigation measures to avoid impacts to residents. Any off-site disposal of contaminated soils would utilise sealed HGV wagons preventing emissions of vapour or dust.</p> <p>Refer to Part L of the report for a full assessment.</p>
<p>The proposed remediation strategy does not sufficiently protect residents and park users and nearby schools from pollutants before, during and after construction.</p> <p>The remediation report suggests a Vapour Risk Assessment is completed however none appears to have been completed and made available.</p>	<p>Measures to assess, monitor and mitigate potential risks to human health from emissions of pollutants to air would be considered. A condition is suggested to secure a finalised Odour Management Plan.</p> <p>Refer to Part L of the report for a full assessment.</p>
<p>Human health is at risk when considering asbestos that is difficult to control.</p>	<p>Potential risks to human health of construction workers from asbestos during construction will be managed through the use of appropriate risk assessments, working procedures and PPE where necessary as is standard practice on a brownfield development sites.</p> <p>The proposed development will effectively 'cap' underlying contaminants in soil (incl. asbestos) breaking the potential pathway between them and future site users (i.e., the development design will prevent future users cannot come into contact with contaminated soils).</p> <p>Please refer to Part L of the report.</p>
<p>There are numerous schools nearby. These hazardous pollutants could damage the health of these innocent children and many other pedestrians/residents nearby.</p>	<p>Air quality and odour management plans consider contaminants at the site and mitigation measures to avoid impacts to residents. Any off-site disposal of contaminated soils would utilise sealed HGV wagons preventing emissions of vapour or dust.</p> <p>Refer to Part L of the report for a full assessment.</p>

<p>Construction Logistics Plans, Remediation and Environmental reports indicate substantial contamination of the gasworks land including carcinogenic and mutagenic organic compounds, asbestos and heavy metals.</p>	<p>With regards to the proposed remediation techniques, there will be no treatment of contaminated soils on site and at ground level. Hotspots of contaminated soil requiring remediation will be exported from the site and not treated on-site. The excavated soil will all be removed from the site via a new site entrance on Orient Way, avoiding the local residential streets and staying well away from existing residential properties and local schools. The rationale for the soil removal is primarily precautionary to remove potential risks to groundwater in the longer term.</p> <p>Refer to Part L of the report for a full assessment.</p>
<p>The proposed remediation strategy does not sufficiently protect residents and park users from pollutants before, during and after construction. Human health and lives will be put at risk from:</p> <ul style="list-style-type: none"> i Airborne pollutants raised in construction i Transport and removal of contaminated soil through residential areas and park-adjacent areas i Contamination of ground water and contaminant transfer through ground water 	<p>With regards to airborne pollutants, management plans for air quality, odour and dust have been developed.</p> <p>With regards to the proposed remediation techniques, there will be no treatment of contaminated soils on site and at ground level. Hotspots of contaminated soil requiring remediation will be exported from the site and not treated on-site. The excavated soil will all be removed from the site via a new site entrance on Orient Way, avoiding the local residential streets and staying well away from existing residential properties and local schools. The rationale for the soil removal is primarily precautionary to remove potential risks to groundwater in the longer term.</p> <p>Refer to Part L of the report for a full assessment.</p>
<p>The developer has not included any monitoring of toxic particles before breaking ground to allow for a baseline that will quickly show increased levels.</p>	<p>The remediation strategy states that prior to commencing remediation works, the contractor will need to prepare a method statement/implementation plan detailing how the remediation works will be undertaken.</p> <p>The hotspots will be excavated under a watching brief by the consultant. The remediation excavations proposed comprise precautionary remediation to remove areas where significantly impacted soils may be present and potentially pose a residual risk. No on-site treatment of contaminated soils would occur.</p> <p>Officers have suggested planning conditions to ensure the appropriate measures are considered when considering contamination matters.</p>

<p>The Environmental Agency itself has articulated in its letter that insufficient information has been supplied to know whether the development can be built or not. ie. Request for additional boreholes, identification of hot spots. The EA has confirmed that at present this site is not fit for residential purpose. Meanwhile there is no further clarity in the Planning Documents on strategy and monitoring.</p>	<p>The Environment Agency has been engaged throughout various stages of contamination assessment and the iterative development of the Remediation Strategy. The Remediation Strategy was agreed and approved by the Environment Agency as part of the previous planning application and the relevant pre-commencement conditions were agreed.</p> <p>The Environment Agency raised no objections to regarding groundwater and contamination.</p> <p>Refer to Part L of the report for a full assessment.</p>
<p><u>Impact on Residential Amenities</u></p>	
<p>Increase in heights would result in a loss of light to neighbouring properties.</p>	<p>Sunlight Daylight and Overshadowing analysis of the nearby residential properties has been undertaken, and where there would be small reductions in some daylight, sunlight and overshadowing these are within the BRE guidelines and are considered to be acceptable.</p> <p>The overall separation distances achieved with the neighbouring properties would resemble that of the current consent on site.</p> <p>Refer to Part E of the report for a full assessment.</p>
<p>Concerns raised in relation to overlooking resulting in privacy and security issues.</p>	<p>It is considered that the separation distances between the proposed building and existing properties, as set out above, would preserve privacy levels to existing properties.</p>
<p>The height of the buildings proposed will completely overshadow the south facing homes along Clementina Estate blocking direct sunlight in winter months and reducing it significantly other times of year. It will create uncomfortable overlooking and loss of privacy to the residents as the rooms at the back of these houses as habitable rooms (bedrooms and living rooms).</p> <p>The tall buildings proposed will create a sense of enclosure for many residents who value the lower density character of</p>	<p>Sunlight Daylight and Overshadowing analysis of the nearby residential properties has been undertaken, and where there would be small reductions in some daylight, sunlight and overshadowing these are within the BRE guidelines and are considered to be acceptable.</p> <p>Overall, on a compliance basis, the proposed levels of daylight and sunlight are reasonable and will provide a large number of well daylit and sunlit homes. In addition to this, the site benefits from an existing planning consent where the precedent and acceptability of the reduction has already been set.</p> <p>Refer to Part E of the report for a full assessment.</p>

the Clementina and other adjoining estates.	
Light pollution from the new development and noise could also have adverse impacts on existing residents.	<p>The level of light produced by the development is not considered to result in significant harm. Details of finalised lighting would be secured via a planning condition.</p> <p>The introduction of residential uses at the site is suitable and would not generate unacceptable noise levels. Further given the nature of the proposed commercial uses there would be no further harm when compared to the established uses located east and west of the site.</p> <p>A condition would be secure ensuring all proposed plant equipment meets satisfactory noise levels.</p>
<u>Local Infrastructure</u>	
Demands on public services and infrastructure.	<p>The expected increase in demand for infrastructure facilities, which would result from the development, would be catered for via CIL contributions. The proposal would result in numerous financial contributions that would benefit the area and the uplift in units is considered in the updated financial contributions listed in Section 1 of the report. The Council's Infrastructure Delivery Plan seeks to improve numerous healthy streets initiatives in the area.</p> <p>The proposal is now seeking to provide an on-site healthcare facility.</p>
The council has not given any firm plans to invest in improving infrastructure that is already struggling to keep up with the existing demand.	<p>The expected increase in demand for infrastructure facilities, which would result from the development, would be catered for via CIL contributions. The proposal would result in numerous financial contributions that would benefit the area and the uplift in units is considered in the updated financial contributions listed in Section 1 of the report. The Council's Infrastructure Delivery Plan seeks to improve numerous healthy streets initiatives in the area.</p> <p>The expected increase in demand for infrastructure facilities, which would result from the development, would be catered for via CIL contributions.</p>

<p>A high number of new residents on the park boundary introduces a real danger the park will become a dust bowl in the summer and a churned up wet bog in the winter. The play facilities are also at capacity on busy days as are the sports facilities.</p>	<p>The proposed landscape strategy would ensure that the future occupiers would mainly benefit from suitable on site recreational space and any spill over to the nearby park is not considered harmful. Furthermore the application has agreed to a SANGs contribution work towards improvements to Leyton Jubilee Park.</p> <p>The Parks and Open team is satisfied with the SANGs worked at Leyton Jubilee Park to deliver the footpaths and this will be agreed with the team to ensure preferred desire lines are agreed to ensure the sports fields are not interfered with.</p> <p>Refer to Part L of the report for a full assessment.</p>
<p>The Development will have a more immediate detrimental impact on Jubilee Park by casting large shadows over much of the park and the Lammas school playing fields.</p>	<p>During the course of the application additional information was requested to better understand the potential for overshadowing to the neighbouring playing fields. This has been provided on a permanent and transient basis.</p> <p>This information was subsequently reviewed and relationship achieved considered appropriate.</p>
<p>There is no evidence this staggering increase in population will be accompanied by any improvements of infrastructure, resource or public service and poses a substantial threat to health and quality of life in the area.</p>	<p>The expected increase in demand for infrastructure facilities, which would result from the development, would be catered for via CIL contributions. The proposal would result in numerous financial contributions that would benefit the area and the uplift in units is considered in the updated financial contributions listed in Section 1 of the report. The Council's Infrastructure Delivery Plan seeks to improve numerous healthy streets initiatives in the area.</p> <p>The expected increase in demand for infrastructure facilities, which would result from the development, would be catered for via CIL contributions.</p> <p>The supporting Environmental Statement highlights that the additional residents would increase the overall average impact on healthcare but the development is seeking to provide an on-site healthcare facility to serve the new residents.</p> <p>The Infrastructure Delivery Plan (2020) identifies infrastructure requirements across the borough, setting out what is needed, where, and when. It includes projects relevant to waste, transport, education, utilities, health, culture, sports, the</p>

	<p>emergency services, and green infrastructure. The plan identifies the need for new health care facilities in the area to respond to the future growth in the area.</p> <p>It is envisaged that there is sufficient capacity in the primary and secondary schools within 1.8km from the site to accommodate the additional children capacity created by the proposed development. The Council's Education Team also raised no objections to the proposed development.</p>
<p>The proposal would generate significant numbers harming local school places and putting additional pressures on GP capacities.</p> <p>Lea Bridge is already significantly over the Healthy Urban Development threshold; further development will compound this overcrowding, negatively and permanently impacting the quality of life of existing and future residents.</p>	<p>The supporting Environmental Statement highlights that the additional residents would increase the overall average impact on healthcare but the development is seeking to provide an on-site healthcare facility to serve the new residents.</p> <p>The Infrastructure Delivery Plan (2020) identifies infrastructure requirements across the borough, setting out what is needed, where, and when. It includes projects relevant to waste, transport, education, utilities, health, culture, sports, the emergency services, and green infrastructure. The plan identifies the need for new health care facilities in the area to respond to the future growth in the area.</p>
<p><u>Air Quality and Health Impacts</u></p>	
<p>Thousands of new residents utilising a pick-up/drop-off at the junction of Clementina and Perth roads risks a permanent rotation of idling vehicles and resultant pollution adjacent to homes and gardens.</p> <p>The Development will significantly negatively impact residents, pushing NO2 and PM10 levels higher, putting health at risk.</p>	<p>The air quality analysis supporting the application predicts that emissions from the complemented development would be negligible to the area. The findings set out in the analysis was agreed by the GLA and the Council's Environmental Health Team.</p> <p>Refer to Part L of the report for a full assessment.</p>
<p>There is nothing in the plans that gives comfort as to how residents facing onto the new development will be protected during construction from vapours, residues and dusts from the contamination.</p>	<p>The CEMP would be in place to effectively manage on-site emissions. These measures would include a Dust Management Plan, logging complaints relating to dust, using screens and barriers around dust-causing activities, covering of stockpiles of potentially dusty materials and dust monitoring. Emissions from construction plant and vehicles would be reduced</p>

	<p>through measures including good management of plant and vehicles (e.g. no idling), and the use of electricity or battery-powered equipment where practicable. These measures would be captured via planning conditions.</p> <p>Refer to Parts L and O of the report for a full assessment.</p>
<u>Transport + Parking</u>	
<p>The development would result in additional heavy traffic to the area and putting extra pressure on the roads.</p>	<p>The Transport Assessment supporting the application reveals that the proposed development is expected to generate a relatively low level of vehicular trips to the area.</p> <p>The level of parking numbers proposed on site is low.</p>
<u>Density</u>	
<p>The proposed high density of The Development is out of character for the surrounding residential area.</p>	<p>The site has been identified in the LBWF Draft Local Plan Part 2, Site Allocations Document (October 2020). Site SA05 – Lea Bridge Gasworks is allocated for a mixed use development with an indicative capacity of 573 new homes and 600sqm commercial floorspace. It is identified that the site is suitable to accommodate new homes while seeking to optimise site capacity.</p>
<p>The increase in population density as a result of the Gasworks development is expected to pose a substantial, detrimental, and enduring impact on air quality and strains on infrastructure, resources or public service in the Lea Bridge area.</p>	<p>The air quality analysis supporting the application predicts that emissions from the complemented development would be negligible to the area. The findings set out in the analysis was agreed by the GLA and the Council's Environmental Health Team. The proposal would result in low levels of parking and trip generation created by the development is considered relatively low.</p>
<p>There will be a very large increase in the local population, leading to increased footfall in local open spaces and the marshes, adversely impacting local wildlife. This adverse impact will be compounded by an increase in the population close to the WaterWorks Nature Reserve and SSSI of Walthamstow Marshes, imperiling</p>	<p>The Habitat Regulations Assessment highlights that the level of parking numbers is low and it is unlikely that all new residents at the development would visit either Lee Valley SPA / Ramsar site and/or Epping Forest SAC for informal recreation. The review concluded that the potential for air quality effects to arise on Lee Valley SPA / Ramsar site can be described as de minimis, and therefore no further</p>

<p>wildlife including Red Listed species, such as Kingfisher.</p>	<p>consideration with regard to air quality matters would be required for this site.</p> <p>The s106 would also capture a Suitable Alternative Natural Greenspaces financial contribution towards the deliver of new footpaths in Leyton Jubilee Park. Natural England is satisfied that this mitigation has been proposed in the HRA with the application.</p> <p>The Leyton Jubilee Park is located adjacent to the Development and provides large area of public open space for active and passive recreation as well as playspace facilities appropriate for all ages. There are several larger parks within the guideline distances from the Development (four regional parks accessible within a 3.5km radius), notably the Victoria Park, Lee Valley Park and Hackney Marshes.</p>
<p>Staggering increase in population is not accompanied by any improvements of infrastructure, resources or public services and poses a substantial threat to health and quality of life in the area.</p>	<p>The expected increase in demand for infrastructure facilities, which would result from the development, would be catered for via CIL contributions. The proposal would result in numerous financial contributions that would benefit the area and the uplift in units is considered in the updated financial contributions listed in Section 1 of the report.</p> <p>The proposal would provide an on-site nursery and healthcare facility.</p>
<p>The Lea Bridge Development is one of several proposed high-rise, high-density projects within a 1km radius. Each development will inflict significant, permanent and negative effects on the local community, since there will be an increase in associated pollution, traffic, environmental and population density from every one. There is no assessment of the cumulative impact of very high density schemes in such close proximity. The application lacks full consideration of the wider context of the Lea Bridge area, including protected local open spaces of the Lee Valley Park.</p>	<p>The Environmental Statement supporting the application with analysis on the cumulative impact of developments in the area. This was subsequently reviewed by an independent third party on behalf of the Local Planning Authority, concluding that the information is line with Regulation 25 of the EIA Regulations.</p> <p>Refer to Part O of the report for a full assessment.</p>
<p><u>Other Matters</u></p>	
<p>St William and Berkeley group have not sufficiently evidenced their ability to provide safe, sustainable, environmentally appropriate</p>	<p>It is not appropriate for officers to make comments or observations on these remarks.</p>

<p>remediation works in this application or other cases. Most notable is the development in Southall, where residents have experienced respiratory problems, skin rashes, eye issues, mental confusion, nausea, and vomiting.</p>	<p>However, there are key differences between the application site and the site in Southall. The developer at the Southall site undertook soil washing on-site in a soil hospital. This will not take place at Lea Bridge, if approved. Hot spots of contamination would be removed by covered truck via Orient Way to be cleaned off site. New top soil will go through a process of verification testing prior to being laid to demonstrate that the soil going back into the site is not contaminated and is safe for human occupation. These details will require formal approval from the Council prior to occupation.</p> <p>The Southall site is 13 times larger than the site at Lea Bridge.</p> <p>The planning application has been objectively assessed on the technical information submitted. The information and strategies have been reviewed both by the Council's Environmental Health Team, and the Environment Agency.</p>
<p>The waste water management for the existing area is already unsustainable, and there are regular untreated discharges of sewage into the River Lea. No infrastructure improvements for waste treatment facilities has been factored into the plans.</p>	<p>Thames Water raised no objections to the proposed development.</p>
<p>The proposed development would increase flood risk.</p>	<p>Refer to Part K of the report for a full assessment.</p>
<p>The Council should seek an independent TVIA.</p>	<p>The TVIA was reviewed internally by Officers and by an independent third party as part of the Environmental Statement assessment.</p>
<p>The removal of the small area of mature woodland comprising many native trees to the north of the Gas Works Site under the original planning permission. The woodland was thriving with wildlife and offered clear ecological and environmental benefits.</p>	<p>The removal of trees in the northern part of the site was agreed under the approval of Condition 47 (Ref: 212808) of the original planning permission. These were recorded as lesser quality trees (category U) of limited life span. The applicant confirmed that the proposal would not result in removal of any trees currently occupying the site.</p>
<p>The first application did not consider fire safety requirements.</p>	<p>Refer to Part N of the report for a full assessment.</p>

5.6 Other Consultation

Consultees	Comments
<u>Internal</u>	
Urban Design & Conservation	<p>The principle of stepped height across the site was established in the previous consent, and the incremental addition to height across the blocks, in this iteration, is considered to be appropriate in design and townscape terms. The principle of a tall building to the south of the site has also been established in the previous consent. It is considered that the site can support additional height in design and townscape terms, due to the site being identified as a site for transformation and given the robust contextual and place making analysis that supports this application. In accordance with the previously consented scheme, positioning the tallest blocks on the park edge ensures the visual and amenity impacts are minimised to the existing residential properties to the north. It is considered that the proposal is appropriate in townscape terms.</p> <p>There are some designated and non-designated heritage assets identified in the nearby vicinity, including; Church of the Emmanuel (Grade II), the associated parish hall (Grade II) and war memorial (Grade II). There is no impact to these assets as the proposals are not visible in views that affect these assets. The proposal is visible in some views where it backdrops the locally Listed leyton borough council electricity substation, however this is determined to cause no harm to the setting of this NDHA. The proposals are therefore not considered to cause any harm or impact to the setting of this asset.</p> <p>It is therefore considered that, since there is no identified harm, the policy tests relating to substantial and less than substantial harm to designated heritage assets in NPPF paragraph 207 and 208 are not engaged. It is also considered that, since there is no identified harm, the balancing act required in relation to non-designated heritage assets in NPPF paragraph 209 is not engaged.</p> <p>The landscape-led approach, and the new public realm created as part of the application demonstrates exemplar design. The wind and microclimate analysis demonstrates that the proposed impacts of the proposal will be acceptable and correspond to the planned uses throughout the site, including on roof terraces. There are no areas tested which are identified as inappropriate or unacceptable.</p> <p>Setbacks have been introduced to the additional massing, to emphasise the shoulder heights of each block and contribute to ensure a human scale at ground level. Additional architectural detail and consideration has been given in order to ensure that the tall building elements meet the ground in an appropriate way. The quality of the architecture has therefore increased since the original consent, which is welcome.</p>

	<p>The architectural character of the blocks shifts and changes through the site, which provides visual interest and a sense of identity to each block, helping with the transition across the site from residential uses to the north of the site, to the park setting at the south.</p> <p>Further analysis of the proposed brick for the tall building elements is required, as there are concerns about long-term weathering in relation to its appearance, which is very light in tone. Detailed drawings, demonstrating how adverse weathering will be eliminated from the proposal, through its architecture, is required.</p> <p>Detailed drawings, including detailed bay studies at an appropriate scale, are required to demonstrate the proposed depth of façade to be achieved across the buildings in the proposal. The proposed floor plans are considered to be of good quality, with 66% dual aspect. They are ordered logically and appropriately in design terms.</p> <p>Proposed layouts are considered appropriate within the wider masterplan approach. The proposed ground floor layout is considered to be in accordance with the previously consented permission</p> <p>Stall risers would be appropriate to include at ground level to any non-residential spaces at ground level, as was previously commented to better ground the building and avoid visual clutter at ground level.</p> <p>Clarification on the approach to RWP and drainage.</p> <p><u>Officer Comments:</u></p> <p>The applicant and design team provided additional bay study plans and details of the materials and provide comfort to officers however the finalised materials schedule will be agreed via planning condition.</p> <p>Bay studies were produced during the course of the application to provide additional details of the façade treatments.</p>
Tree Officer	<p>The southeast elevation of Block E brought closer to the poplars (T25), resulting in a poorer relationship in terms of juxtaposition.</p> <p>A revised AMS is required, and this would need to include; a revised Tree Protection Plan with an updated site layout showing the proposed scheme (not the consented scheme). Depictions of the trees' crowns showing the extent of proposed pruning works to any trees as detailed in the Tree Schedule.</p> <p>A more detailed UGF plan is required.</p> <p>Any green space that is designed to be easily convertible, and potentially removed at a later date, should be additional to the UGF and Biodiversity Net Gain calculations, with the potential loss of these spaces factored into the overall design.</p> <p>The BNG assessment states that the proposal would achieve an 87% net gain in biodiversity. This is calculated as:</p>

	<ul style="list-style-type: none"> • 3.14 units lost • 5.88 units delivered • Net gain of 2.74 units <p>Officers note that there is a leaning towards native planting specified in the report, particularly where the site meets the park edge. This should be reflected in the plant selection chosen for the scheme, with a focus on suitable native species on the southern and eastern boundaries of the site. The inclusion of more native species should be designed into the planting.</p> <p>The removal of trees in the northern part of the site was agreed under the approval of condition 47 of the original planning permission. These were recorded as lesser quality trees (category U) of limited life span.</p> <p>Conditions are requested regarding finalised landscaping details, maintenance and management plan followed by habitat enhancement details.</p> <p><u>Officer Comments</u></p> <p>An updated tree protection plan was provided. It is the intention of the proposed development to retain the poplar trees.</p> <p>Pruning details will be captured via the landscaping condition to ensure a satisfactory relationship is achieved between Block E and the existing trees located to the south of this block. Details will also be provided on how the health of the trees would be maintained in this location.</p> <p>An updated UGF drawing was provided illustrating an accurate calculation.</p>
Early Years	In support of the creation of nursery.
Education	There are sufficient primary and secondary school places in the local area to accommodate any additional demand from this development.
Environmental Health – Air Quality	<p>In the London Borough of Waltham Forest, a borough wide Air Quality Management Area (AQMA) has been declared. Developments which may have a significant impact on air quality or, in an area where the existing air quality environment is poor and so will have a significant impact on the development; will require a contribution towards implementation of the Air Quality Action Plan.</p> <p>A contribution is required towards the council’s Air Quality Action Plan.</p> <p>The air quality assessment supporting the application is accepted.</p> <p>An Odour Management Plan and Air Quality and Dust Management Plan would be required via a planning condition.</p>

	<p>A non-road mobile machinery (NRMM) condition is requested.</p> <p><u>Officer Comment:</u></p> <p>The application is proposed to be air quality neutral and meets local and London Plan policies with regard to air quality. Therefore, it is considered that the request for S106 contributions does not meet the Regulation 122 tests.</p>
<p>Environmental Health – Contamination</p>	<p>The reports supporting the application are satisfactory.</p> <p>The remediation strategy states that prior to commencing remediation works, the Contractor will need to prepare a Method Statement/Implementation plan detailing how the remediation works will be undertaken. This will need to be provided.</p> <p>As recommended in the Ground Conditions report, a Procedure for Previously Unidentified Contamination will be a requirement of a planning condition as per the Consented Scheme.</p> <p>An updated Borehole Management Plan will be required for the decommissioning of the boreholes.</p> <p>The Foundation Works Risk assessment is sufficient.</p>
<p>Environmental Health – Noise</p>	<p>No objections raised.</p> <p>Conditions requested regarding PRS Noise Attenuation and sound insulation details.</p>
<p>Housing</p>	<p>The scheme would deliver a 35% quantum of affordable housing, measured in habitable rooms. This would match the Council's minimum 35% requirement and matches the existing consent. This means that whilst the quantum of affordable homes stays at 35%, in real terms, there is an actual increase in the number of affordable homes.</p> <p>Low cost rented and Shared Ownership is 70:30 in favour of rented, this would be in line with the Council's Local Plan target and is supported.</p> <p>The unit mix within the low cost rented would see a 25% provision of 1 beds against a target of 20%, a 30% provision of two beds against a 30% target and a 45% provision of 3 beds against a 50% target of 3 beds and larger. There is a slight under provision of low cost rent family sized homes.</p> <p>The unit mix within the Shared Ownership tenure would see a 28% provision of 1 beds against a target of 30%, a 65% provision of two beds against a 50% target and a 7% provision of three beds against a 20% target. These targets are from the Council's emerging Local Plan. The targets set in the current local plan, for Intermediate homes, are 20% one beds, 40% two beds, 30% three beds and 10% four beds.</p>

	<p><u>Officer Comments:</u></p> <p>Policy 15 of the Local Plan allows for variations to the dwelling size mix where it can be fully justified based on the tenures and type of housing proposed, site location, area characteristics, design constraints, scheme viability. Given the site's location is considered in close proximity to Lea Bridge station means it is accessible and an entirely appropriate location for smaller sized units (studios, 1 and 2 bed units). The proposed unit mix must be considered in the context of the site-specific characteristics and constraints, including viability as demonstrated the extraordinary decontamination, enabling or remediation costs must be incurred to bring the site forward for development. Furthermore, 51% of LAR units will be delivered as family-sized 3+ bedrooms which is supported. The dwelling size mix of the affordable rent is near policy compliant and is supported.</p>
Transport Policy	<p>The car-free nature and agreement to a permit free scheme is welcomed and in accordance with London Plan and LBWF Local Plan policies on car parking along.</p> <p>The proposal provides 30 Blue Badge car parking spaces are provided which equates to a provision of 4.6% marginally short of the 5% of required spaces in accordance with the LBWF LP policies. The proposed safeguarded area in the northeastern corner may not be achievable and would have a significant impact on landscaping.</p> <p>In accordance with LBWF Local Plan and the London Cycling Design Standards all cycling should be provided at the ground floor where possible, which is not the case at D and E where a staircase is provided. First floor cycle parking storage would not be supported.</p> <p>The applicant should give further thought to appropriately providing for servicing movements within the site in a safe and efficient way.</p> <p>Travel Plans are required for the development and monitoring fee.</p> <p>It is considered appropriate that a contribution would be made by the applicant to a new bus service along Orient Way to mitigate the impact of the development.</p> <p><u>Officer Response</u></p> <p>The Car Parking Management Plan outlines that there is scope to provide more blue badge bays on site increasing the provision to 5%. The applicant has identified that the demand is not expected.</p> <p>The first floor cycle stores are accessed with the use of an automated channels on the staircases when travelling up and the other type of channel when traveling down. In Building C, D, & E where there are first floor cycle stores which provide two-tier racks, it should also be noted that they have ground floor stores which accommodate 25% of the building's residents cycle parking. The ground floor stores provide cycle parking in the form of Sheffield stands with 5% for the use of non-</p>

	<p>standard large bike (i.e. cargo bikes) and the other 20% provision intended for the use of people who have difficulties using the two-tier racks. To ensure that the dedicated ground floor stores are used by people with non-standard cycles or those that have particular issues which make the use of two-tier racks or the staircase difficult, the estate management team will have a policy whereby permission is required from them for residents who want to use the ground floor store. When residents are granted permission they will be issued a key or code to access the ground floor store.</p> <p>The traffic implications of the development are moderate given the low level of parking. The Transport Addendum supporting the application low levels of vehicular movements. Given the expected low number of traffic flows the refuse vehicle movement is not expected to lead to traffic disruption and road safety issues. Internal road will have signage and yellow line road markings to indicate where parking is not permitted which will include the passing area.</p> <p>In some cases signage and road markings are used to indicate that vehicle traveling in one direction have to give priority to vehicles moving in the opposite direction and therefore are required to stop at a give way road marking in a wide section of the road to allow the opposing vehicle to pass, before proceeding along the narrow section of the road. Given the relatively low vehicle flows along the road such signage and road markings is not considered essential and the common-sense approach should work satisfactorily for drivers. The on-site 15mph speed limit enforced with raised tables and speed humps will also reduce any road safety risks.</p> <p>TfL requested an additional contribution to consider improvements to local bus services. This would be secured via the s106.</p>
Highways	<p>Highways raised a number of concerns which required addressing prior to determination which included:</p> <ul style="list-style-type: none"> • Concerns raised in relation to road layouts and conflict between loading bays and passing places. • If the passing places are occupied by vehicles parking or loading, two-way traffic cannot take place. • Trip generation to health facility is required. • Stage 2 and 3 road safety audits should be requested via planning conditions. • A list of S278 works are required and secured via the s106. • Outstanding Construction Logistics Plan matters need to be considered. • A condition survey needs to be secured as per the original permission. • The car free classification will need to be retained as part of any new S106 agreement. • Additional Car Park Management Plan (CPMP) points need to be considered. A CPMP needs to be secured as a planning condition.

	<ul style="list-style-type: none"> • In order to deter parking overspill in the adjoining area a S106 contribution of £25,000 is requested. • It's likely there may be infrequent periods where vehicles larger than a 10 metre rigid vehicle will be access the site. The Servicing and Delivery Plan needs to explain how and where these vehicles will be expected to load. • A S106 contribution of £20,000 is requested to introduce contraflows for cyclists in the one-way streets in the Clementina Road area and improving conditions for those walking and cycling from the new development. • S106 contribution is required for improvements along Orient Way. • The fully detailed lighting design must be submitted as a planning condition. • A S106 contribution of £50,000 is requested towards traffic studies in the Orient Way area. • A Stage 1 Road Safety Audit (RSA) is required. • Clarification required regarding the parking associated with the healthcare facility. <p><u>Officer comment:</u></p> <p>The traffic implications of the development are moderate given the low level of parking. The Transport Addendum supporting the application low levels of vehicular movements. Given the expected low number of traffic flows the refuse vehicle movement is not expected to lead to traffic disruption and road safety issues. Internal road will have signage and yellow line road markings to indicate where parking is not permitted which will include the passing area. In some cases signage and road markings are used to indicate that vehicle traveling in one direction have to give priority to vehicles moving in the opposite direction and therefore are required to stop at a give way road marking in a wide section of the road to allow the opposing vehicle to pass, before proceeding along the narrow section of the road.</p> <p>In some cases signage and road markings are used to indicate that vehicle traveling in one direction have to give priority to vehicles moving in the opposite direction and therefore are required to stop at a give way road marking in a wide section of the road to allow the opposing vehicle to pass, before proceeding along the narrow section of the road. Given the relatively low vehicle flows along the road such signage and road markings is not considered essential and the common sense approach should work satisfactorily for drivers. The on-site 15mph speed limit enforced with raised tables and speed humps will also reduce any road safety risks. On occasions when there is two traffic where it is unsuitable for opposing vehicles to pass one another, there is sufficient visibility ahead to see vehicles travelling in the opposite direction.</p> <p>Drawings were provided with the application demonstrating that whilst loading bays are occupied there would be sufficient space for any potential vehicles to pass.</p> <p>A S106 contribution of £50,000 is requested towards traffic studies in the Orient Way area is not considered to meet the Regulation 122 tests</p>
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	<p>on this occasion given the car-free nature of the scheme and the trips generated from the scheme.</p> <p>A Stage 1 RSA was provided during the course of the application identifying no significant safety issues.</p> <p>It is expected that the GP surgery operator will advise patients that there is no parking onsite, and that the one disabled bay allocated to them should be pre-booked if the patient requires its use. If it is not available patients would be advised to travel by taxi. The layout has been modified to now include a drop-off/pick-up point alongside the disabled bay allocated to the healthcare facility on the eastern side of the access road. The area will be sign posted that it is not for parking but short stay drop-off and pick-up activities are permitted. Taxis dropping off and picking up passengers by temporarily stopping in suitable locations will typically not present a problem since they are only expected to be stationary for a short period of time.</p> <p>The applicant has proactively engaged with the highways development team and amended the scheme in line with comments made.</p>
Lead Local Flood Authority/ Drainage	<p><u>C</u>onsideration should be given to use of blue or green roofs.</p> <p>For sustainability reasons the council do not support the use of pumped discharge from developments where viable gravity discharge alternative is available.</p> <p>A simple maintenance schedule for the proposed drainage scheme incorporating inspection frequency and required maintenance operations should be provided.</p> <p>Connection details of the proposed discharge point at the culvert should be provided and also relevant connection and discharge consent from the water authority should be provided.</p> <p>A S106 contribution of £80,000 is requested towards future community flood mitigation/SuDS schemes within the Lea Bridge Road/Orient Way corridor, lower Fillebrook CDA catchment and Leyton Jubilee Park area</p> <p><u>Officer Comments:</u></p> <p>The potential attenuation volume of any proposed green roofs or landscape planters would also be confirmed at detailed design stage.</p> <p>The conclusion of the Environmental Statement, Flood Risk and Drainage Strategy confirmed that the measures proposed would deliver substantial opportunities to improve the drainage and flood risk mitigation at the site. The development would also deliver a reduction in surface water run-off. Therefore, officers considered the request for a financial contribution did not meet the Regulation 122 tests on this occasion.”</p>

	Due to the shallow fall across the Site, it is not possible to achieve gravity discharge to the Shortlands Sewer culverted watercourse from the most northerly areas of the Site.
Waste + Recycling	<p>Clarifications were sought with regard to vehicle size, indications of drag distances, anticipated servicing times, door widths and commercial bin provision.</p> <p><u>Officer comments:</u></p> <p>The applicant provided drawings illustrating the drag distances between the blocks and collection points. The drawings show the locations where refuse vehicles will stop when undertaken waste collections from each block and the route between the bin store access and the rear of the refuse vehicle where bins will be dragged to and from</p>
Sustainability and Energy	No objections to the proposed development. Detailed comments are included in the Energy and Sustainability section, recommendations for conditions and legal obligations with regard to being connection ready, and Carbon Offset Payments.
Parks and Open Spaces	No objection to the proposal and previous Suitable Alternative Natural Greenspace (SANGs) should still apply.
Public Health	No comments received.
Employment, Business and Skills	<p>Request for planning obligations with respect of local labour, apprenticeships, work placements, end user employment opportunities,</p> <p>Officer comment: planning obligations have been agreed with the applicant and are set out at the head of this report.</p>
Infrastructure Planning	<p>Clarification sought on provision of infrastructure to support the development.</p> <p><u>Officer comment</u></p> <p>The application is seeking to provide a healthcare facility to the site which would benefit existing and future residents of the area. The development seeks to provide good accessibility to support walking, cycling and public transport.</p>
Education	We have expanded Kelmscott Secondary School by two forms of entry, and we are therefore content that there are sufficient primary and secondary school places in the local area to accommodate any additional demand from this development.

Sport + Leisure/Open Space	No comments received.
Planning Policy	No comments received.
<u>External</u>	
Sport England	<p>The increase in population from the proposal will generate additional demand for sports facilities. It is considered that off-site provision in the form of a financial contribution secured through CIL or a planning obligation towards the provision or improvement of off-site facilities would be a suitable form of provision on this occasion.</p> <p>In view of the local planning policy and evidence base context, it is considered that in accordance with Government policy in paragraph 98 of the NPPF, a robust local basis exists for justifying the provision of outdoor and indoor community sports facility provision to be made by this development proposal.</p> <p>Sport England would encourage the Council to consider the sporting needs arising from the development and direct those monies to deliver new and improved facilities for sport.</p> <p><u>Officer Comments:</u></p> <p>The updated Infrastructure Delivery Plan (IDP) will consider infrastructure priorities such as sport and recreation provision. The current IDP (2020) states the current supply and demand analysis for secured and accessible pitch provision shows there is a significant amount of overall spare capacity across the Borough. There are currently accessible sports pitch provision within the vicinity of the site.</p> <p>The application is seeking to deliver Class E floorspace which could be used as a gym, together with open space that is an important and inclusive facility for children's play. Together these provide on-site facilities that promote exercise for all ages, albeit specific sports provision is not achievable on site due to site size constraints.</p> <p>The Council are pressing the demand for specific sports facilities and will address this in the forthcoming IDP update. Multiple leisure centre sites will see upgrades to meet modern demands and an increasing population.</p>
Health and Safety Executive - Fire	<p>Following a review of the information provided in the planning application, HSE is content with the fire safety design as set out in the project description and following the proposed amendments, to the extent it affects land use planning considerations.</p> <p><u>Officer Comments</u></p>

	<p>As part of the original consultation queries were raised in relation to the overall design analysis, means of escape, green roofs and fire service access and facilities.</p> <p>Amended plans were provided during the course of the application and as part of the re-consultation the HSE were satisfied.</p>
<p>Environment Agency</p>	<p>Object to this application for the following 4 flood risk aspects and recommend that planning permission is refused.</p> <p>A. Hydraulic Modelling B. Culvert C. Surface Water Drainage D. Finished Floor Levels/ Sequential Approach E. Off-Site Flood Risk</p> <p><u>Officer Response:</u></p> <p>The applicant responded accordingly in an updated details and clarifications with regards to parts B, C, D and E of the objection.</p> <p>The EA still hold an objection in relation to recent Hydraulic Modelling detail. Officers recommend resolving the outstanding Environment Agency's objection under Delegated Authority subject to no additional material changes to the development.</p> <p>Please refer to main body report for a full assessment.</p>
<p>Greater London Authority</p>	<p><u>Summary:</u></p> <p>The proposed development includes 35% affordable housing by habitable room consisting of 70% London Affordable Rent and 30% London Shared Ownership. An early-stage review will be required. The proposed development has a logical layout and would provide an uplift in housing including affordable housing.</p> <p>The proposed development would fall within this recommended range of heights. The proposed heights are potentially acceptable in the emerging context, subject to further views assessing visual and heritage impacts being provided prior to Stage 2. GLA officers will conclude on the environmental impacts of the tall building at Stage 2.</p> <p>The floor plans indicate there is a high proportion of single aspect units proposed. The layouts indicate double loaded corridors serving more than 8 units with varying levels of daylight access. GLA officers would welcome any improvements to these elements of the proposals.</p> <p>The proposed materials palette is acceptable in principle. It is noted that there has been changes to the expression of the base and crown of the towers, which is welcomed.</p>

	<p>The landscaping proposals are generally well designed, with different uses and good variety achieved across the site.</p> <p>Confirmation of play space quantity, location and quality have been provided and are considered satisfactory.</p> <p>The site is in the extended viewing corridor LVMF View 25 The Queen's Walk to Tower of London. Information is required to assess any potential impact, in the form of provision of the VuCity model or a visualisation from such a model.</p> <p>Additional Active Travel Zone details were requested by GLA Officers.</p> <p>Insufficient information about walking and cycling conditions on the designated vehicular routes around the site.</p> <p>The proposed development would be car-free, except for the disabled parking bays, which is supported in line with the Policy T6 of the London Plan. The residential spaces are greater than the 3% from the outset and the applicant should consider reducing them to prevent their use for general parking.</p> <p>The scheme includes around 1,112 long stay cycle spaces, with an indicative split of two-tiers (837), Sheffield (227) and larger bike (60) stands. The quantum is slightly greater than minimum quantitative requirements set out in the London Plan which is supported.</p> <p>Numerous technical and sustainability and energy matters were queried. Prior to Stage 2, the applicant should provide an updated surface cover type drawing to allow comparison.</p> <p>The applicant has calculated the Urban Greening Factor (UGF) score of the proposed development as 0.42, which exceeds the target set by Policy G5 of the London Plan</p> <p>The Flood Risk Assessment (FRA) should include further information on the proposed flood resistance / resilience measures at ground floor, in particular to protect sensitive plant, and to demonstrate that communal areas are available at upper floors for people from the commercial spaces to congregate in a flood event. No assessment of the risk from sewer flooding to the site has been undertaken.</p> <p>The drainage strategy proposes to restrict rainfall to 5 l/s for the 100-year event plus 40% climate change event. This is higher than the QBAR for the Site (3.85 l/s). This is not supported. It is noted that the Flood Studies Report (FSR) method has been used for the estimation of rainfall for simulation of the drainage networks. This method underpredicts rainfall intensity in the London area. As such, the drainage simulations should instead use the latest Flood Estimation Handbook (FEH22) method.</p> <p>The drainage strategy proposes to provide the required attenuation within swales and below ground attenuation tanks, which is supported. Other methods of attenuation are discussed (permeable paving/ brown</p>
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	<p>roofs etc) but there is no firm commitment for inclusion within the drainage strategy. Pumping is not a sustainable solution to surface water discharge and should be avoided. A maintenance plan detailing the maintenance arrangements for the different elements of the surface water drainage system needs to be provided.</p> <p>The gas boilers were assessed and found to be acceptable under the guidance. The development is air quality neutral. An Air Quality statement was included and the cumulative impacts of the scheme considered</p> <p><u>Officer comment:</u></p> <p>The applicant has provided clarification information to the GLA to address the comments raised and these are discussed in detail within the main body of the report.</p> <p>The GLA Viability Team confirmed that the site-specific abnormal costs are still likely to represent a significant percentage of the overall construction costs and meet the test set out in Footnote 59. The Section 106 Agreement for the scheme would contain provisions for an early-stage review.</p> <p>The Heritage analysis (paragraph 54) includes a table highlighting impact from view 14, however this is not situated within a Lea Bridge Conservation Area. The GLA Officer confirmed that this can be disregarded.</p> <p>The applicant responded accordingly to energy and sustainability matters during the course of the application. All minor outstanding details will be agreed as part of Stage 2.</p> <p>The applicant provided an updated plan during the course of the application which reflects a more accurate UGF score.</p> <p>The updated FRA was agreed with the Environment Agency and this is detailed within the main body of the report. The applicant confirmed that, the updated drainage designs would ensure the use of the Flood Estimation Handbook (FEH22) method when estimating peak rainfall rates.</p> <p>3024 m2 of green roof area is proposed. Due to the shallow fall across the Site, it is not possible to achieve gravity discharge to the Shortlands Sewer culverted watercourse from the most northerly areas of the site. A maintenance plan detailing the maintenance arrangements for the different elements of the surface water drainage system would be provided prior to construction. All matters will be secured via planning condition.</p> <p>The GLA have confirmed that all matters with regard to Stage 1 report have been satisfactorily addressed prior to stage 2 referral if approved by planning committee.</p>

<p>Historic England (Greater London Archaeological Advisory Service)</p>	<p>The historic interest with this application site arises from the former gas works, now demolished. Confirmation that building survey report was completed prior to clearance was requested.</p> <p>Having considered the application submitted Archaeological Assessment Report dated October 2023 by RPS for St William, and satisfied to recommend approval of this trial trench evaluation report subject to the inclusion of grid points being added to Figure 3 and the receipt by this office of the report related shape-files.</p> <p><u>Officer Response:</u></p> <p>The applicant's consultant provided additional details demonstrating there is no further archaeological work required.</p> <p>The GLAAS Officer further confirmed that a Stage 2 Written Scheme of Investigation or any further analysis is required.</p>
<p>Historic England</p>	<p>Not necessary to consult HE on the application.</p>
<p>Metropolitan Police – Design Out Crime Prevention Officer & Counter Terrorism Advisory Officer</p>	<p>The Metropolitan Police have no objection to the proposed development subject to identified issues within the design being mitigated against and the mentioned security standards being applied in the build. Compliance with this can be ensured by there being a Secured by Design planning condition attached to the permission if approved.</p> <p><u>Officer Response:</u></p> <p>The response to a number of the queries raised by the Secure by Design Officer are detailed within main body of the report.</p>
<p>London Fire Brigade</p>	<p>No further observations to make.</p>
<p>Natural England</p>	<p>We consider that without appropriate mitigation the application would have an adverse effect on the integrity of Epping Forest Special Area of Conservation.</p> <p>In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:</p> <p>A per unit SAMM contribution in line with the Epping Forest SAMM Governance Agreement.</p> <p>On site green space/green infrastructure measures as outlined in the sHRA.</p> <p>Improvements to Leyton Jubilee Park as outlined in the sHRA We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.</p>

	<p><u>Officer comments:</u></p> <p>The measures as set out above have been captured in the Heads of Terms set out at the head of this report.</p>
Thames Water	<p>The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. Therefore condition Piling Method Statement.</p> <p>No objection with regards to foul water sewerage network infrastructure capacity.</p> <p>No objection with regards to surface water network infrastructure capacity.</p> <p>Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal.</p> <p>A development and infrastructure phasing plan with water should be condition</p> <p><u>Officer comments:</u></p> <p>If planning permission is granted a condition would ensure a Piling Method Statement and Water Network Upgrade details are submitted to the LPA in consultation with Thames Water.</p> <p>A number of other informatives have been requested which would be incorporated within the permission if approved.</p> <p>The applicant's consultant explained that Thames Water Utilities Ltd sewer asset mapping suggests that this strategic sewer may be the culverted watercourse which crosses the south of the site. An 8m wayleave has been ensured around this watercourse and the requirement for a piling method statement is expected. The Thames Water Utilities Ltd water supply asset mapping suggests that the water mains are off-site and outside of the development footprint. The 3m wayleave is noted.</p> <p>It was described in the ES that the Site is located within a Zone 2 (Outer) Groundwater SPZ, associated with an abstraction location approximately 500m to the west of the Site boundary.</p> <p>To ensure that no contaminant-pathway-receptor linkages are created during substructure works (e.g. foundation and excavation works), appropriate mitigation measures would be implemented. These would be developed as part of detailed construction method statements, to be discussed and agreed with LB Waltham Forest and the EA during further detailed design.</p> <p>In order to reduce the potential for mobilising of existing contamination and/or the creation of new pollution pathways (for example via piling)</p>

	<p>through which any existing ground contamination may migrate to soils and/or underlying aquifers, foundation options would be considered carefully and confirmed during the detailed design stage.</p>
<p>Transport for London</p>	<p>Additional Active Travel Zone details requested in relation to night-time analysis, cycling routes, collision data and improvements being offered.</p> <p>Trip Generation, Mode Share – review comments on the assumed mode share, provide forecast for buses (including trips to other stations further afield).</p> <p>Impact – set out additional trips on public transport services (especially on buses) to enable consideration of mitigation.</p> <p>Disabled parking – reduce front-loading and only provide three per cent, with review of passive provision.</p> <p>Cycle parking – review location at three blocks, include short stay cargo bikes.</p> <p>Servicing – review location of loading bays, include provision for cargo bikes.</p> <p>Additional £30,500 required towards bus service improvements.</p> <p><u>Officer comments:</u></p> <p>Additional ATZ night-time assessment details and accident data were provided during the course of the application.</p> <p>Minor enhancements include to the good routes would not have a material effect on improving walking conditions or encouraging more people to walk for more of their journeys.</p> <p>Pedestrian counts survey was commissioned on Perth Rd and Kettlebaston Rd. The results of the pedestrian comfort assessment concludes that routes are suitable for accommodating the additional walking trips.</p> <p>As set out within Table 6.9 of the TA the internal road will be lightly trafficked given the limited parking. Hence there are minimal safety issues for cyclists within the site.</p> <p>The internal access road will be lightly trafficked with restricted vehicle speeds and the car-free nature of scheme means that there will be a regular flow of pedestrian movements throughout the day and evening rather than vehicular movements.</p> <p>The cycle wheel ramps will facilitate easy access to the upper floor cycle stores. For the majority of cyclists without mobility issues or large non-standard bicycles the use of the automated cycle wheel ramp will not</p>

	<p>present a problem. For cyclists with large non-standard bikes or mobility problems, the ground floor stores will be available.</p> <p>In line with the standard method of assessing the trip generation of proposed developments the main mode of travel is assessed in terms of the number of trips with the modal split based on census data which is adapted to reflect the reduced car mode.</p> <p>A turning area is introduced alongside the southwest corner of Block A.</p>
Network Rail	<p>It is advised that the developer contacts Network Rail Asset protection team (ASPRO) through the Network Rail Basic Asset Protection Agreement (BAPA) process.</p> <p>Guideline requirements for provided for the developer to consider during the design and construction process.</p> <p><u>Officer comments:</u></p> <p>The guideline requirements would be set out via an Infomative if planning permission is granted.</p>
London Borough of Hackney	<p>No comments received during the course of the application.</p> <p><u>Officer comments:</u></p> <p>No objections were raised with regards to the previous application at the subject site.</p>
Lee Valley Regional Park Authority	<p>That the London Borough of Waltham Forest be informed that the Authority recognises the principle of residential development on the Lea Bridge Gas Works site and does not object to the currenta application.</p> <p>Contributions can be agreed via Community Infrastructure Levy or a Section 106 towards the delivery of the open space enhancements, habitat works and access improvements within the Regional Park.</p> <p>Officers have an input into the proposed 'information pack' which the Shadow Habitats Regulations Assessment recommends should be supplied to new residents. This will enable an explanation of the ecological features and open spaces within the Park and their purpose and value particularly in relation to the Regional Park.</p> <p>The Authority seeks assurance that the increase in height of the buildings and subsequence disturbance from light pollution will not adversely impact upon the ecology of the Park.</p> <p>Officer Comments:</p>

	<p>The s106 would also a Suitable Alternative Natural Greenspaces financial contribution towards the deliver of new footpaths in Leyton Jubilee Park. Furthermore, a bespoke Strategic Access Management and Monitoring fee would be agreed as part of the s106.</p> <p>A condition is suggested to review the information pack for new residents as set out in HRA.</p> <p>Finalised details of lighting would be agreed via a planning condition to ensure light pollution is minimised.</p>
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6. Development Plan

6.1 The NPPF Section 70(2) of the Town and Country Planning Act (1990) (as amended) sets out that in considering and determining applications for planning permission, the Local Planning Authority (LPA) must have regard to considerations including the provisions of the development plan and any local finance considerations, so far as material to the application, and any other material considerations.

6.2 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”.

6.3 The Development Plan for the site, at the time of this report, comprises the London Plan (2021), and the Waltham Forest Local Plan 2024 (LP1). The NPPF does not change the legal status of the development plan.

The London Plan (2021)

6.4 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. The relevant policies within the London Plan 2021 relevant to this application are considered to include but not limited to:

- GG1 – Building strong and inclusive communities
- GG2 – Making the best use of land
- GG4 – Delivering the homes Londoners need
- GG5 – Growing a good economy
- GG6 – Increasing efficiency and resilience
- SD1 – Opportunity areas
- SD10 – Strategic and local regeneration
- D1 – London’s form, character, and capacity for growth
- D2 – Infrastructure requirements for sustainable densities

- D3 – Optimising site capacity through design-led approach
- D4 – Delivering good design
- D5 – Inclusive design
- D6 – Housing quality and standards
- D7 – Accessible housing
- D8 – Public realm
- D9 – Tall buildings
- D11 – Safety, security, and resilience to emergency
- D12 – Fire safety
- D13 – Agent of Change
- D14 – Noise
- H1 – Increasing housing supply
- H2 – Small sites
- H4 – Delivering affordable housing
- H5 – Threshold approach to applications
- H6 – Affordable housing tenure
- H7 – Monitoring of affordable housing
- H10 – Housing size mix
- S1 – Delivering London’s social infrastructure
- S2 - Health and social care facilities
- S3 - Education and Childcare facilities
- S4 - Play and informal recreation
- S5 - Sports and recreation facilities
- E4 - Land for industry, logistics and services to support London’s economic function
- E5 – Strategic Industrial Locations (SIL)
- E9 – Retail, markets, and hot food takeaway
- HC1 – Heritage, conservation, and growth
- HC3 Strategic and local views
- HC5 – Supporting London’s cultural and creative industries
- HC6 – Supporting the nighttime economy
- G1 Green Infrastructure
- G4 Open Space

- G5 – Urban greening
- G6 – Biodiversity and access to nature
- G7 – Trees and woodlands
- G9 Geodiversity
- SI1 – Improving air quality
- SI2 – Minimising greenhouse gas emissions
- SI3 – Energy infrastructure
- SI4 – Managing heat risk
- SI5 – Water infrastructure
- SI6 Digital connectivity infrastructure
- SI7 – Reducing waste and supporting the circular economy
- SI8 – Waste capacity and net waste self-sufficiency
- SI12 – Flood risk management
- SI13 – Sustainable drainage
- T1 – Strategic approach to transport
- T2 – Healthy streets
- T3 – Transport capacity, connectivity and safeguarding
- T4 – Assessing and mitigating transport impact
- T5 – Cycling
- T6 – Car parking
 - T6.1 - Residential parking
 - T6.2 Office parking
 - T6.3 Retail parking
 - T6.4 Hotel and leisure uses parking
 - T6.5 Non-residential disabled persons parking
- T7 – Deliveries, servicing, and construction
- T9 - Funding transport infrastructure through planning
- DF1 – Delivery of the plan and planning obligations
- M1 – Monitoring
- Footnote 59

6.5 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.

6.6 The relevant policies are

- Policy 1 Sustainable Development and Mixed-Use 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 7 Encouraging Mixed Use Development
- Policy 8 Character-Led Intensification
- Policy 9 South Waltham Forest
- Policy 12 Increasing Housing Supply
- Policy 13 Delivering Genuinely Affordable Housing
- Policy 14 Affordable Housing Tenure
- Policy 15 Housing Size and Mix
- Policy 16 Accessible and Adaptable Housing
- Policy 18 Other Forms of Housing
- Policy 24 Supporting Economic Growth
- Policy 25 Safeguarding and Managing Change in Strategic Industrial Locations
- Policy 31 Workspaces
- Policy 33 Local Jobs, Skills, Training and Procurement
- Policy 39 New Retail, Office and Leisure Developments
- Policy 46 Social and Community Infrastructure
- Policy 47 Education and Childcare Facilities
- Policy 48 Promoting Healthy Communities
- Policy 49 Health Impact Assessments
- Policy 50 Noise, Vibration and Light Pollution
- Policy 53 Delivering High Quality Design

- Policy 54 Tall Buildings
- Policy 55 Building Heights
- Policy 56 Residential Space Standards
- Policy 57 Amenity
- Policy 58 Making Places Safer and Designing Out Crime
- 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 Logistics Plans
- Policy 66 Managing Vehicle Traffic
- Policy 67 Electric Vehicles
- Policy 68 Utilities Infrastructure
- Policy 70 Designated Heritage Assets
- Policy 71 Listed Buildings
- Policy 72 Conservation Area
- Policy 73 Archaeological Assesses and Archaeological Priority Areas
- Policy 74 Non-Designated Heritage Assesses
- Policy 75 Locally Listed Heritage Assets
- Policy 77 Green Infrastructure and the Natural Environment
- Policy 78 Parks, Open Spaces and Recreation
- Policy 79 Biodiversity and Geodiversity
- Policy 80 Trees
- Policy 81 Epping Forest and the Epping Forest Special Area of Conservation
- Policy 82 The Lee Valley Regional Park
- Policy 83 Protecting and Enhancing Waterways and River Corridors
- Policy 85 A Zero Carbon Borough
- Policy 86 Decentralised Energy
- Policy 87 Sustainable Design and Construction
- Policy 88 Air Pollution
- Policy 89 Water Quality and Water Resources

- Policy 90 Contamination Land
- Policy 91 Managing Flood Risk
- Policy 92 Overheating
- Policy 93 Waste Management
- Policy 94 Infrastructure and Developer Contributions

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework (2023)

7.1 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.

7.2 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".

7.3 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.

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

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

Waltham Forest Local Plan (LP2) – Site Allocations (Proposed Submission):

7.5 The Site Allocations Document (Draft Waltham Forest Local Plan Part 2: Site Allocations Document (2021 – Reg 19) seeks to ensure that the London Borough of Waltham Forest promotes the right development in the right places at the right scale, creating attractive sustainable neighbourhoods as well as economic opportunities. The Council are in the process of preparing Local Plan Part 2: Site Allocations (LP2). The document has been subject to 2

public consultations, and the Council will hold a further statutory consultation on an updated version the document in the summer/ autumn 2024, subject to Cabinet approval on the 9th July 2024. The most recent version of the document was published for consultation in November 2021.

7.6 When adopted, the Site Allocations Document will represent Part 2 of the Council's Local Plan. This would complement the Waltham Forest Local Plan LP1 (2024).

Mayor's Housing Design Standards London Plan Guidance – June 2023

7.7 The Housing Design Standards guidance brings together, and helps to interpret, the housing-related design guidance and policies in the London Plan.

London Plan Affordable Housing and Viability SPG - 2017

7.8 This supplementary planning guidance (SPG) focuses on affordable housing and viability. It includes four distinct parts: background and approach; the threshold approach to viability assessments and detailed guidance on viability assessments.

London Plan the Sustainable Design and Construction SPG – April 2014

7.9 The Mayor published supplementary planning guidance (SPG) on sustainable design and construction.

Mayor's Housing Supplementary Planning Guidance (SPG) – March 2016

7.10 This document provides guidance on a range of strategic policies including housing supply, residential density, housing standards, build to rent developments, student accommodation and viability appraisals.

Mayor's 'Be Seen' energy monitoring guidance (2021)

7.11 This guidance explains the process that needs to be followed to comply with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan.

Mayor's Fire Safety London Plan Guidance – February 2022

7.12 The Fire Safety LPG reiterates that the fire safety of developments needs to be considered from the outset.

Mayor's Urban Greening Factor London Plan Guidance – February 2023

7.13 The guidance helps support boroughs and applicants in meeting the requirements of policy G5. It provides guidance to boroughs to inform the local application of the policy and information to help applicants to apply the UGF to proposed developments.

Mayor's Air Quality Positive London Plan Guidance – February 2023

7.15 The guidance provides support to the Air Quality Positive approach by identifying and implementing ways to push development beyond compliance with both the Air Quality Neutral benchmarks and the minimum requirements of an air quality assessment.

Mayor's Circular Economy Statements London Plan Guidance – March 2022

7.16 The London Plan Guidance Circular Economy Statements puts circular economy principles at the heart of designing new buildings, requiring buildings that can more easily be dismantled and adapted over their lifetime.

Mayor's Whole Life-Cycle Carbon Assessments London Plan Guidance – March 2022

7.17 This guidance explains how to prepare a Whole Life-Cycle Carbon (WLC) assessment in line with Policy SI 2 F of the London Plan 2021 using the WLC assessment template.

Mayor's Air Quality Neutral London Plan Guidance – February 2023

7.18 This guidance sets out the benchmarks for an Air Quality Neutral development.

Mayor's Optimising Site Capacity: A Design-led Approach – June 2023

7.19 This guidance sets out how the design-led approach, set out in Policy D3 of the London Plan, should be applied. This approach is the process of setting site-specific design parameters and codes for development sites to provide clarity over the future design.

Mayor's Digital Connectivity Infrastructure – LPG – October 2023

7.20 The Digital Connectivity Infrastructure guidance seeks to improve digital connectivity infrastructure delivery through the planning system across London for both new and existing development proposals and one that is better supported through plan-making functions in boroughs.

Mayor's Control of Dust and Emissions During Construction and Demolition

7.21 This SPG provides guidance on a range of policies that deal with environmental sustainability, health and quality of life.

Mayor's Sustainable Transport, Walking and Cycling LPG – November 2022

7.22 The guidance helps support planning authorities and applicants in meeting the requirements of Policy T3, as well as also supporting delivery against other policies including T1 Strategic approach to transport, and T2 Healthy Streets.

Waltham Forest - Urban Design SPD – 2010

7.23 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 - Affordable Housing & Viability SPD – 2018

7.24 This supplementary planning document (SPD) has been prepared to provide further detailed guidance on affordable housing and viability. The document provides further guidance on how the Council will take viability into account when considering planning applications and what supporting information applicants will be required to produce. The Council does not intend to apply this guidance retrospectively to any planning applications being processed or determined.

Waltham Forest - Planning Obligations SPD – 2017

7.25 This document seeks to provide transparent, clear, and consistent information for the negotiation of planning contributions and Section 106 Agreements and how these work

alongside the Community Infrastructure Levy (CIL) to help deliver necessary infrastructure in the Borough.

Waltham Forest - Waste & Recycling Guidance for Developers (2019)

7.26 The Waste & Recycling Guidance for Developers is to help those involved in designing new developments to ensure safe and secure refuse and recycling storage and collection.

Local Finance Considerations

7.27 Local Finance Considerations can include either a grant that has been or would be given to the Council from central government or money that the council has received or will or could receive in terms of CIL. It is noted that:

- It is not thought that there are any grants which have been or will or could be received from central government in relation to this development.
- The Council expects to receive income from LBWF CIL in relation to this development.
- The Council expects to receive income from Mayoral CIL in relation to this development.

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

7.28 This document deals with internal space within new dwellings and is suitable for an application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

BRE Guidance – Site layout planning for daylight and sunlight – A guide to good practice – 2022

7.29 This guide gives advice on site layout planning to achieve good sunlighting and daylighting, both within buildings and in the open spaces between them. It is intended to be used in conjunction with the interior daylight recommendations for new buildings in the British Standard Daylight in buildings, BS EN 17037.

8. ASSESSMENT

8.1 The main issues relate to the following:

- A. Principle of Development and Density
- B. Affordable Housing – Tenure and Mix
- C. Tall Buildings, Design and Townscape
- D. Impact on Heritage Assets
- E. Impact on Residential Amenity
- F. Standard of Accommodation
- G. Secure by Design
- H. Transport, Highways and Servicing
- I. Trees, Landscaping and Ecology
- J. Energy Efficiency and Sustainable Design and Construction
- K. Flood Risk and Drainage Considerations

- L. Environmental Impact Considerations
- M. Health Impact Assessment
- N. Fire Safety
- O. Environmental Statement
- Q. Planning Obligations/Contributions

A) PRINCIPLE OF DEVELOPMENT

8.2 The National Planning Policy Framework (NPPF) (2023) sets out the principles and objectives that are required to underpin approaches to plan-making and development management. Central to this is the “presumption in favour of sustainable development”, intended to ensure that sustainable development is pursued in a positive way. These principles are reflected adopted Waltham Forest Local Plan LP1 (2024), ensuring significant increase in the supply, choice and mix of high quality new homes, in particular delivering genuinely affordable homes to enable and encourage residents to stay in the borough and strengthen communities.

8.3 In accordance with the NPPF, the key strategic priorities that the Waltham Forest Local Plan must address include the following:

- The homes and jobs needed in the borough;
- Retail, leisure and other commercial development;
- Infrastructure provision for transport, telecommunications, waste management, water, flood risk and energy;
- Provision of health facilities, community and cultural infrastructure and other local facilities;
- Climate change mitigation and adaption; and
- Conservation and enhancement of the natural, built and historic environment.

8.4 London Plan Policy D2 sets out that development densities should be proportionate to a site’s connectivity and accessibility by walking, cycling, and public transport to jobs and services. It also generally requires that suitable levels of infrastructure are or will be in place to support the proposed density of developments.

8.5 London Plan Policy D3 states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. It does not set out a prescriptive approach but rather seeks to ensure that all schemes achieve an appropriate density that responds to a site’s context and capacity for growth, setting out considerations relating to form and layout, user experience, and quality and character.

8.6 London Plan Policy H3 states that to ensure housing targets are achieved, boroughs should optimise the potential for housing delivery on brownfield sites, especially the sites with existing or planned PTALs 3-6, located within 800 metres distance of a station or a town centre boundary.

8.7 Policy 1 of the Waltham Forest Local Plan LP1 (2024) sets out a key desire to deliver sustainable growth whilst ensuring that development and growth are positive, work to the benefit of residents and businesses, and enhance the existing physical environment.

8.8 Policy 2 of the Waltham Forest Local Plan LP1 (2024) highlights that over the Plan period (2020-2035), the Council will maximise opportunities for economic growth by promoting

significant levels of housing and employment development involving net increases of: 27,000 additional homes and 52,000 sqm employment floorspace.

8.9 Policy 7 of the Waltham Forest Local Plan LP1 (2024) reveals that in contributing towards the supply of homes and jobs, mixed use development proposals will be encouraged across the borough particularly in Strategic Locations.

Site Allocation

8.10 The site has been identified in the LBWF Draft Local Plan Part 2, Site Allocations Document (October 2020). The document has been subject to 2 public consultations, and the Council will hold a further statutory consultation on the document in the summer/ autumn 2024. In the November 2021 draft, Site SA05 – Lea Bridge Gasworks is allocated for a mixed use development with an indicative capacity of 573 new homes and 600sqm commercial floorspace. The allocation sets out the following objectives as part of any planning application:

- Include a robust decontamination strategy, to be
- Construction access of the site must be via Orient Way
- Seek to optimise site capacity and deliver around 570 new homes
- Provide a nursery
- Provide 600 sqm of employment/commercial space
- Retain mature trees
- Development should provide enhanced pedestrian and cycling routes to Leyton Jubilee Park, the Marsh Lane Footbridge, the Marshes and Lea Valley Regional Park.
- New trees and landscaping should be proposed as part of a new public open space.
- Development proposals should take account of the sensitive edge at the northern extent of the site with the rear of houses fronting Clementina Road and Perth Road.

8.11 The placemaking plan reveals potential height to be introduced along the southern portion of the site whilst also identifying key enhanced pedestrian and cycle connectivity. Furthermore, the placemaking plan identifies areas for retained and improved green infrastructure. As set out in paragraph 7.5 Cabinet approval is being sought for an updated version of the draft Site Allocations Document, which increases the site capacity to 640 homes and 1,340sqm of commercial and residential facilities floorspace.

Former Utility Sites

8.12 Policy E4 of the London Plan outlines that a Non-Designated Industrial Site (defined as sites containing industrial and related functions that are not formally designated as Strategic Industrial Location (SIL) or Locally Strategic Industrial Sites (LSIS) in a Local Plan) falls within London's land an premises for industry, logistics and services. Given the existing and previous uses on site, the application site is classified as a non-designated industrial site (i.e. sites

containing industrial and related functions that not formally designated as SIL or LSIS in a Local Plan as defined in Footnote 103 of the London Plan).

8.13 London Plan Policy E7 of the London Plan identifies that mixed use development on non-designated industrial sites, should only be supported where the site has been allocated in an adopted local Development Plan Document for residential or mixed-use development.

8.14 The former gasholders on the site have been decommissioned and the functional utility operation is consolidated to the area occupied by the Pressure Reduction System (PRS) located between Gasholders 5 and 6 which falls outside of the application boundary. The modernisation of gas infrastructure has meant that the gas holders are no longer required to maintain supply and store gas. As such the application site's function for utilities infrastructure is redundant and the industrial capacity of the gasworks site, in terms of its function for processing gas, is retained. As a result, there is no net loss in capacity of the site's ability to function as a utility site and the site becomes available and provides an opportunity for development.

8.15 The 1978 plan of the gas works supporting the Archaeological Assessment shows the three gasholders still present but much of the infrastructure at the centre of the site has been removed, such as the rectangular gas purifiers structure. During 2019, National Grid undertook a programme of demolition of all super structures on the site including the gasholders, which had been out of commission since 2012. The gasholder structures were dismantled in 2019 and the Hazard Substance Consents (Ref: 193976) were removed by officers in May 2020 in consultation with the Secretary of State. This investment in the existing infrastructure alongside the removal of the gasholders means the majority of the site is then available for redevelopment. The upgraded PRS facility will generally be quieter and be designed in such a way to be sympathetic to neighbouring uses.

Loss of Strategic Industrial Location (SIL) Land

8.16 Orient Way Industrial Estate is allocated as Strategic Industrial Land (SIL) which comprises of a range of warehouse units extends across Orient Way and a National Rail railway line. A small portion of the site towards the south western portions of the site falls within a SIL designation. During the course of the assessment of the previous application evidence was provided in the form of historic plans and previous planning history on surrounding sites which demonstrated that this land forms part of the historic utility site and this land forms part of the historic utility site which has not been developed for any other industrial use since.. It was further concluded by GLA and LBWF officers that the provision of industrial land/uses within the scheme is not required. The land inclusion in the SIL designation appears to be the result of an anomalous historical mapping exercise. The GLA Stage 1 report for the current planning application identifies that it was accepted as part of the assessment of the previous planning application that the southern extension of the site was part of the utility site and was not in general industrial use. On this basis, it is it is accepted that the provision of industrial land / uses within the scheme is not required as agreed in principle regarding the current consent on site.

Residential Uses

8.17 The London Plan supports the building of more homes through Policy GG4, which promotes the delivery of genuinely affordable homes and the creation of mixed and inclusive communities, with good quality homes that meet high standards. Policy GG2 requires development proposals to make the best use of land by enabling development on brownfield land well-connected by public transport and by applying a design-led approach to determine the optimum development capacity of sites.

8.18 London Plan Policy D2 sets out that development densities should be proportionate to a site's connectivity and accessibility by walking, cycling, and public transport to jobs and services. London Plan Policy D3 states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. It does not set out a prescriptive approach but rather seeks to ensure that all schemes achieve an appropriate density that responds to a site's context and capacity for growth, setting out considerations relating to form and layout, user experience, and quality and character.

8.19 The London Plan also supports increasing housing supply and optimising housing potential through Policy H1, which states that the potential for housing delivery on all suitable and available brownfield sites should be optimised.

8.20 Policy 12 of the Waltham Forest Local Plan LP1 (2024) highlights the opportunities for housing growth within the borough to deliver 27,000 homes by 2035. The deliver of new homes will focused in Waltham Forest's Strategic Locations and Site Opportunity Locations whilst maximising opportunities to increase the supply of homes on all suitable, appropriate and available sites including developing brownfield land by seeking to optimise housing densities.

8.21 Policy 4 of the Waltham Forest Local Plan LP1 (2024) sets out a sustainable approach to accommodating growth will be achieved by focusing new development, regeneration and investment activities primarily in Strategic Locations and other Site Opportunity Locations. This policy outlines the broad geographical areas where consolidated regeneration efforts will be applied to deliver growth. The vision is for South Waltham Forest to generate new homes and new jobs in the Strategic Locations of Lea Bridge, Low Hall, Leyton, South Leytonstone, Leytonstone Town Centre, Whipps Cross and Bakers Arms. Policy 9 (South Waltham Forest) identifies an ambition for Lea Bridge Strategic Location to support-the creation of 1,640_new homes.

8.22 The site is identified in the LBWF Draft Local Plan Part 2, Site Allocations Document set out that the site is suitable to accommodate new homes while seeking to optimise site capacity. The proposal would result in the redevelopment of the brownfield land, providing 643 new homes and 35% are affordable (by habitable room). The application would provide a valuable contribution towards meeting the borough's housing targets. The proposed tenure mix and affordable housing contribution are discussed in detail within Sections B of the report.

Open Space

8.23 Policy G4 of London Plan support the provision of new publicly accessible open space. Policy 78 of the Waltham Forest Local Plan LP1 (2024) outlines that importance for existing parks and open spaces to be preserved.

8.24 Currently there is no public access to the application site and the proposed development is seeking to introduce new links along the northern and southern boundaries of the site. This approach will result in new linear routes to Jubilee Park. The proposal would result in communal open space that would provide permeable routes with the use of a comprehensive soft landscape strategy supporting the development's integration into the existing context. The new pedestrian and cycle routeways would also support the aspiration set out in SA05 of the draft site allocation.

Nursery Use

8.25 Policies S1, S2 and S3 of the London Plan require development proposals to incorporate suitable childcare provision where there is a need. Additionally, Policy 46 of the Waltham Forest Local Plan LP1 (2024) recognises the importance social and community infrastructure throughout the borough and where feasible new development will be required to

contribute towards the provision of additional social and community infrastructure to accommodate and mitigate any impact on existing provision.

8.26 The proposal would include a nursery use on the ground floor of Block G measuring approximately 303sqm with capacity for approximately 50 children. The Council's Early Years service support the creation of a new nursery in this ward. Lea Bridge ward has for many years evidenced a large deficit of early years (0-4yr old) places, as such this proposed use would provide significant benefits to the area and is supported by Officers. Detailed nursery design shall be clarified when a suitable operator has been identified and the Council's Early Years service will assist the developer with this process.

8.27 The proposed development and its potential impact on school places will be discussed in Section L (Socio-economics) as this forms part of the Environmental Statement.

Healthcare Facility

8.28 Policies S1, S2 and S3 of the London Plan require development proposals to incorporate suitable healthcare provision where there is a need. Additionally, Policy 46 of the Waltham Forest Local Plan LP1 (2024) recognises the importance social and community infrastructure throughout the borough and where feasible new development will be required to contribute towards the provision of additional social and community infrastructure to accommodate and mitigate any impact on existing provision.

8.29 The proposal now includes a healthcare space positioned on the ground floor and first floor of Block C measuring approximately 702sqm. During the course of the application, ongoing discussions took place between the applicant and the NHS Clinical Commissioning Groups (CCG) to explore the possible provision of a health centre to occupy the proposed floorspace within Building C. The design approach is seeking to incorporate all relevant accessibility standards and regulations to ensure it is suitable for all potential users. The main entrance to the facility would be on the north elevation and would be easily accessible. With the introduction of this use an additional wheelchair accessible space has been introduced to west of the Block C alongside the proposed vehicle access route located along the western portions of the site.

8.30 NHS North East London were consulted during the course of the application and no objection were raised. Suggested s106 wording was recommended by the NHS include in any agreed s106. These matters are set out in the Heads of Terms list. Any agreed s106 would secure any potential lease while considering the offer period. In addition to this, the agreement will ensure the healthcare facility would be built out by the developer to shell and core. If the healthcare facility is not provided on site, the applicant will therefore be required to pay a Health Contribution. A set of requirements were also shared with the applicant which provides guidance on the general outline of specifications associated with a health facility internal requirements.

8.31 Overall, Officers support the introduction of a new healthcare facility in the area as part of the proposed development which would benefit local residents throughout the area

Gym Use

8.32 Policy S5 of the London Plan recognises that recreational facilities are important components of social infrastructure. Both formal and informal facilities should be provided, to encourage physical activity and deliver a range of social, health and wellbeing benefits to communities. Policy 48 of the Waltham Forest Local Plan LP1 (2024) seeks to encourage the delivery of high-quality environments that enable healthier, active and sustainable lifestyles.

Conclusions

8.33 The principle of a mixed use development is considered acceptable as agreed via the current planning consent on site. The brownfield development would deliver 643 new homes to the Borough and would make a valuable contribution towards achieving local housing targets. Furthermore, the development would introduce a new nursery and healthcare facility to the area. The proposal would bring in use this redundant and inaccessible site into use while introducing a comprehensive landscape strategy with approximately 10,314m² open and amenity space. Therefore, the proposal is in accordance with the relevant London Plan and Local Plan policies

B) HOUSING – TENURE AND MIX

Affordable Housing

8.34 The London Plan supports the building of more homes through Policy GG4, which promotes the delivery of genuinely affordable homes and the creation of mixed and inclusive communities, with good quality homes that meet high standards. Policy GG2 requires development proposals to make the best use of land by enabling development on brownfield land well-connected by public transport and by applying a design-led approach to determine the optimum development capacity of sites.

8.35 Policy H4 of the London Plan sets a strategic target for 50% of all new homes delivered across London to be genuinely affordable. London Plan Policy H5 states that planning applications for proposals following the viability tested route should include detailed supporting viability evidence, which should be scrutinised to ensure the delivery of the maximum level affordable housing. It also sets out the requirement for early-stage, late-stage, and mid-term stage (for larger phased developments) viability reviews post planning permission for viability tested schemes. The Affordable Housing and Viability SPG sets out additional guidance on the implementation of these policies.

8.36 London Plan Policy H6 sets out the requirements for affordable housing tenure. It states that when affordable housing is more than 35% then the tenure would be flexible provided that homes are genuinely affordable, taking in account the need to maximise affordable housing provision along with any preference of applicants to propose a particular tenure. The GLA's Affordable Housing and Viability Supplementary Planning Guidance (2017) sets the threshold at 35% of habitable rooms as affordable provision. In addition to this, this approach is also set out in the draft London Plan Guidance – Affordable Housing document.

8.37 Policy 13 of the Waltham Forest Local Plan LP1 (2024) seeks to deliver 50% of all new homes to be genuinely affordable housing. Further to this, Policy 13 outlines that developments will be required to adopt threshold approach to viability. Where proposals meet the following criteria, they will not be required to provide a viability assessment at application stage. Development should meet or exceed the threshold level of affordable housing on site without public subsidy. One thresholds requires a minimum of 35% and the percentage of affordable housing on a scheme is to be measured in both habitable rooms and homes, with the habitable room measurement to be used with reference to Part C of Policy 13 to determine whether the threshold has been met.

8.38 Policy 14 of the Waltham Forest Local Plan LP1 (2024) (Affordable Housing Tenure) states that development for schemes of 10 or more homes should seek to provide the following tenure mix: 70% low-cost affordable rent and 30% intermediate housing products. The proposal would result in the following affordable housing mix:

Proposed Tenure Mix

Proposed Unit Mix	London Affordable Rent	Shared Ownership	Market	Total
Studio	0	0	82	82(12.75%)
1-bed	20	19	179	218(33.90%)
2-bed	30	43	193	266(41.36%)
3-bed	54	0	23	77(11.97%)
Total	104(16.17%)	62(9.64%)	477(74.18%)	643 (Uplift of 70 homes from original consent)
(25.81%)166 Affordable	(62.65%)	(37.34%)		

Hab Room Proposed:

Total = 1710

Private = 1111

LAR = 419 (69.94% of 599)

SO = 180 (30.05% of 599)

Total Affordable = 599 (35%)

8.39 The proposal would offer a total of 166 (26%) affordable homes with 63% London Affordable Rent and 37% Shared Ownership by unit. The development proposes to deliver 35% affordable housing by habitable room basis using the GLA's Fast Track route. The scheme would provide an affordable housing split of 70% London Affordable Rent and 30% Shared Ownership by habitable room. This affordable home provision would be policy compliant and is supported by Officers.

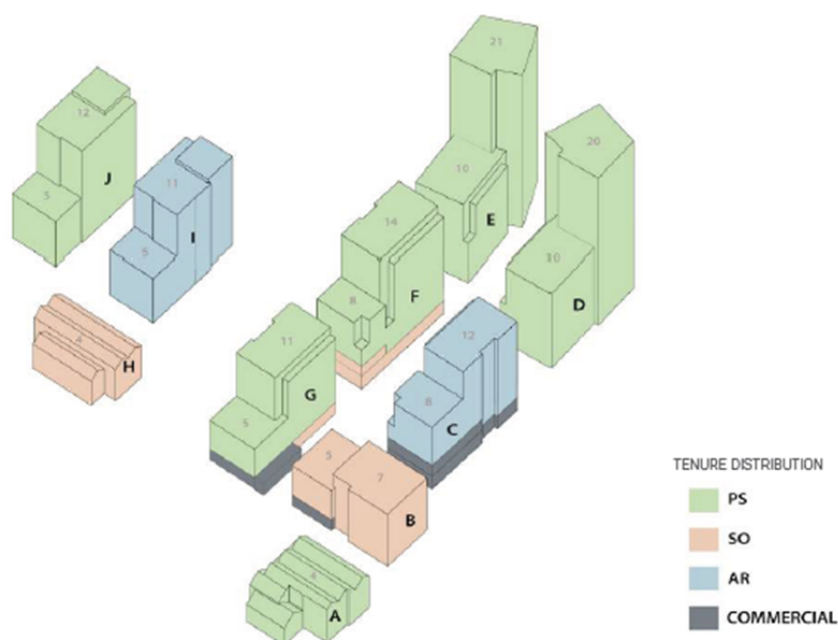
8.40 Footnote 59 in Policy H5 of the London Plan recognises that some surplus utilities sites are subject to substantial decontamination, enabling and remediation costs. If it is robustly demonstrated that extraordinary decontamination, enabling or remediation costs must be incurred to bring a surplus utilities site forward for development, then a 35 percent affordable housing threshold could be applied, subject to detailed evidence, including viability evidence. The GLA's Affordable Housing and Viability Supplementary Planning Guidance (2017) acknowledges abnormal costs may include issues such as high levels of contamination, requirement to divert major utilities, poor ground conditions necessitating special foundations/ground works. Additionally, the draft London Plan Guidance – Affordable Housing document

identifies that sites that would be subject to substantial decontamination, enabling and remediation costs to bring the site forward for development, a 35 per cent affordable threshold could be applied, subject to evidence of exceptional costs and viability being provided.

8.41 As requested by the GLA an updated Abnormal Costs – Summary Note was provided during the course of the application. The information provided sets out the level of works required to bring the site forward to be re-developed. The information provided compares the viability of two scenarios; one assuming that remediation works and abnormal costs will be required as a gasholder site, and another that assumes these works/costs do not need to be incurred while demonstrating the extraordinary decontamination, enabling or remediation costs required to bring the site forward for re-development suitable for human habitation. The GLA viability team accepted this approach and confirmed abnormal costs note successfully illustrates the extraordinary decontamination, enabling or remediation costs must be incurred to bring the site forward for development. The site-specific abnormal costs are still likely to represent a significant percentage of the overall construction costs and meet the test set out in Footnote 59.

8.42 Policy H6 of the London Plan explains the requirement for early stage viability review mechanisms which would be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted. As agreed via the current consent on site (Ref: 201329). Given the site will require extensive remediation of the land contamination officers have agreed to extend the period for substantial implementation to 26 months should unforeseen delays occur. The wording of which will be agreed with the GLA and secured within the legal agreement. There would also be an obligation around the phasing and delivery of affordable housing.

8.43 As in the previous consent, the development will still be delivering affordable housing in the early phases of the development. The build sequencing proposed means the blocks get built out from the north-eastern corner of the site, working back towards the Orient Way entrance. Construction is therefore phased with Blocks A and B check with agent if B is included in Phase 1 first to deliver the energy centre then H, I and J, and then Blocks C – G follow at further phases of construction. In order to deliver the affordable homes early in the build programme, the London Affordable Rented homes are located in Blocks I and C.



8.44 The proposal would incorporate tenure-blind design approach, with architectural and construction quality the same across affordable and private tenures. The masterplan is based on a unified architectural approach across the scheme and the Affordable Rented blocks benefit from a desirable and valuable aspect onto Leyton Jubilee Park and the lower valley which will provide an exceptional level of amenity. The applicant has committed to delivering the low cost affordable rent homes as part of the earlier phases as a priority.

8.45 All external amenity space will be maintained to the same standard by the same maintenance contract and will adhere to a Landscape Management Plan to be secured by condition. Block I would contain a semi intensive roof terrace. The unit sizes, and entrances and quality of materials would be consistent with the shared ownership and private market sale units. All of the communal private amenity areas and play spaces will be available for all residents to use irrespective of tenure.

8.45 It is acknowledged that some may prefer to see the ‘pepper-potting’ of affordable rent and private accommodation. However, this is universally not accepted by Registered Providers, (including on their own developments) due to the complex management and maintenance liabilities for mixed tenure buildings. This is further complicated by differing service charge regimes for each tenure.

8.46 In conclusion, officers consider the proposed development would deliver an acceptable quantum and split of affordable housing and is therefore considered compliant with relevant London Plan and Local Plan policy objectives.

Housing Tenure

8.47 Paragraph 9 of the NPPF 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 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.

8.48 Policy H10 of the London Plan advises on the range of considerations that need to be considered in determining the appropriate mix of unit size, this includes the nature and location of the site and the aim to optimise housing potential on sites. Supporting text to Policy H10 confirms that flexibility should be applied in determining unit size mix for a scheme.

8.49 Policy 15 of the Waltham Forest Local Plan LP1 (2024) seeks to capture a diverse range of housing and suggests the following mix of dwelling sizes across all tenures. The priorities for dwelling size and tenures are based on the Strategic Housing Market Assessment (SHMA) and the borough’s housing waiting list.

Bedroom Size	1 bed	2 bed	3 bed plus
Preferred dwelling mix – Social Rent / London affordable rent	20%	30%	50%
Preferred dwelling mix – Intermediate Rent	20%	40%	40%
Preferred dwelling mix - Intermediate Ownership	30%	50%	20%
Preferred dwelling mix - Market	20%	50%	30%

The proposed development would provide the following home size mix:

	1 bedrooms	2 bedrooms	3 bedrooms	Total
Social Rent	20 (19%)	30 (29%)	54 (52%)	104
Shared Ownership	19 (31%)	43 (69%)	0 (0%)	62
Market	179 (38%) 82 studio (17%)	193 (40%)	23 (5%)	477

8.50 Policy 15 of the Waltham Forest Local Plan LP1 (2024) allows for variations to the dwelling size mix where it can be fully justified based on the tenures and type of housing proposed, site location, area characteristics, design constraints, scheme viability; and where shared ownership is proposed, the ability of potential occupiers to afford the homes proposed.

8.51 The site's close proximity to Lea Bridge station means it is accessible and an entirely appropriate location for smaller sized units (studios, 1 and 2 bed units). The proposed unit mix must be considered in the context of the site-specific characteristics and constraints, including viability as demonstrated the extraordinary decontamination, enabling or remediation costs must be incurred to bring the site forward for development. Therefore on this occasion, given complexities associated with preparing the site to support a re-development the shortfall in family sized homes in shared ownership is a low proportion is considered acceptable. Furthermore, 51% of LAR units will be delivered as family-sized 3+ bedrooms which is supported. The dwelling size mix of the affordable rent is near policy compliant and is supported.

8.52 Overall the unit mix of the proposed homes sizes would be acceptable, particularly as the development would deliver a relatively high proportion of larger homes in social rent tenure. Officers consider the proposed unit mix to provide a sustainable mix of accommodation in this major town centre location, and support the family-sized units being provided in the social rent tenure given the highly accessible town centre location.

C. TALL BUILDINGS, DESIGN AND TOWNSCAPE

8.53 London Plan (2019) Policies D1, D2 and D3 seek to ensure that new developments are well-designed and fit into the local character of an area. New buildings and spaces should respond to the form, style and appearance to successfully integrate into the local character of an area, with a positive relationship with the natural environment and respect and enhancement of the historic environment.

8.54 Local Plan Policy 53 of the Waltham Forest Local Plan LP1 (2024) highlights that it is a key priority of the Council to ensure that all new development delivers exemplar architectural and design quality. This Exemplar Design approach builds on the London Plan position in relation to high quality, sustainable and inclusive design, to ensure development also considers community safety, local character and health, encourages neighbourliness and achieves resource efficient buildings that create environmental value for the borough. Exemplar Design also requires development to respond positively to the existing character and context of the local area.

Tall Buildings

8.55 London Plan Policy D9 places several criteria for tall buildings, such as following an identified location in the development plan, scrutinising the impact on views in general and historic views in particular, their architecture and appearance, safety and internal design, their servicing, accessibility of the site and transport capacity, their environmental impact in terms of wind, daylight and sunlight, air movement and quality, noise. Policy D3 of the London Plan encourages the optimisation of site capacity through the design-led approach and sets policy guidance to shape the form and layout, experience, quality and character of the new development.

8.56 Local Plan Policy 54 of the Waltham Forest Local Plan LP1 (2024) has similar criteria to the London Plan in relation to tall building design considerations. It states that they would only be supported in identified strategic location and opportunity sites. This policy describes “Taller” buildings as those that are taller than their prevailing context and the typical shoulder heights proposed in a development. “Tall” buildings are substantially taller, making a significant impact on the skyline of the borough. Subject to their impact on local character and context, Taller and Tall buildings will generally only be supported in identified Strategic Locations and Opportunity Sites. Such buildings come forward as positive design intentions, such as marking a location of civic, cultural or landmark importance, rather than solely to increase density. They should contribute positively to their context and be part of a successful composition of building heights. This site is located in the Lea Bridge Strategic Location and identified as suitable for tall buildings.

8.57 For the purposes of these policy tests, the definition of a tall building in the borough is any building of 10 storeys or more, or any building that measures 30m or more from ground level. Tall buildings will only be supported on certain sites identified for a Transition or Transformation approach to character intensification, in line with Policy 8 of the Waltham Forest Local Plan LP1 (2024). In general, the appropriate range of heights for new tall buildings is between 10 and 17 storeys in height. On some Transformation sites however, there may be the opportunity to exceed this and, subject to contextual analysis, a robust placemaking strategy, and assessment against all relevant policy tests, buildings of 18 storeys or more may be acceptable. Indicative ranges of potentially acceptable heights for these sites will be provided in Local Plan Part 2 - Site Allocations.

8.58 Policy 55 of the Waltham Forest Local Plan LP1 (2024) highlights that appropriate building heights for new development will vary in response to the prevailing character and building heights of that part of the borough, in line with the approach to character-led intensification set out in Policy 8 'Character-Led Intensification'.

8.59 The Draft Local Plan Part – Site Allocations (LP2) identifies the intensification approach of the site as “Transformation” which allows for the introduction of tall buildings to the site. The placemaking plan set out in the allocation highlights the potential for height to be introduced along the southern portion of the site.

8.60 With the increase of new homes, numerous Blocks would incorporate additional height when compared to the current planning consent on site Ref: 201329.

Height Summary:

Block	Storey Height
A	2-4
B	5-6
C	8-12
D	10-20
E	10-21
F	8-14
G	5-11
H	3-4
I	5-11
J	5-12

8.61 The massing and architectural treatment of the buildings makes the transition from the dense, low rise Clementina Estate to the open spaces of Leyton Jubilee Park to the south and the Lea Valley to the west. The approach to height on the site is to locate the lowest building heights to the north of site with the ambition to respect the setting and context of the Clementina Estate whilst the taller buildings would be situated to the southern portions of the site. Blocks A and H will remain unchanged to the north of the site when compared to the original consent on the site.

8.62 The development would introduce 5 character areas.

Clementina Square

- Lower Valley
- Upper Valley
- Mid Valley
- Leyton Jubilee Park Gateway

8.63 The scale and materials of the square reflect those of the Clementina Estate, stepping up from two storeys next to the southernmost house in Perth Road to five storeys in the parts of Building B and G fronting onto the square. Block A would incorporate pitch roofs to reflect the roof design of the traditional suburban properties to the north of the site.

8.64 The two blocks to the south of the site (i.e. Blocks D and E) would be 20 and 21 storeys. The layered language of the Lower Valley distills the consented design approach and has

been developed to accommodate more homes, articulating upper levels to improve light levels and reinforce the approach of stepping up and away from Clementina Estate. Block H steps down to the rear along the site boundary respecting existing properties and their back gardens. Blocks I and J are taller than in the consented scheme.

8.65 The Proposed Development proposes tall buildings within an area that has been identified as suitable for tall buildings, the impact of the proposed buildings has been fully assessed within this application including specifically within the EIA and TVIA which concludes that the proposals do not give rise to any visual, functional, environmental or cumulative impacts and it has been concluded that it would not be appropriate to provide public access at the top of the proposed buildings.

8.66 The principle of stepped height across the site was established in the previous consent, and the incremental addition to height across the blocks, in this iteration, is considered to be appropriate in design and townscape terms. The principle of a tall building to the south of the site has also been established in the previous consent. It is considered that the site can support additional height in design and townscape terms, due to the site being identified as a site for transformation and given the robust contextual and place making analysis that supports this application.

8.67 Given the proposed stepped roof line and transition in height from the lower residential buildings at Clementina Estate and the taller elements at the south side, the proposed articulation is accepted, by virtue that the taller elements would have limited visual and amenity impact on residential properties at the north side and would achieve an acceptable relationship with the streetscape and the green areas at Leyton Jubilee Park. Positioning the tallest blocks on the park edge ensures the visual and amenity impacts are minimised to the existing residential properties.

8.68 The proposed scheme is considered to have an acceptable relationship in terms of height and massing with neighbouring properties to the north. The proposed buildings along the northern segments of the site would remain unchanged when compared to the existing consent on site and these buildings would contain pitched roof forms around Clementina Square, in order to acknowledge the architectural language and building form of existing houses at the north side of the site. The taller buildings would have an angled element towards the south, which would provide a greater sense of spaciousness between each tall building block.

8.69 The scheme presents a significant step away from the existing two-storey warner properties which are characteristic of the Clementina estate. However, the preservation of traditional housing typologies needs to be carefully balanced against the Council's obligations to deliver new housing and employment uses. The site is not located within or adjacent to a Conservation Area or designated heritage assets, or any identified townscape value.

8.70 The tower elements would serve as a defining landmark that serve as focal point and gateway to the northern edge of the Leyton Jubilee Park and be well articulated with the other building blocks at the north side of the site.

8.71 The GLA within the Stage 1 report notes that the proposed development would fall within remit of the recommended range heights set out in the relevant policies of the adopted Local Plan and concluded that the proposed heights are acceptable. GLA Officers confirmed to disregard comments relating to View 14 in TVIA as this view is not situated within a Conservation Area. Given the site's location and maximum height achieved by the blocks to

the south of the site, the development is not considered to create interference to aviation, navigation or telecommunications.

8.72 In light of the above and taking into consideration the contextual appraisal which has been prepared in the submitted Townscape and Visual Impact Assessment and the Sunlight, Daylight and Overshadowing Assessment, it is considered that there is strong justification for introducing tall elements. In accordance with the previously consented scheme, positioning the tallest blocks on the park edge ensures the visual and amenity impacts are minimised to the existing residential properties to the north. GLA Officer raised no concerns with appropriateness of this site to support tall buildings.

8.73 The application is supported with a Townscape and Visual Impact Assessment (TVIA) which is discussed further in Section O Environmental Statement. The TVIA has been updated to assess the impacts on the additional height in townscape terms. It is considered that the proposal is appropriate in townscape terms.

Relationship with Metropolitan Open Land

8.74 Policy G3 of the London Plan (2021) Metropolitan Open Land (MOL) is afforded the same status and level of protection as Green Belt. MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt. Policy 77 of the Waltham Forest Local Plan LP1 (2024) stipulates that MOL will be preserved and enhanced throughout the Borough.

8.75 The application site does not fall within MOL however the areas to the south in located within Leyton Jubilee Park fall within MOL designation. The development is not considered to impede on this MOL. The townscape analysis supporting the application provides an assessment that demonstrates there would be no substantial harm to the overall setting of the MOL.

Architecture and Materiality

8.76 The development's material will be brick seeking to respond to the surrounding context while taking some inspiration from the adjacent Clementina Estate. The façade treatment will also use elements of complementary materials to add variation.

8.77 The Clementina Square area would contain an architectural treatment which would combine reference to the existing terraces in materials and roof pitches. Block A would predominantly use red facing brick to resemble the properties at Clementina Estate. It is noted that many of the roof slates in the Clementina houses have been replaced with concrete tile. As such, Block A would use clay tile as part of the pitched roof designs. The main volume of Block B continues the soft red brick theme of Block A, which masks it from the main Clementina approach.

8.78 The northern elevation of Block G, like that of Block B, is played down to emphasise the public element on the square. It uses the brick banding and integration of balconies which is an important feature of the Lower Valley in a restrained form. Blocks I and J would use traditional red multi facing brick combined with an earthy stock with bronze tones. The lower storeys of Blocks I & J form a base articulated by brick details that 'ground' these buildings in contrast to the movement of the Lower Valley.

8.79 The layered language of the Lower Valley would bear resemblance of the architectural narrative of Lea Bridge Gasworks. Entrances are approached by bridges across a buffer

planting and rain-garden species that separate the public pedestrian and cycle path from ground floor flats.

8.80 The Lower Valley would include main entrances with arched openings taking inspiration from the historical Clementina Estate double arched doors. All residential entrance points are clearly legible for residents by utilising varied materials and clear routeways.

8.81 The architectural development of the consented scheme includes both the refinement of the building forms of D & E into more formal volumes, and work on the detailing of the brick openings, vertical divisions into base, mid section and top, and elaboration of the base and entrances. These blocks would use cream brick with the use of bronze metal tonnes on window alignments and balconies. The architectural design of Buildings D & E has to address both the transition from the strongly coloured earth toned forms of the Lower Valley to more formal compositions.

8.82 Blocks D and E contains different facade treatments that adds variation to the building. The first and two storey elements would contain recessed brick band detail. The middle portions of the blocks would include different window configurations with a darker grey brick introduced within close proximity to these. The crown of the blocks would differentiate to the lower portions of the blocks with the use of darker bronze materials to the windows and balcony features. These differences would create slight interests to the building and this approach would provide subtle variations when viewed further from the site. Setbacks have been introduced to the additional massing, to emphasise the shoulder heights of each block and contribute to ensure a human scale at ground level. Additional architectural detail and consideration has been given in order to ensure that the tall building elements meet the ground in an appropriate way. The quality of the architecture has therefore increased since the original consent, which is welcome.

8.83 The scheme takes architectural cues from the surrounding residential streets and strong links to nature and the site's location within the lower lea valley. In many aspects, the additional design iteration can be considered an increase in design quality from the previously consented scheme. The CGI's provided help to demonstrate that the proposal will adequately reference the architectural vernacular of the Clementina Estate to the north, whilst transitioning to a more transformational architectural approach to the south, which borders the edge to Leyton Jubilee Park. The roof forms of buildings fronting Clementina Square are particularly high quality, and help to achieve a contextual transition.

8.84 The architectural character of the blocks shifts and changes through the site, which provides visual interest and a sense of identity to each block, helping with the transition across the site from residential uses to the north of the site, to the park setting at the south. It is considered that this is successful. High quality banding and brick detailing enriches the base and tops of the blocks in the lower valley which is considered to be crucial in achieving a high quality design.

8.85 In keeping with the consented scheme, the proposed materiality and brickwork would acknowledge the industrial heritage of the site and would not be at odds with the surrounding building forms, particularly with reference to the neighbouring Clementina Estate at the north side.

8.86 The grounding elements, referred to as the 'earth layers', correspond to the same design principle of a horizontally expressed architectural language found on the lower levels in the consented scheme, which helps to provide a comfortable human scale across the blocks. It also ties the architecture of the central different blocks along the lower valley together.

8.87 The two tower elements are considered to have a more detailed and high-quality base, which offers more quality at the human scale. Moreover, their refined form, which has been simplified and the refined material palette, helps to ensure they are elegant and beautiful on the skyline. It is welcome that recessed balconies have been incorporated to ensure their active use as terraces.

8.88 High quality entrance spaces to each block have been designed, which help to reference the architectural entrances found on the Clementina Estate. This is considered to be exemplar and helps tie the design to its place.

8.89 The proposed Helathcare facility to the north of Block C is considered appropriate and would benefit the wider masterplan. There is a clear hierarchy between the more public entrance to the north and the staff entrance to the west. The proposed entrances are of high quality and help to ensure a high quality threshold between homes and the public realm.

8.91 GLA Officers are satisfied with the proposed materials palette is acceptable in principle. It is noted that there has been changes to the expression of the base and crown of the towers, which is welcomed.

Layout and Public Realm

8.92 The masterplan creates a series of public spaces with a focus and identity for each area. Long views are carefully balanced with foreground landscape interest to make a sequence of spaces that are easy to navigate through and also encourage rest and interaction.

8.93 The landscape offers a sequence of open spaces along a strong north south pedestrian and cycle focused route between Clementina Road and Leyton Jubilee Park. The Lea Valley context of the site has influenced the landscape character of the proposals with the evolution of an upper valley, mid valley and the lower valley concept.

- Clementina Square – a green gateway ‘scene setting’ piece off Clementina Road, a community focused public space with play, creating a welcoming front door to aid integration.
- Lower Valley – a public linear park with a green street feel providing front door access points, play on the way and a route to the park. An informal character reflecting the lower valley concept with flowing planting terraces rising up to meet buildings.
- Upper Valley – a private communal garden with an undulating landscape reflecting an upper valley concept. It accommodates sloped access to core entrances, doorstep play and a perceived open boundary with the park.

8.94 Extensive new public realm, and public square will also benefit the existing and new residents, creating new connections through the currently inaccessible site to Leyton Jubilee Park. The proposed building arrangement and landscape-led development would have well considered urban design principles, in that it would seek to respond to established views of the site towards the Leyton Jubilee Park, Hackney Marshes and Lea Valley while creating new forms of connectivity between the residential properties at the north side of the site and the Leyton Jubilee Park. All proposed buildings are appropriately spaced whilst also allowing for the creation of clear and legible routeways. The proposed layout would allow for the introduction of a comprehensive landscape scheme that provides playspace and general communal space for residents and members of the nearby community to enjoy.

8.95 The landscape-led approach, and the new public realm created as part of the application demonstrates exemplar design. The proposed positioning of buildings would create linear approach resulting in new clear pedestrian and cycle routes connecting the northern and southern portions of the site while also considering east west connections along the northern portion of the site. Two pedestrian access points will be introduced to the north of the site from Clementina Road. The applicant identified the potential of introducing some local art work to the new access route between . These details have been listed as part of Condition 4.

8.96 The proposed nursery would include appropriate screening at ground floor level in particular external amenity space. It was demonstrated on the bay studies provided during the course of the application that the nursery would incorporate suitable screening adjacent to the external space.

8.97 To south of Blocks I and J access would be introduced to Leyton Jubilee Park which would benefit the scheme. In addition to this, access would be included to the south of Blocks D and E. This connection would be a benefit to the wider area providing local residents further north of the site a safe route to the park, while also providing residents within the proposed development access to park.

8.98 The proposal seeks to incorporate public art work along the new access route between No's 16 and 20 Clementina Road. The finalised details would be agreed with the applicant via a condition requesting a Public Art Strategy.

8.99 In summary, the proposed site layout is in keeping with the approved approach outlined in the previously consented application on site (201329) It is considered to fit with the surrounding context and provides new active travel routes between the Clementina Estate and Leyton Jubilee Park to the south. GLA Design Officer are satisfied with the general layout of the scheme as it broadly aligns with the extant consent on site.

Conclusion

8.90 For the reasons set out above, the development would be acceptable under design, visual and massing terms, in that the linear building blocks and stepped building height would achieve an acceptable transition from the existing low rise residential properties at the north side and would also respond to the open and green setting of the south side of the site at the Leyton Jubilee Park. The tall buildings are considered acceptable on this occasion and serve as a gateway to the park when seen from the traditional suburban residential areas to the north of the site. The proposal also seeks to fulfil the aspirations of the site allocation (site SA05) of Waltham Forest's draft Local Plan Site Allocations (LP2). As per the recent consent on site (Ref: 201329) the development would reinforce a sense of place and would serve as visual land when from the public vantage points at Leyton Jubilee Park and throughout the area. The proposal is therefore consistent with the objectives of Policies D3 and D4 of the London Plan (2021) and Policies 53, 54 and 55 of Waltham Forest's Local Plan LP1 (2024) in achieving high quality design.

D. IMPACT ON HERITAGE ASSESTS

8.91 The NPPF states when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the assets' conservation and the more important the asset, the greater the weight should be. Where a development will lead to

'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

8.92 Policy HC1 of the London Plan highlights that development should conserve heritage assets and avoid harm, which also applies to non-designated heritage assets. Any harm must be given considerable importance and weight.

8.93 Policy 70 of the Waltham Forest Local Plan LP1 (2024) identifies the importance to conserve and where possible enhance designated Heritage Assets. Designated heritage assets include: World Heritage Sites, Scheduled Monuments, listed buildings, registered parks and gardens, registered battlefields, conservation areas designated under the relevant legislation, and non-designated assets of archaeological interest that hold, or potentially hold, evidence of past human activity worthy of expert investigation at some point whether inside or outside of Archaeological Priority Areas. Non-designated heritage assets include: Locally Listed Heritage Assets; Parks and Gardens of Local Historic Interest; and Areas of Special Character.

8.94 Policy 73 of the Waltham Forest Local Plan LP1 (2024) stipulates that where proposals affect Archaeological Assets and Archaeological Priority Areas, measures are required protect or where appropriate, better reveal remains of archaeological importance by ensuring acceptable methods are considered.

Built Heritage

8.95 There are no listed buildings, designated or undesignated heritage assets within the site or the immediate surrounding area. The site does not lie in a Conservation Area. There is 1 Grade II* and 15 Grade II listed buildings within a 1km radius of the site. The closest being the Grade II Parish Church of Emmanuel and associated listed buildings approximately 350m north of the site. The Grade II* listed Parish Church of St Mary the Virgin is located 950m east of the site.

8.96 Townscape and Visual Impact Assessment (TVIA) supporting the application included the following Conservations;

- Thornhill Road Conservation Area, located approximately 800m to the south-east of the Site; and
- Lea Bridge Conservation Area, located approximately 730m to the south-west of the Site.

8.97 There are two Grade II* listed building (the Parish Church of St Mary the Virgin and Walnut Tree House) and 15 Grade II listed buildings within the study area. TVIA considers heritage assets in determining the value of the townscape receptors and visual receptor's representative views.

8.98 It is considered that the proposal would not have a negative impact to these as the proposal would not be directly visible from these assets. Therefore the proposals are not considered to cause any harm or impact to the setting of these assets.

8.99 View 11 (River Lea towpath - south) is taken from within the Lea Bridge Conservation Area within LB Hackney, where the proposal is slightly visible in distant views across the distant skyline. However, there is no harm to the setting of the Conservation Area given the proposal contributes to part of the distant skyline and is limited in visibility from this view. The proposal is therefore considered to preserve the setting of the Lea Bridge Conservation Area. The proposal is not considered to be visible in the LVMF view 25, therefore there is no impact.

The applicant also provided model images to demonstrate there would be no harm from this view.

8.100 The proposal is visible in some views where it backdrops the locally Listed leyton borough council electricity substation, however this is determined to cause no harm to the setting of this NDHA. The proposals are therefore not considered to cause any harm or impact to the setting of this asset.

8.101 GLA Officers outlined that the site is in the extended viewing corridor LVMF View 25 The Queen's Walk to Tower of London. However officers reviewed this relationship and the proposal is not considered to be visible from LVMF view 25, as such there is no impact.

8.102 It is therefore considered that, since there is no identified harm, the policy tests relating to substantial and less than substantial harm to designated heritage assets in NPPF paragraph 207 and 208 are not engaged. It is also considered that, since there is no identified harm, the balancing act required in relation to non-designated heritage assets in NPPF paragraph 209 is not engaged.

8.103 Overall it is considered that the proposed development would not have any detrimental impact on heritage assets within the area and therefore is in accordance with Paragraphs 184 – 202 of the NPPF, Policy HC1 of the London Plan (2019) and Policy 70 of Waltham Forest's Local Plan (2024).

Archaeological

8.104 The application has been accompanied by Archaeological Assessment. The application site lies within an Archaeological Priority Zone and is crossed by a former exclave of the Parish of Walthamstow known as the "Walthamstow Slip". This route is approximately 4km long and 50-100m wide. The applicant's consultant identify that the archaeological status of the above site in planning terms, and as a result of previous archaeological assessment, fieldwork and reporting it has been established that there are no significant archaeological assets within the site boundary and therefore none would be harmed by the proposed development.

8.105 The existing body of data provides a clear understanding of the archaeological value of the site; which is negligible. The supporting Archaeological Assessment further highlights that the baseline data from the previous consent remains wholly valid for the current application and any future development would have no impact and result in no harm to archaeological assets.

8.106 The Greater London Archaeological Advisory Service (GLAAS) raised no objections to the information supporting the application which demonstrates there remain no on-going archaeological interest in the site. On this basis GLAAS recommended that no further assessment or conditions are necessary.

8.107 The application is considered to be in accordance with Section 16 of the NPPF (2023). Policy HC1 of the London Plan (2019) and Policy 73 Waltham Forest's Local Plan (2024).

E. IMPACT ON RESIDENTIAL AMENITY

8.108 Policy D6 of the London Plan states that the design of development proposals should respect daylight and sunlight to surrounding residential dwellings with an appropriate approach to the context of the site, while minimising overshadowing and maximising the usability of outside amenity space. In addition to this, Policy 57 of the Waltham Forest Local

Plan LP1 (2024) highlights that development should respect the amenity of neighbours by avoiding loss of daylight and sunlight.

8.109 The BRE report 'Site layout planning for daylight and sunlight – A guide for good practice' has been updated and a new version was published in June 2022. The submitted 'Sunlight, Daylight and Overshadowing Report' dated July 2022 therefore reflects the new version and considers how the new 'Climate Based Daylight Modelling (CBDM) methodology, which is based on British Standard 'Daylight in Buildings' (BS EN17037), supersedes the previous 'Average Daylight Factor' (ADF) methodology. As noted, the new methodology is more complex and has targets that are generally more difficult to achieve in an urban context, as it uses more accurate sky models that simulate the movement of the sun throughout the day and takes into consideration weather conditions and the orientation of windows. With regards to recommendations for indoor lighting levels (Lux) under the UK National Annex, the recommendations of 100 Lux in bedrooms, 150 Lux in living rooms and 200 Lux in kitchens are considered appropriate as median illuminances to be achieved. The BRE guidelines are not mandatory, and they explicitly state that the numerical target values should be interpreted with some flexibility. The acceptability of a proposed scheme in relation to BRE guidance, consideration will be given to the context within which a scheme is located, and daylight and sunlight will be one of a number of planning considerations.

8.110 The BRE guidance states that flexibility should be provided when reviewing the extent of compliance achieved by a proposed development. These parameters are predominantly designed for a low density sub-urban built environment and therefore achieving full compliance in an area with tall buildings will always be difficult.

8.111 The Mayor's Housing SPG (2016) paragraph 1.3.45 states "An appropriate degree of flexibility needs to be applied when using the BRE guidelines to assess daylight and sunlight impacts of new developments on surrounding properties as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations...This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time."

8.112 Chapter 11 and accompanying appendices of the Environmental Statement supporting the application includes the daylight and sunlight assessment. BRE Guidance provides two primary methods for assessing daylight for existing residential accommodation that are applicable for this assessment: Vertical Sky Component (VSC) and No Sky-Line Contour (NSC) methods.

8.113 VSC is a measure of the amount of light falling on a window and it is quantified as a ratio of the direct sky illuminance falling on the surface at a specific reference point against the horizontal illuminance under an unobstructed vertical wall. The target value recommended is 27% but this is not to be strictly applied if the VSC for a window is less than 27% and is less than 0.8 times its former value. The NSL method measures the distribution of daylight within a room and maps out the region within a room where light can penetrate directly from the sky. After a development is complete, the area of a room with visible sky should, ideally be 0.8 times or more of the former area on the working plane prior to the development.

8.114 In addition to this, the VSC targets between 15% and 18% remain an appropriate benchmark for the urban location. The guidance allows different target values in cases where there is densification and high-rise buildings form part of the surrounding context of a site. Where balconies or walkways are present, the report provides two sets of VSC figures (one with obstruction in place and one with the effect removed from the calculations).

8.115 The method for assessing sun on the ground is the 'sun-on-ground indicator'. The BRE Guidance suggests that the Spring Equinox (March 21st) is a suitable date for the assessment. The BRE Guidance suggest that where large buildings are proposed which may affect a number of gardens or open spaces, it is useful and illustrative to plot a shadow plan to show the location of shadows at different times of the day and year. This can be done by using the sun on the ground indicator in reverse.

8.116 The assessment for overshadowing was mapped for the following three key dates in the year:

- 21st March (Spring Equinox);
- 21st June (Summer Solstice); and
- 21st December (Winter Solstice).

8.117 The VSC and NSC assessments indicate that there would be no noticeable change in the levels of daylight to the following properties

- 62-76 Perth Road
- 18,24-26,32-34 Clementina Road
- 40-42,46-92 Clementina Road

8.118 The remaining properties considered are discussed in detail below where there noticeable changes when considering the existing scenario.

No. 2 Clementina Road

8.119 With the development in place, 3 (50%) windows out of the 6 within the property would not experience a notable change in VSC. The remaining 3 windows, would experience minor adverse effects as a result of the proposal. The windows in question serve two bedrooms on the ground floor.

8.220 The deviations within W7 and W8 are driven by the underdeveloped nature of the Site in the baseline scenario. This has resulted in unusually high levels of daylight in the existing scenario. Therefore, this receptor is more susceptible to higher proportional reductions, whilst still retaining good levels of daylight for an urban context (26% VSC).

8.221 The remaining window, W1, also serves a bedroom, however this window is located between the rear projecting wing of the building, and its neighbour, effectively tunnelling the window and limiting the daylight potential.

8.222 However, the NSC assessment shows that all rooms within the property would comply with the BRE Guidance.

4 Clementina Road

8.223 It is notes that 3 windows out of the 4 within the property would not experience a notable change in VSC. The affected window would experience minor adverse effects as a result of the Development and serves a bedroom on the first floor, tunnelled between the two rear projecting wings. The window still retains good levels of daylight for an urban context retaining 19.6% VSC. Furthermore, the NSC assessment reveals that all rooms within the property show full compliance with the BRE Guidance.

8 Clementina Road

8.224 This property would see 2 windows out of 6 that would experience minor adverse effects as a result of the development (26% VSC). Both windows serve a bedroom on the ground floor and are located at the end of the rear projecting wing. These deviations are caused by the underdeveloped nature of the site. Furthermore, the results of the NSC assessment show that all rooms within the property show full compliance with the BRE Guidance.

10 Clementina Road

8.225 The 2 windows that would see changes serve the same bedroom on the ground floor. The two affected windows retain 26.8% and 26.9% VSC respectively and the NSC levels would be compliant.

16 Clementina Road

8.226 With the development in place 2 would see minor effects but the VSC and NSC levels would comply with the BRE Guidance.

20 Clementina Road

8.227 The 2 windows that would see change is as a result of the unusually high levels of daylight in the existing scenario. Therefore, this receptor is more susceptible to higher proportional reductions, whilst still retaining good levels of daylight for an urban context i.e. 26.5% VSC and NSC levels would be acceptable.

22 Clementina Road

8.228 The assessment supporting the application reveals that 2 windows would experience minor impacts but this is due to existing high levels of daylight in the existing scenario therefore there are higher proportional reductions. However, both affected windows (i.e. W7 + W8) would still retain 26% VSC and the NSC assessment demonstrates compliance

28 Clementina Road

8.229 Windows W1 and W2 of this property would see changes when compared to the existing relationship however these subject windows would retain 26% VSC and the results of the NSC assessment show that all rooms within the property show full compliance with the BRE Guidance.

30 Clementina Road

8.330 The 2 affected windows (i.e. W7 and W8) would maintain a VSC level 26.5% and the NSC assessment highlights no notable change.

36 Clementina Road

8.331 In this case, both affected windows (W1 + W2) retain at least 26% VSC in absolute terms and NSC results indicate compliance with BRE Guidance.

38 Clementina Road

8.332 Two windows would see major adverse effects but the reductions are caused by the overhanging awning limiting the daylight potential of the windows. To demonstrate that the deviations seen within these windows are driven by the awning, an additional assessment with the awning removed has been undertaken as suggested in the BRE Guidance. With the

awning removed, the results of this assessment show full compliance with the BRE targets, with both windows (W7 and W8) showing retained levels of at least 27.5% VSC.

8.333 This additional analysis therefore would highlight the self-limiting nature of the awning. As such the development would not have a noticeable impact on this property, if the awning were not in place. In addition to this, the results of the NSC assessment show that all three of the rooms assessed would see no noticeable effect as a result of the Development.

44 Clementina Road

8.334 The ground floor bedroom window (W1) at this property would still retain a 26% VSC value and the NSC assessment demonstrates compliance with BRE Guidance.

8.335 The Daylight and Sunlight Report supporting the application was further assessed by an independent third party consultant on behalf of Local Planning Authority. In reviewing the document. It was noted during the course model details discussion that the results in the Environmental Statement Chapter 11 Appendix 11.2 that the results for the neighbouring properties were slightly outdated. The updated results were provided during the course of the application illustrated minor changes. The comparison of results shows minor improvements in nos. 2, 8, 10, 16, 20, 22, 30, 36, 38, 42, 44, 46, 52, 54, 60, 62 and 68 Clementina Road, all of which would experience up to 3 windows which would experience improvements of 0.1% to 0.7% VSC. There is one instance of a minor reduction in VSC, occurring in W1 of 28 Clementina Road, which presents a non-material reduction of 0.2% VSC, however again this is not considered material. These results are considered minor and would not constitute any material change to the daylight and sunlight position. Additional information was requested to better understand the potential for overshadowing to the neighbouring playing fields.

Summary of Analysis:

- The daylight has been assessed to 269 windows using Vertical Sky Component, the results demonstrate that all 246 windows will meet the BRE recommendations.
- Internal daylight has been assessed to 156 rooms using Daylight Distribution. The results demonstrate that all 156 rooms will meet the recommendations in the BRE.
- The sunlight has been assessed 127 windows using Annual Probable Sunlight Hours. The report states that there are no noticeable impacts to the neighbouring properties.
- Sunlighting has been assessed to 29 amenities using permanent overshadowing. The results demonstrate that 28 amenities meet the recommendations in the BRE, equating to a 96% compliance rate.

8.336 It was concluded as part of the assessment that the daylight and sunlight results demonstrate a high level of compliance, given the scale of the development. Furthermore, the development preserves daylight and sunlight levels to the neighbouring properties for it to be considered acceptable. The site benefits from planning permission and the results for the proposed demonstrate a similar compliance level and effect on neighbouring receptors. It is noted that the proposal would see small reductions but these should not cause harm to the current use and enjoyment of the neighbouring occupiers.

8.337 Considering all the above, the proposal would not result in significant reductions to levels of daylight and sunlight received by neighbouring properties to a degree that would amount to reasons for refusal. Particularly, on the balance of justifications for each of the assumed shortfalls.

8.338 Overall, on a compliance basis, the proposed levels of daylight and sunlight are reasonable and will provide a large number of well daylit and sunlit homes. In addition to this, the site benefits from an existing planning consent where the precedent and acceptability of the reduction has already been set.

Privacy and Overlooking

8.339 Policy D9 of the London Plan states that where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy.

8.340 Policy 57 of the Waltham Forest Local Plan LP1 (2024) highlights that new developments should respect the amenity of existing and future occupiers and neighbours by avoiding any harmful impacts from overlooking or enclosure and loss of privacy.

8.341 The neighbouring property north of Block A 74-76 Perth Road contains no windows along the southern flank elevation. The north western portion of Block would contain windows that would be approximately 14m from the rear boundary of this property. Officers consider this to be sufficient distance to ensure a suitable relationship is achieved with this neighbouring property. Furthermore this relationship would resemble that of the existing consent on site via Ref: 201329.

8.342 Block G would be located approximately 27m from the rear elevation of No. 4 Clementina Road and would be approximately 18m from the rear boundary of this property. This relationship is considered suitable and given the overall separation distances achieved no harmful overlooking would occur.

8.343 Block H would be situated approximately 12m from the neighbouring boundaries to the north of the site and would be approximately 21.5m from the rear elevation of these neighbouring properties. This relationship would mirror that of the current consent on site (i.e. Ref: 201329).

8.344 It is considered that the separation distances between the proposed building and existing properties, as set out above, would preserve privacy levels to existing properties and achieve adequate privacy for the occupants / guests of the new buildings in accordance with Policy D9 of the London Plan and Policy 57 of the Waltham Forest Local Plan LP1 (2024).

F. STANDARD OF ACCOMODATION

8.345 Policy D6 of the London Plan sets out housing quality and standard design specifications for new developments. Including internal rooms sizes, dual aspect, built in storage. London Plan Policy D6 provides more extensive quantitative and qualitative internal space standards and specifically seeks design that maximises dual-aspect homes and provides sufficient daylight and sunlight. Policy D6 of London Plan sets out standards for housing quality. It requires new homes to be of high quality design and provide adequately sized rooms with comfortable and functional layouts.

8.346 Policy D6 requires new housing developments to maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. Policy D6 of London Plan sets out minimum floorspace requirements . It also requires single bedrooms to have a floor area of at least 7.5sqm and be at least 2.15m wide. A double or twin bedroom must have a floor area of at least 11.5sqm, with at least one of the double bedrooms at 2.75m wide, and the remaining double bedrooms at 2.55m wide. Policy D6 further highlights that

minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling.

8.347 Policy 56 of the Waltham Forest Local Plan LP1 (2024) requires developments to meet the prescribed minimum internal space standards as per the standards of Policy D6 of the London Plan. In addition to this, Policy 56 of the Local Plan further highlights that all housing design should maximise the provision of dual aspect dwellings and avoid the provision of single aspect dwellings wherever possible.

8.348 The Design and Access statement supporting the application includes an accommodation schedule which reveals that the proposed homes would meet the required internal space standards. The scheme will provide adequate sized rooms with comfortable and functional layouts in accordance with London Plan D6. Therefore the proposed development would be of high quality design and provides adequately-sized homes with comfortable and functional layouts, compliant with London Plan Policy D6 Table 3.1, London Plan Guidance ('LPG') 'Housing Design Standards' (June 2023).

8.349 A total of 66% of all homes (427 flats) have a dual or triple aspect. It is noted that a total of 34% homes would contain a single aspect orientation, however only 4% of these would be north, north east or north west. The details submitted with the application demonstrate that the single aspect units will still be of high quality living space with adequate passive ventilation, daylight and privacy, that will avoid overheating and have a good outlook/aspect. As such, these homes are considered to be appropriate exceptional circumstances upon which single aspect units would be considered as appropriate by the LPG Housing Design Standards (June 2023). The proposed development has sought to maximise the provision of dual aspect dwellings, avoiding the provision of single aspect dwellings where feasible.

8.350 In summary, officers consider that the proposed homes would provide an acceptable level of internal amenity for future residents. The proposed development would meet the objectives of all relevant policies through the provision of generally high-quality internal environments. As a result, the proposal would satisfy the objectives set out in Policy D6 of the London Plan and Policy 56 of the Local Plan.

Amenity Space

8.351 London Plan Policy D6 requires the design of outside spaces to minimise overshadowing to maximise their usability. Table 3.2 sets out that communal outside amenity space should provide sufficient space to meet the requirements of the number of residents; be designed to be easily accessed from all related dwellings; be located to be appreciated from the inside; be positioned to allow overlooking; be designed to support an appropriate balance of informal social activity and play opportunities for various age groups; and meet the changing and diverse needs of different occupiers.

8.352 Policy 56 of the Waltham Forest Local Plan LP1 (2024) sets out better aligned quantitative space with the current expectations from developments. It seeks a minimum of 50 sqm of private external amenity space for all houses, and a minimum of 10 sqm of external amenity space for all flats, increasing by 1 sqm for each additional resident in homes containing three or more bedrooms. As with the adopted standards, external amenity space for flats can be private or communal, provided that an individual flat has an element of private external amenity space measuring at least 3 square metres in size.

8.353 The proposal ensures that all homes proposed have access to private amenity space via a balcony or terrace. In addition to this development offers communal amenity space

via courtyard garden areas, shared outside space and roof gardens. The development is supported by an extensive array of private amenity space provided by balconies, terraces, and communal garden / courtyard. This amounts to a total of 5,269 sqm. Blocks B, G, I and J would contain roof gardens for the residents of these Blocks.

8.354 Additionally, the development proposed 10,314sqm of public open space and communal amenity space. A public square would be created at the north western portion of the site leading from Clementina Road. The shared space and landscape strategy would provide a new public route through the site leading to the south of the to Leyton Jubilee Park.

8.355 The proposed private outside space is practical in terms of its shape and utility, and care has been taken to ensure the space offers good amenity.

Play Space

8.356 London Plan Policy S4 seeks to ensure that development proposals should include suitable provision for play and recreation and incorporate good-quality accessible play provision for all ages, of at least 10sqm per child.

8.357 Policy 56 of the Waltham Forest Local Plan LP1 (2024) states a minimum of 10sqm of play space should be provided as per child (as per the London Plan and the Mayor's Providing for Children and Young People's Play and Informal Recreation SPD).

8.358 Provision has been made for dedicated play space across the scheme. These areas offer of a combination of formal and informal playable space. Using the 'SPG play space requirement calculator' which allocates a GLA benchmark of 10sqm of dedicated play space per child, a total of 2,428m² play space is required.

8.359 The scheme provides various areas of play throughout the landscape strategy for children aged between 0-4 years and 5-11 totalling to 2,430sqm. The strategy aims to create a site-specific activity trail. The roof gardens would also contain play space tailored to children aged 0-4.

8.360 As such, officers consider that the proposed development would provide suitable amenity and play space provision for future residents, subject to planning conditions and obligations.

Accessible Homes

8.361 London Plan Policy D5 requires an inclusive design that takes accessibility, diversity, and the need for social interaction into account. It requires inclusive design, including fire evacuation lifts for people requiring level access in all proposed developments with lifts. Policy D7 requires that at least 10% of relevant new homes meet Building Regulation requirement M4(3) for wheelchair-user dwellings, with the remainder meeting requirement M4(2) for accessible and adaptable dwellings. Policy 16 of the Local Plan include similar requirements as per Policy D7 of the London Plan.

The proposal would incorporate the following accessible home tenure mix:

	1 Bed	2 Bed	3 Bed	Total
Private	18	17	0	35
Affordable Homes	0	18	11	29
Total	18	35	11	64(10%)

8.362 The proposal would result in a total of 64 wheelchair homes distributed amongst Blocks C, D, E, F, G, I and J. These homes have been designed in accordance with Part M4 Category 3 Standard 2016 and will be fully wheelchair accessible. The Design and Access Statement supporting the application includes samples of typical unit layouts to demonstrate how these homes would meet the requirements under Approved Document Part M4 (2). Entry doors to communal areas and homes will be provided with a minimum effective clear opening width of 800mm with suitable ironmongery and access control provisions. Clear turning circles of 1500mm x 1500mm are provided immediately outside the unit entrance doors along the circulation corridors which meets additional good practice recommendations. Hallways and doorways are suitably designed to enable suitable movements.

8.363 The proposal seeks to incorporate a strategy that is clearly structured public realm and shared surface environment designed to conform to the requirements of Part M3 of Building Regulations. Nursery, Gym, Concierge and NHS / Health Centre Level access is provided to each of the above spaces to ensure they are accessible to all. Access to upper level of Block C Community / NHS space is via internal stair and lift. All housing is designed to Building Regulations Approved Document M4 Category 2 standards.

8.364 All of the bin stores in the buildings with Category 3 wheelchair user units will be provided with 2 x 240 litre wheelie bins, one for general waste and the other for dry recyclable waste which will be labelled that they are the use of wheelchair users only. To cater for these wheelchair users accessing these bins stores to deposit waste, the bin stores will be provided with 2 x 240 litre wheelie bins, one for general waste and the other for dry recyclable waste which will be labelled that they are the use of wheelchair users only.

8.365 The proposed layouts of the wheelchair units have been independently assessed by a third party on behalf of the LPA. No considerable concerns were raised and the detailed elements could be confirmed via planning Condition 43.

Sunlight, Daylight and Overshadowing

8.366 An Internal Daylight and Sunlight Report supports the application using the BRE 2022 guidance to analysis the proposed development. The guidance provides two two methodologies for assessing the internal daylight amenity to new residential properties. These assessment methods are known as 'Daylight Illuminance' or 'Daylight Factor'.

8.367 The Daylight Illuminance method utilises climactic data for the location of the site, based on a weather file for a typical or average year, to calculate the illuminance at points within a room on at least hourly intervals across a year.

8.368 The guidance provides target illuminance levels that should be achieved across at least half of the reference plane for half of the daylight hours within a year.¹ The targets set out within the national annex are as follows:

- Bedrooms – 100 Lux
- Living Rooms – 150 Lux
- Kitchens – 200 Lux

8.369 The guidance notes that discretion should be used and, for example, a target of 150 Lux may be appropriate in a Living / Kitchen / Dining Room within a modern flatted development where the kitchens are not 'habitable' space and small separate kitchens are to be avoided.

8.370 The daylight factor is a ratio between internal and external illuminance expressed as a percentage. The calculation uses the CIE overcast sky model and is independent of orientation and location. The daylight factor targets are to be achieved over at least 50% of the room assessment grid and are expressed as a median figure. For London these median daylight factor targets are:

- Bedrooms – 0.7%
- Living Rooms – 1.1%
- Kitchens – 1.4%

8.371 For multi-purpose living / kitchen / diner arrangements the higher 'kitchen' targets can be difficult to achieve due to the depth of internal space. In such cases, it is generally accepted that the 1.5% target for living rooms be used instead as this represents the predominant use of the space.

8.372 The Average Daylight Factor (ADF) method is taken from the previous 2011 BRE Guidance. Whilst now superseded by the 2022 Guidance for assessing daylight to new buildings, this assessment has been included to allow for comparisons to the previous application on the site.

8.373 In respect of direct sunlight, the 2022 BRE guidance reflects the BS EN17037 recommendation that a space should receive a minimum of 1.5 hours of direct sunlight on a selected date between 1st February and 21st March with cloudless conditions.

8.374 The results of the daylight assessments show 1454 (85%) out of the 1711 habitable rooms will meet the daylight illuminance target. Where deviations occur, they are typically minor deviations, with 85 rooms achieving within 30% of the room use target. Of the rooms falling below the recommended targets, 147 are deeper spaces such as studios and combined living / kitchen / dining spaces. These are deep plan spaces with generous dining and kitchen areas. Of these spaces, 25 are studios which have the highest room use target due to the kitchen space, typically at the rear of the room. Of these 25 rooms, 13 would achieve the 150 Lux target for a living room and 21 would achieve the 100 Lux target for a bedroom.

8.375 Furthermore, 147 of the rooms would be located beneath or behind a balcony. These balconies provide important external amenity to the apartments, but also cause obstruction to daylight and sunlight. Therefore, the use of an outdoor amenity space can be equally beneficial to the occupants and the amenity benefits associated with the balconies can offset any reduced level of daylight.

8.376 In addition to these living spaces, 83 of the remaining rooms are bedrooms. As bedrooms these spaces are considered to be less sensitive such that the lower levels to these spaces are considered to be acceptable. The remaining 27 rooms are standalone kitchens, of which 13 achieve at least 150 lux, which is the recommended target for a living room. Where a standalone kitchen presents a deviation, the BRE notes that it should be directly linked to a well-lit living room. In this case, 21 of the 27 deviating kitchens is linked to a well-lit living room.

8.377 In respect of direct sunlight, the assessment reveals that the sunlight target is achieved in 460 (72%) of the main living spaces. For the dwellings that do not have a living space that meets the target, 25 have another habitable room that does achieve this on March 21st. Therefore, 485 dwellings have at least one habitable room that meets the BRE criteria. There are some units which do not meet the target, and typically these are located in rooms which have windows located beneath external balconies.

8.378 The report was further reviewed by an independent third party consultant in behalf of the LPA. The daylight has been assessed to 1711 rooms using the Spatial Daylight Autonomy. The results report as achieving 1454 (85%) compliance. A review was undertaken of the blocks identified as deviating from the BRE. The third party consultant highlighted that the results have assessed the Living / Kitchen / Diners at a target value, lower than the BRE recommends, although the target value is widely accepted across the industry. It is common for Living / Kitchen / Diners to be assessed at 150 Lux.

8.379 The results from the analysis and report appeared to be positive. The development for its scale and massing demonstrates a high level of compliance albeit there are instances where rooms and units will deviate from BRE recommendations. Given the scale and massing of the proposed development, it is inevitable that deviations against BRE recommendations and alternative targeting will occur.

8.380 As part of the assessment the third party consultant notes that there are a instances where the development would not meet BRE Guidance due to other site related factors like the inclusion of self-injurious building features i.e. balconies. As a result there is always an offset between having private amenity and levels of daylight within a room and therefore the benefit of private amenity needs to be considered. Using light internal finishes for the areas with the reduced daylight may provide some mitigation and improve the internal daylight. Whilst it is not ideal to have reduced daylight to proposed rooms, given the scale of the development it is inevitable. For the private units an incoming purchaser will therefore make a decision on whether they believe a unit receives sufficient daylight and sunlight.

8.381 The BRE guidance states that flexibility should be provided when reviewing the extent of compliance achieved by a proposed development. These parameters are predominantly designed for a low density sub-urban built environment and therefore achieving full compliance in an area with tall buildings will always be difficult. In these areas of deviations, as part of mitigation we would recommend pale coloured internal finishes are applied, this will allow for greater reflectance of natural light making the rooms more inviting

8.382 Overall, the results have shown that 85% of all habitable rooms show full compliance with the 2022 BRE Guidance regarding Illuminance and Daylight Factor tests. The assessment of sunlight within the proposed new dwellings has been undertaken using the Sunlight Exposure test set out within the guidance. The results have shown that 75% of units meet the 2022 BRE Guidance. The main driver of these reduced daylight areas s caused by balconies and consequently there will be an offset between providing private amenity and meet BRE recommendations and the overall standard of accommodation should be considered.

Sunlight to Gardens and Outdoor Spaces

8.383 The provision of sunlight to open spaces should be assessed using the Sunlight Amenity test (previously called the two hour sun-on-ground test). This test quantifies at the proportion of an open space that receives at least two hours of direct sunlight on the 21st March.

8.384 For an open space to be considered well sunlit throughout the year, the BRE guide suggests that at least 50% should receive two hours of direct sunlight on 21st March. The report submitted with the application includes an assessment regarding the provision of sunlight within the proposed gardens and amenity areas using the two-hour sun on ground (sunlight amenity) assessment. This has considered the 3 main areas of external amenity provided within the site. The results highlight that the proposed amenity areas will receive at least two hours of sunlight across more than 50% of their area on 21st March. As such, the

BRE guidelines will be fully satisfied. Additional analysis was provided during the course of the application demonstrating the roof terraces would also have acceptable levels of sunlight in line with BRE Guidance.

G. SECURE BY DESIGN

8.385 Policy D11 of the London Plan sets out requirements for all new developments to design out crime and incorporate an acceptable level of safety and security measures and ensure development is resilient to emergency.

8.386 Policy 58 of the Local Plan developments should minimise opportunities for criminal behaviour by requiring all forms of new development to incorporate Designing out Crime and Secured by Design principles, and requiring all major development to seek to achieve for Secured By Design accreditation via the Secured by Design scheme. Promote safer streets and public realm improvements throughout the borough, where necessary in liaison with the Metropolitan Police Designing Out Crime Officers.

8.387 The Design Out Crime Officer (Metropolitan Police) was consulted during the course of the application identifying numerous matters summarised below:

- External boundary treatments issues could be improved to offer additional protection measures.
- Entrance to Jubilee Park is managed appropriately and includes sufficient lighting.
- Voids underneath the bridges could become spaces to store weapons/drugs, rough sleeping and drug taking if not properly secured.
- The car parking spaces and entrances should be covered by suitable lighting and CCTV to deter misuse
- Defensible space should be introduced at ground floor units.
- It is recommended that the number of seats provided in the public realm is reviewed and significantly reduced.
- A robust access control system will need to be in place for both blocks to reduce excessive permeability through the design.
- For Block A there are concerns that the bins are located with access through the bike store.
- Cycle storage areas should incorporate good lighting and CCTV to reduce potential crimes.
- Details of lighting illumination would be required.
- Door/Window specifications will be required.

8.388 Boundary details would be secured via the landscape condition and can be discussed in detail during the SBD Certificate process. The landscape strategy is seeking to ensure the development is an inviting place to visit and live, as such the use of hard boundary treatments would prevent this objective. Details of any final enclosures/gates/fences to achieve this can be conditioned. In respect of the nursery provision safeguarding, once an operator is in place a plan for safeguarding and privacy would be implemented.

8.389 In all cases across the development, all external commercial uses (NHS/Health use & Nursery) have independent bin and cycle stores. The nursery bin stores open into a secured area which is shared with the operators of the pressure reduction system (PRS). Officers considered this layout to be appropriate for future occupiers on site.

8.390 Access points to Jubilee Park would include a mixture of 1.2m and 1.8m railings to allow for suitable permeability. To ensure safety is maintained these gates would be closed between the hours of 20:00-08:00 and this would be agreed as part of any potential s106. The additional boundary treatment to good floor units is suitable, allowing for good levels of outlook and provides wind mitigation measures to the private communal space.

8.391 The bridges are over swales which form part of the flood mitigation for the site. These therefore cannot be infilled and Officers are satisfied with this approach to ensure the flow of surface water is not impeded. All parking spaces have good levels of surveillance which would reduce any potential activity. Finalised details of lighting and CCTV locations would be secured via planning conditions. The levels of seating throughout the site provides opportunities for residents and nearby local residents to experience the enhanced landscaping features throughout the site and therefore Officer considered these features as benefits to the development.

8.392 All blocks will be separate and have access controlled fobs. There would be no access between blocks with the exception of the residents gym at Block B. All bin stores and bike stores would be fob controlled for the residents of the individual blocks only.

8.393 Overall the principle of the layout and security measures of the development are acceptable in principle subject to finalised details are secured via planning conditions.

H. TRANSPORT, HIGHWAYS AND SERVICING

8.394 Policy T2 seeks the 'Healthy Streets' approach, and Policy T4 requires the submission of transport assessments for relevant proposals and appropriate mitigation to address any impacts. The application included said documents which were reviewed by the Council's highways and transport policy officers.

8.395 Policy 63 of the Waltham Forest Local Plan LP1 (2024) states that all new development will be expected to support a shift to active transport modes and encourage an increase in walking and cycling. Proposals should improve pedestrian environment and contribute and support the delivery of high quality and safe strategic or local cycle networks.

8.396 The site within walking distance of a number of local amenities that are likely to serve the day to day needs of the residents. Orient Way is located to the west of the site and would be the main vehicular access to the proposed development. Given the low on-site car parking provision, the proposed development is expected to primarily generate trips by public transport or active modes of travel.

8.397 The site is within walking distance of a number of bus services. Bus stops LM and LE are located on Lea Bridge Road. Bus stops CC and CU are located on Church Street, within a 950m walk (10-12 minute walk) to the east of the site. They are served by bus route number 58 and 158. Lea Bridge Rail Station is located approximately 550m (5-7 minute walk) to the northwest of the site and can be accessed from Lea Bridge Road.

8.398 The roads surrounding the site are located within CPZ LBR which operates from Monday to Saturday between 08:00-18:30. CPZ MD and TR are located to the east of the site and enforce the same restriction period as zone LBR. The development site has a PTAL rating of 2.

8.399 As part of the previous planning consent for the site, the proposed main vehicle access on Orient Way, to the south west of the site, was implemented. This will provide access to all vehicles travelling to and from the development.

Internal Road Network Layout

8.400 The internal site road alongside the western boundary is relatively straight and the level of traffic movement is expected to be low because of the limited parking provision on site, there is potential for drivers to travel at inappropriate speeds on the internal road. To avoid excessive vehicle speeds and maintain a safe environment for cyclists and pedestrians' traffic calming measures will be introduced. This will include several raised tables on the perimeter road which will complement signage indicating a maximum speed of 15mph.

8.401 The perimeter road varies in width between 4.2m and 6.2m and is designed to moderate vehicle traffic speeds by having relatively narrow short sections of the carriageway which facilitates one-way traffic with a wider section of carriageway nearby which allows for two-way traffic movements.

8.402 Highway Officers raised concern with the internal road layout regarding visibility and pinch point issues, however the proposed layout would resemble the that agreed via the current consent. The trip generations to the site and low levels of parking would result in low traffic flows within the site. The applicant will be required to demonstrate the internal road layout would be successfully managed via a Stage 2 and 3 Road Safety Audits requested via planning conditions.

Trip Generation

8.403 The Transport Assessment supporting the application includes analysis in relation to potential trip generation to the development. To calculate the total number of trips generated from the proposed residential development, the TRICS database has been reviewed to obtain trip rates for the morning and evening peak hours for development of similar size, public transport accessibility and/or low car parking ratio.

8.404 It is expected the proposed residential development would generate 528 and 346 person trips during the AM and PM peak hours respectively. The low level of parking numbers is considered to result in minimal car movements to the site from residents. There could be a net increase of approximately 25 and 18 two-way car driver trips in the AM and PM peak hours, respectively. Overall the peak hour vehicle movements equate to circa one car trip every 1.5 minutes. This level of trips is unlikely to have a perceptible impact on the local highway network.

8.405 It is anticipated that the majority of patient trips are expected to be from residents of new development and residents from the nearby by residential properties. Therefore it is likely that the majority of trips would be by walking, with the exception of a few trips which may be by blue badge holders who make use of the disabled bay allocated to the surgery, or patient who maybe dropped-off by a taxi or a family member.

8.406 Given the relatively small size of the nursery it is anticipated that the majority of trips generated would be undertaken on foot and it is not expected to impact the local area. It has been assumed that 10% of parents will drop-off/pick-up their children by car. The number of staff members expected to be working at these units will also be small and will be required to travel to the site by sustainable forms of transport due to the local parking restrictions.

8.407 The proposed residential gym provided in Block B is intended to serve residents at the proposed development only. Hence, essentially all trips would be undertaken by foot. The health facility in Block C would result in 6 deliveries/collections per day. These are expected to be medical supplies, administrative items such as paperwork, cleaning products, and collections of blood extracts for testing in laboratories, and frequent medical waste collections.

8.408 The development proposals will add approximately 410 and 269 public transport trips during AM and PM peak hours, respectively. The site is accessible to a total of over 68 bus services in both directions along Lea Bridge Road and approximately 8 rail services per hour operating from Lea Bridge Station. Therefore the trips are expected would not have a noticeable impact on the capacity of the network.

8.409 The Transport Assessment supporting the application reveals that the proposed development is expected to generate a total of 59 deliveries spread throughout the day, with on average 4 or 5 deliveries an hour between 7:30am – 8:30pm which would generate 118 vehicle movements.

8.410 Overall it is considered that the relatively small number of vehicle movements is not expected to have an impact on the capacity of the highway network. TfL were satisfied with the additional trip generation analysis provided during the course of the application.

Healthy Streets Assessment

8.411 The proposals have been designed to be fully permeable, significantly enhancing access to/from areas to the south and north of the site. There will be a privately maintainable pedestrian and cyclist routes running across the site, connecting the northern accesses to the Jubilee Park and Marsh Lane to the site. This permeability allows residents to the north of the site direct access to Leyton Jubilee Park on-foot or by bicycle.

8.412 Given the site's location, it is expected many residents will commute into central London so London train stations, bus stops and the Strategic Cycle Network have been ranked as high priority. As part of council's Mini-Holland initiative and cycleway 23, there has been improvements made to Lea Bridge area.

8.413 The pedestrian route to Lea Bridge Station from the site is generally clean and well-maintained which encourages walking as a mode of transport. The pedestrian route to Lea Bridge Road and the amenities along it is generally in good condition and footways provide enough width to accommodate their respective flows.

Travel Plan

8.414 A Travel Plan was submitted with the application prepared in accordance with Transport for London's (TfL) Travel Plan guidance. The Travel Plan submitted seeks to encourage more sustainable travel patterns for all residents and visitors to the proposed development. A Travel Information Pack (TIP) will be provided to each household as part of their home welcome pack which help provide awareness of the various modes of transport and existing services that are available. The development seeks to incorporate numerous initiatives to the encourage the use of sustainable forms of transportation.

8.415 TfL identified that the Travel Plan is broadly in line with TfL guidance. A car-free scheme will inherently reduce reliance on private cars, which typically is one the main aims of TPs, and encourage the use of active and sustainable modes of travel.

8.416 The finalised Travel Plan would be secured via the s106 agreement. Full residential, health facility and nursery Travel Plans would be secured for approval as part of the s106 negotiations.

Car Parking

8.417 The proposals will provide a total of 27 disabled parking spaces for the residential accommodation. The residential parking provision represents 4% of the total number of units, which is expected to meet the demand of residents based on the Department for Transport statistics. In addition to this the applicant has demonstrated that an additional 6 spaces can be provided in a future scenario to consider any potential uplift. This would result in a total of 33% and would represent 5% of the total number of units to be local policy requirements.

8.418 Two spaces will be provided for the proposed health facility alongside the western elevation of Block C which allows for a convenient route for users. No additional visitor car parking is proposed this use however patients can be dropped off or picked up by taxi or family members who could use the layby area on the other side of the access road from where the proposed additional disabled bay is positioned which again is conveniently located to allow for access to the proposed health centre. There is no provision for visitor car parking on-site in line with local policy, to minimise car parking and usage at the development.

8.419 The Car Park Management Plan submitted with the application outlines that car parking spaces will be leased to residents via a yearly renewed 'right to park' scheme. Permit will only be provided to residents of the development who own a road worthy vehicle and the permits will be specific to the resident's vehicle and is not permitted to be sub-let or transferred to non-resident's vehicles. Residents will be allocated a space after confirming their blue badge status. This will not form part of their leasehold and will allow on-site management to reallocate spaces. Residents of the development proposals will not be eligible to apply for on-street parking permits, reducing the possibility of overspill parking onto local roads. The s106 would also ensure that the proposal would be car free.

8.420 The proposal would also provide 20% electric vehicle charging points (EVCP) which equates to 6 of the 30 spaces.

Cycle Parking

8.421 The development would incorporate a total of 1112 secure and covered cycle spaces will be provided, of which 837 (75% of total) will be provided in the form of two-tier racks, 60 (5% of total) will be provided in the form of Sheffield stands for use by non-standard cycles, and the remaining 227 (20% of total) will be provided in the form of Sheffield stands for standard bicycles.

8.422 With the exception of Block B all of the residential buildings will accommodate the residents cycle parking in stores within the building. In the case of Block B its cycle parking provision will be provided in the Block A cycle store which will essentially be shared store for residents of both buildings.

8.423 Block D and E the cycle parking will be split between the ground and first floor levels, with the ground floor accommodating the Sheffield stands dedicated for non-standard bikes and those which are for standard bikes at first floor. The cycle parking on the first floors will accommodate the two tier racks and will be accessed via a staircase. To facilitate easy access to the first floor store there will be an automated cycle wheel ramp to aid cyclists move their bikes upstairs with minimal effort.

8.424 Cycle parking for the nursery use in Block G will be provided within a separate cycle store at ground level. Short stay cycle parking will be provided within the site's landscaping at convenient and visible locations. The health centre would have access to 6 sheffield stands.

Delivery and Servicing.

8.425 A Delivery and Servicing Management plan supports the application setting out how the applicant intends on managing delivery and servicing trips. Delivery and servicing vehicles will access and leave the site via the vehicular access on Orient Way. Appropriate space has been provided in various locations around the site to allow delivery and refuse vehicles to turn around within the site.

8.426 The internal road network will enable refuse vehicles to drive to each of the ten buildings for refuse collection. The width of the internal road network varies between 4.2m and 6.2m and is designed to moderate vehicle traffic speeds by having relatively narrow short sections of the carriageway which facilitates one way traffic with a wider section of carriageway nearby which allows for two-way traffic movements. This will mean that when vehicles are driving through the site in any direction there may be times when vehicles need to slow down and waiting in a two-way section of the road whilst a vehicle travelling in the opposite direction passes.

8.427 Swept path analysis drawings are provided demonstrating the manoeuvring around the site appropriately. All the residential and non-residential bin stores are situated in close proximity to the internal development roads, such that the refuse collection vehicle will be able to stop within 15m of the bin stores.

8.428 All delivery, servicing and waste collection associated with the proposals will be carried out within the development on the site's internal roads where various bays are provided for servicing activities. The loading bays have been designed to accommodate large servicing and delivery vehicles and provided in locations throughout the development to allow for efficient and convenient access to each building.

8.429 The bin stores will be managed by the estate management team who will reposition the eurobins such that the full bins are moved to the back of the store with the bins with capacity kept at the front for easy access by the residents. The estate management team will also monitor the use of the wheelchair user bins and if required transfer waste bags into the eurobins to ensure capacity in the wheelchair user bins.

Construction Logistics Plan

8.430 Policy T7 of the London Plan (2021) set outs policies for assessment the effects of development on transport capacity. Policy of the Waltham Forest Local Plan LP1 (2024) outlines that Outline Construction Logistics Plan (CLP) should support developments at this scale to ensure potential risk to the local community is reduced and construction traffic would not impede on local traffic movements.

8.431 An Outline CLP supports the application identifying that the new Orient Way entrance will provide the primary access for all construction vehicles servicing the site and will serve as the permanent vehicle access to the development. To construct the proposed development, some parking bay and footpath suspensions will be required. Construction traffic routing is set out within the document and these routes follow the Transport for London Road Network until the final approach to the site where local roads are used for access. Construction traffic will approach Orient Way from the south from the A406 and A12. A web based delivery

management system will be used to control the volume of deliveries to the site and it is estimated that up to 5 vehicles per hour at the peak of the construction programme would occur.

8.432 The Council's Highways Development Team requested a number of changes and clarifications to the submitted Outline Construction Logistics Plan. These matters will be captured as part of a finalised CLP requested via planning condition.

. TREES LANDSCAPING AND ECOLOGY

8.433 London Plan (2021) Policy G1 requires that development proposals incorporate elements of green infrastructure to deliver multiple benefits. London Plan (2021) Policy D8 relates mainly to public realm proposals but includes the principle that landscaping, including planting, street furniture, and hard-surface materials, should be of good quality. Policy 80 Waltham Forest Local Plan LP1 (2024) requires development proposals to take account of existing trees on site and adjoining land, retaining any significant trees and re-provide the amenity, canopy, habitat and biomass of the existing trees through the planting of significant mature trees within the proposed scheme.

8.434 London Plan Policy G5 requires major development to contribute to the greening of London, whereby the Mayor's recommended target Urban Greening Factor (UGF) score is 0.4 for developments that are predominately residential. Policy 79 of the Local Plan also seeks developments to achieve a UGF score of 0.4.

Existing Trees

8.435 The site benefits from extensive tree planting close to the boundary with Leyton Jubilee Park. The trees lie in the park and will be retained and protected throughout construction. None of these trees are proposed for removal. As part of the Orient Way works to the access point to the south western portion of the site a number of trees have been removed. The removal of trees in the northern part of the site was agreed under the approval of Condition 47 (Ref: 212808) of the original planning permission. These were recorded as lesser quality trees (category U) of limited life span. The applicant confirmed that the proposal would not result in removal of any trees currently occupying the site.

8.436 The proposed buildings are located outside of the root protection areas of all retained trees and specific measures will be taken into account during construction works to protect trees and the rooting environment. Utility provision can be accommodated outside the root protection area of retained trees. A tree protection plan is set out in the Arboricultural Method Statement to ensure existing trees surrounding the site will be protected during the construction.

8.437 Essential site remediation works are required and these works will extend within the root protection area of retained trees. The remediation works will require excavation within the root protection area of retained trees.

8.438 The LPA's Tree Officer reviewed the Arboricultural Method Statement (AMS) and notes the key consideration in terms of arboricultural constraints is the presence of the significant poplars situated in Leyton Jubilee Park, close to the site's southeastern boundaries. These trees are identified as two groups, T28 and T33. The footprints for Block E, Block I and Block J have been altered under the current proposal, which results in the southeast elevation of Block E brought closer to the poplars (T28), resulting in a close relationship in terms of juxtaposition. Please see Fig.1 and Fig. 2. Additionally, the southern elevations of Block I and Block J are stepped back slightly, improving the juxtaposition with the poplars (T33). The

Officer raised concerns in relation to this relationship and the level of pruning that would be required.

8.439 The applicant explained that there would be a requirement to prune the branches that overhang the site to provide 4m separation from the proposed buildings and not other pruning of the trees is required by the proposals. The proposed buildings would fall outside the root protection areas. These details would be agreed via planning Condition 467 to ensure the correct measures are in place to ensure this carried in a sufficient manner. The Council's Tree Section Team raised no concerns with the development. A revised AMS was provided during the course of the application with a site plan identifying the level of tree protection measures that will be considered. The proposal would not result in the removal of any existing trees on site. An extensive tree replacement and landscaping strategy has been designed, comprising native species which will assist in defining the character areas detailed in the landscaping section below. The application proposes to plant approximately 150 trees across the scheme.

8.440 Notwithstanding the submitted survey, conditions requiring a Root Protection Plan and an Arboricultural Method Statement are requested, which will ensure that site constraints are not breached and that the design process takes proper consideration in protecting the existing trees which surround the site during construction works, will be included. Overall, the proposal is considered acceptable and in accordance with Policy G7 of the London Plan (2021) and Policy 80 Waltham Forest Local Plan LP1 (2024).

Landscaping Strategy

8.441 The proposal seeking to emphasis on biodiversity preservation and the strategy is seeking to create five distinct character areas within the site. The landscape design provides a connection and to Leyton Jubilee Park via the centre of the site with a strategic plan to facilitate pedestrian movements from north to south. To address potential flooding concerns, the proposed levels have been carefully engineered to accommodate once-in-a-hundred-year flood events, incorporating natural landforms and Sustainable. Urban Drainage Systems (SUDS) Three distinctive entrances will be introduced to the north of the site from Clementina Estate. This would result in the existing link north east of the site between No's 16 and 20 Clementina Road.

8.442 The landscape master plan comprises of various distinct character areas:

- Clementina Square (North-west of the site adjacent to properties along Clementina Road)
- Mid Valley (North-east of the site)
- Upper Valley (North west)
- Lower Valley (Central and western elements of the site)
- The Mews (East of the site)
- Leyton Jubilee (South of the site)

8.443 Clementina Square is strategically connected to the Upper and Mid Valleys via a raised pedestrian crossing that spans the access road to the Lower Valley. Each character area incorporates various opportunities for play and relaxation. A variety of planting types have been strategically incorporated to enhance the character of the spaces. These include

Wildflower Meadows, native shrubs and trees, perennial and bulb plantings, as well as semi-intensive and intensive green roof plantings.

8.444 Clementina Square would include two designated play hubs with age appropriate play equipment for children aged between 5-11 years old. The Upper Valley is situated between Buildings I and J. This area includes a central pathway that provides entry to Leyton Jubilee Park whilst also providing viewpoints into the park. The Mid-Valley area would provide communal garden space for new and existing residents with formal natural play areas.

8.445 The Lower Valley serves as a continuous linear park that runs amidst the buildings, connecting Clementina Square to Leyton Jubilee Park. Meandering through this area is a central path designed for pedestrians and cyclists. A play trail extends along the entire length of this space, offering designated areas for formal play as well as more natural with integrated play features. Elevated front entrances ensure that private amenity spaces are distinct from the main green route.

8.446 The Leyton Jubilee Park Gateway is positioned at the junction between the Lower Valley and Leyton Jubilee Park. On both sides of the primary pedestrian pathway leading from Orient Way, a series of recreational areas tailored for older children and teenager. The semi-intensive roof terraces at Blocks B, G, I and J would incorporate carefully selected plant species and a combination of low maintenance greenery.

8.447 The new approach is welcomed by Officers which incorporates high quality planting and the new green/play space will act as an extension to the adjacent green space within the park. The species selection for the planting is generally well received by Officers with a wide range of plants offering seasonal variation of colour and form. In terms of future parking provision would result in the loss of some soft landscaping in areas adjacent to the current parking provision locations and an area to the rear of Block H. However, the applicant provided data during the course of the application demonstrating similar developments at outer London locations do not require this high level of blue badge spaces. However, the passive parking provision will be appropriately. However, this future arrangement would be managed sufficiently via Conditions 24 and 47.

8.448 The landscaping strategy is considered to be of high quality, with suitable levels of greening. All finalised details will be secured via a planning condition.

Urban Greening Factor

8.449 London Plan Policy G5 requires major development to contribute to the greening of London, whereby the Mayor's recommended target Urban Greening Factor (UGF) score is 0.4 for developments that are predominately residential. Policy 79 of the Local Plan also seeks developments to achieve a UGF score of 0.4. The Urban Greening Factor is a tool to evaluate the quality and quantity of urban greening. It enables major developments to demonstrate how they have included urban greening as a fundamental element of site and building design in order to meet to meet London Plan Policy G5 Urban Greening.

8.450 The proposal would achieve a UGF score of 0.4 which would meet London Plan Policy G5 targets. The proposals incorporate permeable paving, semi-natural vegetation, new trees and extensive landscaping including wildflower planting, hedging and ground cover planting, amenity grassland, and green roofs.

Ecology

8.451 London Plan Policy G6 seeks the avoidance of negative impacts on SINC's and generally requires that development proposals manage impacts on biodiversity. Local Plan LP1 Policy 81 states that proposals should seek to protect and enhance biodiversity and geodiversity resources in the borough and will ensure that all development should maximise opportunities to create new or make improvements to existing natural environments, nature conservation areas, habitats or biodiversity features and link into the wider green infrastructure network.

8.452 The majority of the application site comprises clear hardstanding (including tarmac, concrete and gravel) or bare ground at the time of survey. The nearest statutory site is Walthamstow Marshes Site of Special Scientific Interest (SSSI), located approximately 0.9km to the west of the application site at its closest point. Dagenham Brook Site of Local Importance for Nature Conservation (SLINC) is also located approximately 0.2km to the east of the application site at its closest point. Lea Valley SMINC is separated from the application site by Orient Road and railway tracks associated with the Temple Mills Depot, whilst Dagenham Brook SLINC is separated from the application site by Leyton Jubilee Park.

8.453 An Ecological Assessment + Biodiversity Net Gain Assessment supports the application which comprises of assesses the current ecological interest of the application site as a whole. No statutory or non-statutory designated sites were recorded within or immediately adjacent to the application site.

Bats

8.454 None of the trees present within or immediately adjacent to the application site have the potential to support roosting bats, as they lack features which provide potential opportunities for this group.

8.455 A small number of holes were previously recorded in the brickwork of building B1 in May 2019, which were identified as potential access points for bats leading into the building. No evidence to indicate bat activity was recorded during the external survey, while the building could not be accessed internally. As such, with regards to the guidance, this building was considered to have low bat roosting potential. During the updated survey in September 2022, potential access points previously identified on building B1 during previous survey work were no longer recorded to be present. As such, this building was reassessed as having no potential to support roosting bats, and therefore no further survey work was undertaken.

8.456 A precautionary approach towards demolition will be adopted to safeguard against unintentional harm towards any bats, should they inhabit the building in the future. In order to minimise potential adverse effects to foraging and commuting bats, it is recommended that a sympathetic lighting regime should be adopted. This would minimise light spillage to retained and newly provided habitats (such as the treeline adjacent to Leyton Jubilee Park), directing light only to where it is required and maintaining dark corridors. A lighting strategy would be secured via Condition 40.

Badgers

8.457 There is no evidence to indicate that badgers occupy the site. Given the context of the application site, it is therefore considered that Badgers are unlikely to be present within the application site.

Other Mammals

8.458 Given the paucity of the habitats present within the site, in addition to the presence of existing development and roads to the north, east and west, it is not considered that the application site would support any other protected or notable mammal species.

Amphibians

8.459 Two demolished gasholders within the application site support standing water. However, these features have cleared and do not provide any suitable aquatic habitats for amphibian species. The vast majority of the application site provides sub-optimal terrestrial habitat for this group, comprising clear hardstanding and bare ground with limited cover of ruderal vegetation. Given that there are no suitable waterbodies within 500 metres of the application site for this species, significant barriers to the movement of this species in the local area, and the negligible terrestrial opportunities present on site, it is considered that Great Crested Newts are absent from the application site.

Reptiles

8.460 The hardstanding and cleared ground habitats present throughout the vast majority of the application site do not provide suitable opportunities for reptile species. However, areas of ruderal vegetation provide some superficially suitable opportunities for this group, noting that the southern and eastern areas are linked to off-site habitat at Leyton Jubilee Park.

Birds

8.461 No evidence to indicate the use of the application site by Black Redstart was recorded during the breeding bird surveys undertaken. A range of common and widespread bird species were recorded during the course of the 2019 surveys.

Opportunities for nesting and foraging birds are typically associated with the areas of dense scrub and ruderal habitats within the application site, with trees and scrub cover within the application site having declined since 2019 due to ongoing remediation works.

Invertebrates

8.462 The habitats present within the application site are not considered to represent 'open mosaic' habitats and lack features which could provide potential opportunities for this group such as bare ground (soil), south-facing slopes and a mosaic of vegetation types. The lack of botanical diversity within the dense scrub, recolonising vegetation and ruderal habitats is considered to offer few opportunities for this group. As a result, whilst it is likely that an assemblage of common invertebrate species would be present within the application site, there is no evidence to suggest that any rare or notable species would be present.

Mitigation Measures

8.463 Prior to the clearance of vegetation in the southern and eastern parts of the application site, to consider reptiles, a habitat manipulation exercise would be undertaken. This would comprise the stepwise removal of all scrub and tall ruderal vegetation to encourage reptiles to disperse into suitable adjoining habitats within Leyton Jubilee Park. The exercise would be undertaken under the direct supervision of a suitably qualified ecologist.

8.464 To avoid potential harm to nesting birds, it is recommended that clearance of any suitable nesting vegetation should be undertaken outside the main bird nesting season (March to July inclusive). If nesting birds are found to be present during checks then a suitable buffer of vegetation would be retained and clearance would be delayed until young have

fledged. New nesting opportunities will be created through the provision of nest boxes on buildings constructed under the development proposals.

8.465 The proposed landscape strategy would provide a wide range of botanical species including nectar-rich flowering plants and fruit / berry-bearing species for invertebrates. The application is also supported by a Biodiversity Net Gain assessment setting out that the proposal would achieve a 87% net gain in biodiversity and in this case a medium distinctiveness scrub will be maintained.

8.466 A finalised Construction Environmental Management Plan (CEMP) would be produced and agreed via planning Condition 6, which will confirm specific mitigation measures that shall be employed during the construction period to avoid and mitigate for potential environmental effects that could otherwise arise. This will ensure that adverse ecological effects via the pathways below shall be avoided.

Epping Forest Special Area of Conservation

8.467 The Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulation) sets out the criteria a site must meet to be able to be a protected European site (e.g., a SAC). Epping Forest meets the criteria and is designated as a Site of Special Scientific Interest (SSSI) with 1,605ha of that area also designated as a SAC. A proportion of the SAC lies within the London Boroughs of Waltham Forest (LBWF), as such the Council is a Competent Authority.

8.468 Policy 83 of the Draft Local Plan highlights that the Council will protect and enhance the natural environment of the Epping Forest and its Special Area of Conservation (SAC) and seek to ensure that development proposals contribute to the mitigation of adverse recreational and urban air quality effects on the SAC.

8.469 All new residential development comprising 1 or more new home(s) within the 6.2km Zone of Influence (ZOI) of the boundary of the Epping Forest SAC contributes to the delivery of:

- i. The Strategic Access Management and Monitoring Strategy (SAMMS) in line with the mitigation measures agreed - focuses on mitigating harm to the Forest by investing directly in the Forest, fixing or preventing the kinds of recreational harm (improving pathways and signage for example).
- ii. The provision of Suitable Alternative Natural Green Spaces (SANGs) - focuses on avoiding harm to the forest by investing in green spaces across Waltham Forest to provide attractive alternative visitor destinations for people to enjoy rather than the Epping Forest SAC.

8.470 Developments of 100+ units within the borough will be required to contribute to the mitigation of development impacts on the SAC via the provision of SANGS (Suitable Alternative Natural Green Space) as set out in the Council's Mitigating the Impact of Development on SAC/SPA SPD. Development proposals affecting Epping Forest should be sensitive and proportionate, delivering enhancements where possible and must not contribute to adverse impacts on ecological integrity, amenity or visitor enjoyment.

8.471 Epping Forest is London's largest open space, covering 2,400 hectares. Within it, the Epping Forest Special Area of Conservation (SAC) covers 1,600 hectares including designated Sites of Special Scientific Interest (SSSI). Policy 83 (Epping Forest and the Epping Forest Special Area of Conservation) further demonstrates the importance in ensuring that development proposals contribute to the avoidance and mitigation of adverse recreational and

urban effects on the Special Area of Conservation (SAC). The entirety of the borough lies within the 6.2km Zone of Influence (Zol) of the SAC.

8.472 All new residential development is required to demonstrate that Likely Significant Effects (LSE) through increased recreational pressure, when considered either 'alone' or 'in combination' with other development have been assessed via a project level Habitats Regulations Screening and Appropriate Assessment and the necessary mitigation provided.

8.473 A Habitat Regulations Assessment (HRA) was submitted with the application. The impact assessment highlights that the level of parking numbers is low and it is unlikely that all new residents at the development would visit either Lee Valley SPA / Ramsar site and/or Epping Forest SAC for informal recreation. Adopting a precautionary stance, it has been assumed that up to 20% of new residents who visit outdoor spaces at least once a week may visit Epping Forest SAC, for informal recreation. The review concluded that the potential for air quality effects to arise on Lee Valley SPA / Ramsar site can be described as de minimis, and therefore no further consideration with regard to air quality matters would be required for this site.

8.474 Having considered all of the potential significant effects that could arise from the development proposals, in light of the avoidance and mitigation measures, the analysis concluded that the proposals would not result in any adverse effects on the integrity of Epping Forest SAC. The HRA submitted suggests promotion and enhancement of alternative areas of open space in the locality (including Leyton Jubilee Park) as mitigation measure. Furthermore, the HRA suggests enhancements to the northern section of the park by opening up the playing fields and encourage other user groups.

8.475 While considering the principles agreed via the current consent on site via Ref: 201329, the development would result in an additional SAMM uplift to consider the uplift of 70 homes. The s106 would also capture a Suitable Alternative Natural Greenspaces financial contribution towards the delivery of new footpaths in Leyton Jubilee Park.

8.476 Natural England acknowledges that additional contribution is likely to be required and satisfied with the uplift towards SAMM and the SANGs contribution works towards the improvements at Leyton Jubilee Park set out in the Heads of Terms. Natural England is satisfied that this mitigation has been proposed in the HRA with the application.

8.477 The Parks and Open team are satisfied with the SANGs worked at Leyton Jubilee Park to deliver the footpaths and this will be agreed with the team to ensure preferred desire lines are agreed to ensure the sports fields are not interfered with.

J. Energy Efficiency and Sustainable Design and Construction

8.478 London Plan Policy D11 require that the resilience of development proposals is maximised and potential physical risks, including those related to extreme weather such as flooding, draught, and overheating, should be minimised.

8.479 London Plan Policy SI 2 Minimising greenhouse gas emissions requires a Whole Life-Cycle Carbon (WLC) Assessment to support this proposal. London Plan Policy SI7 and GLA's Circular Economy Statement SPG requires applications referable to the Mayor to submit a Circular Economy Statement. The circular economy principles aim to minimise embodied carbon maximising reuse and recycling of demolition materials. Trees, Biodiversity and Urban Greening.

Energy Strategy

8.480 All major developments are expected to achieve zero carbon standards including a minimum 35% reduction on the Building Regulations 2022 Target Emission Rates achieved on-site, in accordance with London Plan Policy SI2. This policy also sets out more detailed requirements, including the 'Be Seen' requirement for energy monitoring and reporting and (for proposals referable to the Mayor) a Whole Life Cycle Carbon Assessment). Policy SI1 of the London Plan (2019) requires district heating systems are designed to meet relevant criteria.

8.481 The London Plan sets out a CO2 reduction minimum, for regulated emissions only, at 35% and target of 50% against Building Regulations 2021 using SAP10 carbon factors as calculated using the GLA Energy Reporting Tool. It also requires domestic units to achieve 10% and non-domestic to achieve 15% of this target through Be Lean measures.

8.482 Policy SI 2 requires major developments to meet minimum targets for carbon dioxide emission reductions, where a minimum on-site reduction of at least 35% beyond Building Regulations is required. Residential development should achieve 10% and non-residential development should achieve 15% savings, through energy efficiency measures alone.

8.483 London Plan Policy SI 3 sets out requirements for developments in Heat Network Priority Areas to have a communal low-temperature heating system, with the source of heat obtained in line with its heating hierarchy.

8.484 Policy 87 requires all new build developments to achieve a minimum of a 35% reduction in carbon emissions below Part L of the Building Regulations on site, targeting net zero carbon where possible, including at least a 10% reduction through energy efficiency measures alone for residential development, and 15% for non-residential development. Policy 88 requires all major developments to install a communal heating system and either connect into a district heating network or "future-proof" for connection.

8.485 The Energy Statement provided during the course of the application has been formulated following the London Plan energy hierarchy: Be Lean, Be Clean, Be Green and Be Seen.

8.486 A range of Be Lean energy efficiency measures are proposed. They allow the development to achieve a 16% reduction in site wide regulated CO2 emissions, with a 16% reduction for the residential portion of the development and a 23% reduction for the non-residential development over a Part L 2021 baseline.

8.487 In line with the London Plan, the feasibility of decentralised energy production has been considered at the Be Clean stage. It is proposed that a site wide heat network is provided, predominately sourced by an air source heat pump system with a small portion also sourced by gas boilers. No existing heat networks are close to the site. The site is close to the proposed Upper Lee Valley 2 heat network, but the nearest existing connection point is 6km away from the site. As such, a connection is not immediately available, the applicant will stay in contact with Energetik as the design evolves to understand the plans for the network expansion and timescales for connection. It is proposed to develop a low carbon heat network for the development and all homes would be connected to the network.

8.488 A range of Be Green renewable energy technologies has been considered. Further to the air source heat pumps, remaining suitable roof space will be utilised to provide approximately 150 kWp of solar PV. The combination of the Be Lean, Be Clean and Be Green measures would result in an overall 56% reduction over the Part L 2021 baseline.

8.489 The applicant estimates a carbon offset payment of £652,423 and this would be secured as part of the s106 legal agreement.

Overheating

8.490 Policy SI4 requires the energy strategy to include measures to reduce the potential for internal overheating and reliance on air conditioning systems.

8.491 The proposed strategy for development to mitigate overheating risks and comply with Part O of the building regulations is as follows:

- Purge ventilation (up to 90 l/s) in all bedrooms, to be activated at night time only when the internal temperature reaches 21 °C
- Purge ventilation (up to 90 l/s) coupled with passive acoustic louvres, both to be activated at night time only when the internal temperature reaches 21 °C, in bedrooms where acoustic conditions prevent opening windows,
- External shading and reduced glazing on living/kitchen/dining areas in three-bedroom units on the South West facing corner of top floors

8.492 The noise assessment includes measurements of internal noise levels during overheating conditions and shows that opening windows as a means of passive ventilation is not possible on the Western and Southern facades of Block D, while bedroom windows can be partially open to mitigate overheating at night for all the other blocks. Corridors are not at risk of overheating.

8.493 Purge ventilation coupled with partially openable windows at night is the proposed strategy for the scheme. It is successful at mitigating overheating in most units except those located on top floors, where living areas are failing and the units located on the West and South elevations of Block D where windows are not openable at night.

8.494 The proposed strategy for the units located on the West and South elevations of block D is to recreate the conditions in all other locations where windows are partially openable at night by providing acoustic louvres coupled with purge ventilation.

8.495 For the largest, South-West corner facing, top floor units (two and three bedrooms), it is advised to remove the low glazing panels in living/kitchen areas and to provide external shading to be employed to cover at least 60% of both sliding doors to reduce solar gains.

8.496 Overall, the LPA's Sustainability Team reviewed and all the assumptions underlying the modelling is considered reasonable, this includes windows that have been modelled as openable based upon the findings of the acoustic report. A Part O Compliance checklist is provided demonstrating that all rooms achieve the overheating standards required. This has been achieved in line with the cooling hierarchy. Additional DSY2 and DSY3 details were provided during the course of the application as requested during the application. Condition 52 requests finalised overheating details ensuring the development includes all details of overheating mitigation measures are incorporated within the development.

Water Efficiency

8.497 Water saving measures and equipment are also generally expected to be incorporated into the design of new development. London Plan Policy SI 5 has similar requirements. Policy 89 of the Local Plan seeks to ensure developments should include water efficiency measures. Residential development must not exceed a maximum water use of 105

litres per head per day (excluding the allowance of up to 5 litres for external water consumption).

8.498 The development will reduce water demand across the site by flow control devices and water efficient fixture and fittings will be installed in all dwellings to target all dwellings to target a maximum internal daily water consumption of 105 litres/person/day. An evaluation of the proposed fixtures and fittings will be undertaken during the detailed design. The internal water consumption of the non-residential space will also be significantly reduced through the use of water efficient fixtures and fittings in line with the Wat 01 requirements of the BREEAM assessment. Condition 54 would secure finalised details regarding detail measures to reduce water use.

8.499 The Sustainability Statement provided during the course of the application reveals that the applicant's commitment to sustainability has led them to consider enhanced measures such as Active Rainwater Management. Attenuated water will be used for irrigating large areas of landscaping and to top up surface level water features with simple pumps.

Circular Economy + Whole Life Cycle

8.500 London Plan Policy SI 2 requires major developments to calculate and reduce whole life cycle carbon emissions, whereby Part F requires proposals that are referable to the Mayor to calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.

8.501 The GLA advised that the London Plan Policy D3 requires development proposals to integrate circular economy principles as part of the design process. London Plan Policy SI7 requires development applications that are referable to the Mayor of London to submit a Circular Economy Statement, following the Circular Economy Statements LPG.

8.502 Policy 87 of the Local Plan highlights the importance for development to minimise waste during the construction and operation phases of development in line with the Circular Economy Statement and Whole Lifecycle Carbon assessment, as required by the London Plan, to cover the whole lifecycle of the development.

8.503 The Circular Economy Statement supporting the application considering circular economy principles in relation to conserving resources, source ethically, design to eliminate waste and manage waste sustainably. The aim is to retain the value of materials and resources indefinitely, with no residual waste. A series of targets have been proposed, identifying and applying these approaches during concept design will enable them to be incorporated as part of the development brief and will help facilitate a circular economy approach.

8.504 The GLA reviewed the document and requested cost allocations and emissions details. The applicant provided additional details in response to the GLA Stage 1 Report matters. Condition 40 would secure a post completion report to identify how the development would reduce waste and support the circular economy.

8.505 The Whole Life Cycle Carbon Emissions Assessment (WLCCE) reveals that proposed development is seeking to meet all GLA benchmarks. The purpose of this WLCCE assessment is to demonstrate that the proposed development has undertaken an initial assessment based on the information available to date which will need to be updated as the project progresses. The development seeks to reduce emissions as reasonably possible.

8.506 The GLA requested that the applicant should consider whether there are any residual materials on the site, including consideration of how these will be managed and demonstrate that all circular economy principles have been considered. In response to this, the applicant provided an updated report in response to this concern. Condition 61 would requests a post-construction WLC Assessment to provided and agreed with the GLA.

K. Flood Risk and Drainage Considerations

8.507 London Plan (2021) Policies SI 12 and SI 13 outlines that development proposals should minimise and mitigate flood risk and incorporate appropriate provisions for drainage, following the London Plan drainage hierarchy and other priorities.

8.508 Policy 91 of the Waltham Forest Local Plan LP1 (2024) sets out various requirements for developments to manage flood risk, including aiming to achieve greenfield run-off rates via the maximisation of Sustainable Urban Drainage Systems (SuDS) where possible. The site-specific FRA should be proportionate to the anticipated degree of flood risk and must demonstrate how flood risk will be managed and mitigated to ensure the development is safe from flooding and the impacts of climate change for its lifetime. This must include appropriate flood-resistant design and construction, incorporation of Sustainable Drainage Systems (SuDS), safe management of residual risk, and appropriate emergency planning.

8.509 The Flood Risk Assessment (FRA) provided with the application recognises the principal source in the vicinity of the site is associated with the River Lea network. This also incorporates separate channels including the River Lee Navigation, River Lee Flood Relief Channel and the River Lee Diversion. A number of reservoirs linked with the network are also located 1.8 Km north west of the Site. Lee Lower or Shortland sewer culvert/waterway, runs through the southern section of the site connecting the Dagenham Brook with the River Lee Network. The EA have identified this culvert as a 1.2m diameter pipe of pre-cast concrete and a flood defence asset offering a 1 in 5 year AEP Standard of Protection (SoP).

8.510 The EA noted in consultation that the culvert to the south of the Site (referred to by the EA as the Shortland Sewer) remains operational and acts as an overflow from the Dagenham Brook to the Lee Flood Relief Channel. It was highlighted that the culvert is a third-party asset so not actively maintained by the EA except in emergency or for flood alleviation.

8.511 The entire site is located with Flood Zone 2 (medium probability) with the exception of a small area in the south east which is located within Flood Zone 3 (High probability). Appendix 5 of the FRA includes Thames Water data demonstrating that there is a public foul surface water drainage assets beneath Clementina Road and the associated residential estate to the north of the site. It is considered likely that surface water runoff is currently discharged via uncontrolled above ground flow towards lower elevations off-site to the east and south-east.

8.512 The majority of the site is shown to be at Very Low risk of surface water flooding. The north-eastern gas holder would be at Low risk of surface water flooding, with the eastern edge of the gas holder at Medium risk of such flooding. The boundary of the former southern Gas Holder is shown to be at Medium risk of surface water flooding.

8.513 There appears to be a potential surface water drainage connection into the public network in the north-western corner of the site. However, as this area is at higher elevation than other parts of the Site, it is unlikely that the whole site discharges via this route. The boundary of the former southern Gas Holder is shown to be at medium risk of surface water flooding. Ground elevations are to be altered as part of the proposed development such

that any surface water flood risk would change for the post-development scenario. A new surface water drainage strategy has been developed in order to mitigate against such risks. Improvements to the management of site runoff would ensure that pollution risks to surface water and groundwater are minimised.

8.514 The FRA recommends that all ground floor sleeping accommodation and other sensitive areas would be raised by an appropriate freeboard above the design flood level. The bike storage and bin stores, would have secure access provisions which would reduce the mobilisation of material and objects within the stores during a flood. The central Energy Centre located on the ground floor of Block B has been designed to ensure a flood resilient approach. Prior to occupation of the proposed development, a Flood Warning Evacuation Plan (FWEP) would be produced, in order to record contingency measures that would be drawn up for the safety of occupants of the proposed development. Condition 15 request these finalised details prior to occupation. the proposed development designs provide an opportunity for balancing flood risk by allowing flood water to move through the site unimpeded from north to south.

8.515 The culverted Shortland Sewer only crosses a small section of the site at the access route from the south. The inlet to the culvert is raised above normal water levels in the Dagenham Brook such that it would be dry under normal conditions and acts as an empty pipe when not in use for flood flow conveyance. In order to reduce the potential for any direct impacts on the culvert, and to facilitate future inspection and maintenance, if required, an 8m easement has been ensured around the route of the culvert.

8.516 The proposed drainage strategy would provide on-site attenuation, reduce rates of discharge to downstream waterbodies and provide water quality treatment. It is estimated that this would require a total attenuation volume of 1,414 m³. The proposal would incorporate brown roof systems on 9 blocks measuring approximately 3,710sqm in area which will provide attenuation during rainfall. As set out in the FRA, due to the shallow fall across the site, it is not possible to achieve gravity discharge to the Shortlands Sewer culverted watercourse from the most northerly areas of the site. Therefore, the feasibility of discharging to public surface water sewers to the north of the site was assessed. However, due to the shallow depth of this sewer, it would not be feasible to discharge via this route without the use of pumping. As a pumping solution is considered essential for this part of the site, it is therefore proposed to pump flows from the north and north-eastern part of the site prior to connection into a gravity surface water network in the southern part of the site.

8.517 Prior to discharge all flows would pass through an oil interceptor to provide water quality treatment. Additional attenuation storage would be proposed via swales which feature within the landscaping strategy and below ground crate storage would be utilised. Condition 56 requests details of the finalised surface water drainage details.

8.518 The Environment Agency raised an objection to the proposal on the following topics:

- Objection 1A - Hydraulic Modelling
- Objection 1B - Relationship with Culvert
- Objection 1C - Surface Water Drainage Strategy
- Objection 1D - Finished Floor Levels/ Sequential Approach
- Objection 1E - Off-Site Flood Risk

Objection 1A - Hydraulic Modelling

8.519 The applicant's consultants engaged with EA Officers to ensure the modelling data is updated accordingly. The applicant updated the modelling details to include the Shortland Sewer and demonstrating the level of risk is minimal. The EA provided additional comments dated 24th June 2024 highlighting concerns with the age of modelling data is at least 12 years old and the Shortland Sewer appears to be incorrectly specified in the model.

8.520 In light of this, the applicant provided additional justification that there has not been a significant shift in the underlying hydrology since the 2014 modelling and the more recent analysis would also suggest that baseline flows would remain appropriate. The hydraulic model also includes additional inflows into the Dagenham Brook and the River Lee Flood Relief Channel and all local inflows were considered. The applicant's consultant further highlights that the updated a new hydrology study for the entire River Lea catchment upstream of the site, given the large number of inflows, and previously accepted methods, would be totally disproportionate for this proposed development. The latest (Version 10) of the FRA suggests that a 300mm freeboard be added to the climate change adjusted 1 in 100 peak flood (17% allowance) to derive the design flood level. A topographic survey of the sewer was presented in the FRA and, along with the above ground topographic survey had been used to determine the cover levels of the manholes along the route of the sewer south of the site.

8.521 On this basis, Officers have recommended seeking delegated authority to resolve the outstanding EA concerns with the modelling details. Nevertheless, if the revised modelling is required and results in any material changes the scheme may need to be presented to Members of the Planning Committee for a second time.

Objection 1B - Relationship with Culvert

8.522 During the course of the application further justification was provided as to why de-culverting was not a suitable option. Easement plan was used to demonstrate an acceptable buffer zone and the EA were satisfied with these details.

Objection 1C - Surface Water Drainage Strategy

8.523 The applicant confirmed that the hydraulic modelling assessed the proposed ground level excluding proposed swales and as such EA removed this element of the objection.

Objection 1D - Finished Floor Levels/ Sequential Approach

8.524 The design of floor levels was demonstrated and the level is now considered suitable. The sequential approach was demonstrated by locating the bike and bin storage in lower areas of the site. EA officers were satisfied with the additional details provided.

Objection 1E - Off-Site Flood Risk

8.525 Further diagrams were shared illustrating pre and post development footprints followed by pre and post flood hazard mapping. In addition to this, floodplain conveyance and compensation storage was demonstrated on and off site.

8.526 The GLA Stage 1 report highlighted that the FRA supporting the application failed to comply with SI 12 of the London Plan (2021). It was highlighted that no assessment of the risk from sewer flooding to the site has been undertaken. The applicant demonstrated that hydraulic modelling was undertaken to include the Shortland Sewer for both the pre-and post-development scenarios.

8.527 In addition to this, the GLA queried that elements of the drainage strategy and overall discharge rates. Whilst the drainage design would be updated to reflect the latest iteration of the scheme, the drainage strategy would remain very similar to the previous design. The proposal is seeking to incorporate 3,024sqm green roof area. The applicant explained as part of the update to the drainage strategy the feasibility of reducing the discharge rates further than the initially proposed limit of 5 l/s would be assessed. The updated drainage designs would ensure the use of the Flood Estimation Handbook (FEH22) method when estimating peak rainfall rate.

8.528 The foul drainage strategy would require a pumping station to lift foul flows at a controlled rate to enable a discharge via gravity to the foul manhole in Clementina Road. Thames Water raised no objections to the development. The proposal would be located within 15 metres of a strategic sewer and as such Thames Water requested a piling method statement and infrastructure phasing plan to be secured via a planning condition.

8.529 Subject to finalised modelling details are agreed with the EA and recommended conditions, officers consider that the proposed development would be acceptable in terms of flood risk and drainage, in compliance with Policies SI 12 and SI 13 of the London Plan (2021) and Policy 91 of the Waltham Forest Local Plan LP1 (2024).

L. Environmental Impact Considerations

8.530 Developments are required to create healthy and sustainable places and communities by ensuring that development conforms to appropriate environmental standards, including contamination, air quality, noise, light, and water quality.

Ground Contamination and Water Quality

8.531 The NPPF states that planning policies should contribute and enhance the natural and local environment by preventing both new development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land stability. In addition, policies should contribute to remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. The NPPF provides information relevant to land affected by contamination, land stability, protection of the natural environment and water supply, wastewater and water quality.

8.532 Policy SD1 Opportunity Areas states the plan will encourage the strategic remediation of contaminated land to ensure that Opportunity Areas fully realise their growth and regeneration potential. It goes on to state that Boroughs, through their development plans, should take appropriate measures to deal with contamination that may exist.

8.533 Policy 90 of the Waltham Forest Local Plan LP1 (2024) states that the Council will manage contaminated land by: ensuring that site investigation and desk-based research for new developments on contaminated or potentially contaminated land, and agreeing remediation proposals; ensuring new developments address the impacts of contamination on/off-site during the construction and operation phases; and, requiring developments that has the potential to contaminate land to include mitigation measures to prevent any adverse impacts on people and the environment, and to monitor any impact where appropriate.

8.534 The 1978 plan of the gas works supporting the Archaeological Assessment reveals the three gasholders still present but much of the infrastructure at the centre of the site has been removed, such as the rectangular gas purifiers structure. Historically, the development site formed part of a wider former gasworks which extended off-site to the north-

west of the site. Furthermore, the majority of the gas production infrastructure on the subject site was orientated towards gas storage and distribution rather than manufacturing. During 2019, National Grid undertook a programme of demolition of all super structures on the site including the gasholders, which had been out of commission since 2012.

Key Findings:

8.535 The investigation data supporting the application shows that there are distinct localised contamination hotspots. Evidence of contamination within the natural deposits was observed within the area of previous remediation in the north of site and along the western boundary of the site. The concentrations of ammoniacal nitrogen in the soil are generally in the centre and west of the site with low to no ammoniacal nitrogen in the soil noted in the east of the site.

8.536 The analysis supporting the application did not identify significant risk to controlled waters other than in an area adjacent to the eastern site boundary. Two areas requiring potential groundwater treatments have been identified east and west of the site. These areas may require proposed treatment via bio-remediation by in situ chemical oxidation to accelerate the breakdown of contaminants.

8.537 The applicant's consultant suggests that groundwater remediation would comprise removal of the soil hotspots which may be considered a source of groundwater contamination. The proposed mitigation is to be undertaken on a precautionary basis. The reports supporting the application suggest that significant risks to off-site receptors have not been identified based on a 50m compliance point. The detailed risk assessment identified that the culverted watercourse to the south of the site is not to be contaminant migration pathway as groundwater in the vicinity of the culvert would not be significantly impacted. In terms of risks to surface water receptors, the on site culvert is considered not to be in continuity with the groundwater.

Remediation:

8.538 Given the relatively low contaminant concentrations compared to the most severe gasworks sites, the proposed remediation comprises of targeted groundwater treatment rather than large scale or site-wide remediation. With regards to the proposed remediation techniques, there will be no treatment of contaminated soils on site and at ground level. Hotspots of contaminated soil requiring remediation will be exported from the site and not treated on-site. The excavated soil will all be removed from the site via a new site entrance on Orient Way, avoiding the local residential streets and staying well away from existing residential properties and local schools.

8.539 The rationale for the soil removal is primarily precautionary to remove potential risks to groundwater in the longer term. As such, impacted soils at these locations will likely be removed and also the groundwater within these areas will be treated with in-situ remediation techniques. The remediation strategy states that prior to commencing remediation works, the contractor will need to prepare a method statement/implementation plan detailing how the remediation works will be undertaken.

8.540 The hotspots will be excavated under a watching brief by the consultant. The remediation excavations proposed comprise precautionary remediation to remove areas where significantly impacted soils may be present and potentially pose a residual risk. Remediation measures will not be undertaken in unfavourable weather conditions. Covered lorries will be utilised for off site disposal of any potential contaminated materials by road haulage.

8.541 The development would incorporate the following environmental design measures:

- The selection of concrete materials suitable for use in contaminated ground
- Installation of appropriate gas protection measures in building footprints via gas/vapour membrane to prevent ingress of ground gases.
- Importing clean cover in landscaped areas at ground level to protect users
- Sealing areas of the site not occupied by soft landscaping with hardstanding and buildings, preventing future site user exposure to underlying soil. A clean cover system will be installed in areas of proposed soft landscaping and separated from the underlying soils by a granular break and marker layer.
- Groundwater quality will also be monitored for the duration of the enabling works and remediation.

8.542 The Outline Remediation Strategy submitted as part of the planning application sets out the environmental controls expected of the remediation and groundworks contractors. If the planning application is approved, the remediation contractors will provide specific working method statements that include environmental controls such as dust, noise, odours and pollution prevention to be captured within a Construction Environmental Management Plan.

8.543 Following redevelopment, the majority of the site will be covered with hardstanding which is expected to reduce infiltration into the underlying soils and therefore reduce leaching of contamination to groundwater. This is a significant improvement for the potential for rainwater infiltration and leaching from current site conditions which are largely open.

8.544 An Odour Management Plan is requested via Condition 12 which would effectively include details of the odour mitigation strategy to adequately address the release of odour and gasses during the remediation.

8.545 Land Contamination is also addressed in further detail within Environmental Statement as set out in Section O of this report.

8.546 Standard land contamination planning conditions are applicable to all sites that are proposed for development and not limited to gasworks sites. The Council's Contaminated Land Officer has reviewed the report and is satisfied with the conclusions of the site investigation. The position has not changed from that of the previous consented scheme. In addition to this the Environment Agency raised no objection in relation to contamination matters related to contamination and satisfied to re-introduced the conditions agreed as part of the current consent on site.

8.547 The following details would be required to be submitted as part of detailed condition, prior to commencement of development:

- Remediation Strategy details and appropriate investigations
- Verification Report with any remediation measures.
- Long-term Monitoring and Maintenance Plan

8.548 No visual evidence of asbestos containing materials (ACM) was observed during the site investigation by Ramboll (drillers log notes potential ACM at one location), ten

of 36 samples were found to contain asbestos by the laboratory analysis. Condition 14 requests the submission of a pre-demolition and refurbishment asbestos survey.

8.549 Given the Environment Agency will be heavily involved in the determination of the detailed planning conditions, along with the Council's Environmental Health department, Officers consider the application meets the relevant planning policies, and sufficient information has been made in order to determine the planning application.

Air Quality

8.550 London Plan SI 1 sets out rigorous air quality standards for new development, including that it must be at least air quality neutral. It also puts in place requirements for during the demolition and construction phases of development.

8.551 Policy 88 of the Waltham Forest Local Plan LP1 (2024) states that new developments should mitigate any adverse air pollution impacts and be supported by Air Quality Assessment (AQA). It should be noted that the site is in the Waltham Forest Air Quality Management Area (AQMA), which covers the entire Borough and is in place due to vehicle emissions. Developments which may have a significant impact on air quality or, in an area where the existing air quality environment is poor or will have a significant impact on the development; will require a contribution towards implementation of the Air Quality Action Plan.

8.552 Air Quality has been scoped into the Environmental Statement and is also discussed further in Section O of the report in the context of the EIA legislation. The findings within the report supporting the application highlights that the car free nature of the development will minimise traffic generation and development would seek encourage the use of sustainable modes of travel. The proposal would utilise Air Source Heats Pumps, Solar PV's and efficiency gas boilers, ensuring that the development improves overall air quality of the site through the use of clean technologies for energy generation.

8.553 Mitigation measures would be required during construction to ensure dust minimised during dry and windy weather. These will be detailed in a Construction Environmental Management Plan (CEMP) which will be agreed with LBWF prior to the commencement of the works Construction phase road vehicle exhaust emissions would give rise to a negligible change in annual mean NO₂, PM₁₀ and PM_{2.5}. The Outline CEMP document supporting the application states that efforts will be made to select low impact air quality vehicles and all plant on site would comply with non-road mobile machinery (NRMM) requirements.

8.554 The analysis concludes that the development would be considered to be air quality neutral and air quality positive. The Air Quality Assessment submitted within the Environmental Statement has been assessed by the Council's Environmental Health Officer and found the information to be satisfactory. The Council's Environmental Health Officer requested conditions and informatives.

Odour

8.555 The Council's Air Quality Officer has requested an Odour Management Plan is submitted prior to the commencement of development. The report shall include details of an odour mitigation strategy to adequately address the release of odour and gasses during the remediation of the former gasworks. Any contaminated soil found on site would treated off site and removed from site in covered vehicles. Condition 12 would ensure that an Odour

Management Plan is submitted setting out an appropriate odour mitigation strategy would be in place during the works.

Agent of Change

8.556 Paragraph 193 of the NPPF development should ensure effect integration with existing businesses and community facilities can be achieved. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

8.557 Policy D13 of the London Plan Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. The proposed development introduces noise sensitive residential uses adjacent to the Golden Business Park, and industrial site and land within SIL.

8.558 Policy 50 of the Waltham Forest Local Plan LP1 (2024) highlights that proposals are required to consider the principles of the Agent of Change to minimise any potential conflicts between existing activities and new development.

8.559 The proposals seek to mitigate potential impacts by setting blocks A, B, C and D back from the boundary of the existing warehouses and service yards, installing enhanced double glazing to the windows of the closest properties, in line with the recommendations of the noise and vibration report supporting the application, and improving the boundary condition with landscaping and tree planting. In addition to this, the west elevation of Block D will require enhanced acoustic double glazing.

8.560 The GLA confirmed that they are broadly satisfied with the proposals, providing that appropriate noise mitigation measures for the building envelope are secured via condition, in order to ensure good living conditions are maintained for future residential occupiers. Details of the mitigation measures would be secured by condition.

8.561 On the basis of the above, Officers consider the proposals are acceptable with regards London Plan (2021) Policy D13 with respect to 'Agent of Change.'

Noise and Vibration

8.562 London Plan (2021) Policy D14 seeks the avoidance of adverse noise impacts through similar measures and highlights that development proposals should reflect the agent of change principle as set out in London Plan Policy D13, given the potential for complaints from new noise sensitive uses about existing noisy uses.

8.563 Policy 50 of the Waltham Forest Local Plan LP1 (2024) states that developers will be required to demonstrate the impact of their developments on the noise environment and, where appropriate, provide a noise assessment. Adding that the layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing.

8.564 The Noise Vibration Impact Assessment demonstrates that the majority of bedrooms on site would rely on partially open windows as part of their overheating strategy at night and it is proposed that all homes will be mechanically ventilated. An enhanced acoustic double glazing, will be required to habitable rooms on Block D with a view of the service yard to the west. For a small number of bedrooms in the south and west façades of Block D, it will

not be possible to rely on openable windows to control overheating. In these cases, attenuated openings, increased ventilation rates or mechanical cooling will be considered.

8.565 The overheating assessment outlines that these homes would require passive acoustic louvre wall vents with purge extract fans to increase ventilation rates. Passive acoustic louvre wall vents should provide the following element normalised acoustic performance requirements. Purge ventilation coupled with partially openable windows at night is the proposed strategy for the scheme. Noise levels on balconies are expected to meet the aspirational criterion across the site.

Pressure Reduction Stations (PRS) are typical of former gasworks developments as these have replaced the gasholder storage tanks, and are required to regulate high incoming pipeline pressure, reducing the pressure of the gas to usable levels. The noise generated by the PRS is generally higher during winter months due to the increased use of energy for heating. The noise assessment reveals that the PRS system can be considered very noisy. Noise mitigation works to the PRS are to be carried out by National Grid and Cadent Gas.

8.567 The playing fields are an existing noise source and any future residents would be aware that they are moving to a residence located next door to a school, and as such, should be expecting to hear noise from children for at least short durations (i.e. break and lunch times).

8.568 Noise and vibration created during construction will be mitigated through the implementation of a range of best practises. There may be some short-term adverse effects to the closest residents caused by piling. The applicant is required to engage with residents as part of the Construction Environmental Management Plan. The Council's Environmental Health Noise Team raised no objections to the development and recommended planning conditions as per the current consent on site to ensure the proposal considers appropriate noise matters.

External Lighting

8.569 Policy 50 of the Waltham Forest Local Plan LP1 (2024) states that light pollution will be minimised by design measures that would ensure external lighting schemes should only illuminate intended areas. London Plan (2021) Policy D8 has similar requirements concerning lighting in the public realm.

8.570 Condition 40 requests external illumination of all external lighting sources associated with the development. The ecological analysis also recommends a sympathetic lighting regime to minimise potential adverse effects to foraging and commuting bats.

M. Health Impact Assessment

8.571 Policy GG3 of the London Plan outlines requirements that proposals must follow to improve health and reduce health inequalities. For developments proposing over 100 new dwellings, applications are required to be supported by a Health Impact Assessment (HIA).

8.572 Policy 49 of the Local Plan outlines that all major developments are required to submit a HIA. All development meeting the thresholds set out in Policy 49 'Health Impact Assessments' will first require a 'Rapid Health Impact Assessment'. This involves a brief assessment of health impacts, including a literature review of quantitative and qualitative local evidence. Following consideration of the Rapid Health Impact Assessment, the Council may require additional information from the applicant or request the submission of a comprehensive Health Impact Assessment where adverse outcomes could be expected regarding the significance or likelihood of the impact occurring.

8.573 Chapter 7 of the Environmental Statement considers health impacts of the development discussed in details within Section O of the report. The scheme would generate increased pressure existing primary healthcare services, where GP's are already operating at substantially higher than the UK average Patient : GP ratio. The proposal would provide a healthcare facility at the ground floor of Block C. Officers have requested a financial contribution of £ £280,541 towards delivering health care improvements to mitigate the additional pressure caused by this development.

N. Fire Safety

8.574 Policy D12 of the London Plan (2021) sets out that all developments should be accompanied by a Fire Statement. Fire statements should be submitted with all major development proposals. These should be produced by a third-party, independent and suitably qualified assessor.

8.575 The application is accompanied by a Fire Statement which assess the development against Policy D12 objectives. London Fire Brigade raised no objections to the proposal. The Health and Safety Executive (HSE) reviewed the information supporting the application and is content with the fire safety design of the development. Condition 39 would ensure a finalised Fire Statement is secured in line with Policy D12 of the London Plan (2021).

O. Environmental Statement

8.576 Schedule 2 to the 2011 EIA Regulations sets out types of development that may require assessment. In practice this hinges on whether a project is likely to have significant environmental consequences due to factors such as size, activity and location. Schedule 2 developments include, for example, business parks, wind turbines, industrial projects, sports stadia, golf courses, and large housing schemes.

8.577 An Environmental Statement has been prepared in support of the application. Avison Young were instructed on behalf of the Local Planning Authority to undertake an independent review of the ES to confirm it is compliant with the requirements of the EIA Regulations. Avison Young have confirmed that generally the scope of the ES was considered adequate and the ES has been undertaken in accordance with the most recent informal scoping opinion agreed prior to submission of the application. The initial review response outlined several points of clarification required by the applicant in order to inform Avison Young's final advice. These clarifications related to Chapters 3 (EIA Methodology), 5 (Description of the Development), 6 (Demolition and Construction), 7 (Socio-economics), 8 (Air quality), 9 (Ground Conditions and Contamination), 10 (Water Resources, Flood Risk and Drainage), 11 (Daylight, Sunlight and Overshadowing), 12 (Wind Microclimate), Volume II (Townscape and Visual Impact Assessment) and Volume 3: Appendices.

8.578 In light of this, the applicant's consultant provided a written response seeking to satisfy Avison Young's queries. This response was further reviewed by Avison Young and was accepted, as such no further information was required. It was therefore considered that the LPA has sufficient environmental information to inform a decision. Upon careful consideration, the further information is considered to be clarification only and is not information which is directly relevant to reaching a reasoned conclusion on the likely significant effects of the development.

8.579 In addition to this, an EIA Statement of Conformity was provided to consider the amendments provided during the assessment of the application. The statement whether the changes could give rise to any new or materially different significant environmental effects

from those reported in the 2023 ES. Avison Young also reviewed this document on behalf of the LPA. It was agreed that there would be no new or materially different significant effects resulting from the development and there is sufficient environmental information to inform a decision on the amended development.

8.580 The following paragraphs briefly describe the likely effects of the proposed development with regard to various topics, during the construction works and once the Development is complete and operational.

Alternatives

8.581 Chapter 4 of the ES, in line with best practice, sets out the 'No Development Alternative' which refers to leaving the site in its current state. The potential negative outcomes of no development can be summarised as follows:

- Continued deterioration of the existing Site and continued under-utilisation of the Site;
- No further remedial works of a contaminated site, and existing potential sources of pollution would remain present at the Site. These sources could continue to cause potential pollution risks to controlled waters and potential risks to health;
- Loss of opportunity to provide new housing stock, including affordable housing that contributes to LB Waltham Forest's and London's housing targets as identified in the Strategic Housing Market Assessment (2017)¹ and London Plan targets for the borough;
- No realisation of local and regional socio-economic benefits of regeneration in terms of housing provision, employment and other commercial opportunities;
- Loss of opportunity to develop a new pedestrian route from the terraced housing to the north of the Site and Orient Way to the south

8.582 Masterplanning and the design of the Development has evolved in response to public consultation, including exhibitions and meetings with local residents and community groups, and consultation with Officers. Key environmental considerations in the evolution of the Development have included:

Description of the Development

8.583 Avison Young consider the chapter provides an adequate description of most aspects of the Development. The applicant provided additional clarification on some specifics of the development and Avison Young was satisfied with the additional response to these matters.

8.584 The chapter provides a comprehensive description of the detailed development including a detailed breakdown of each blocks residential unit mix, and quantum of cycle and refuse storage. The chapter also includes a brief description of facing materials and quantum of amenity spaces, landscaping and green infrastructure, access and parking.

Demolition and Construction

8.585 Chapter 6 of the ES, considers the demolition and construction phase assumptions for the Development. Upon review of the works, Avison Young considered that the chapter provides an adequate description of most aspects of the development. For each topic, the assessment considered the environmental effect of the development during the

works, followed by the anticipated environmental effects of the operational and complete development.

8.586 It is expected that the demolition and construction works of the development will take approximately 60 months to complete from start to finish with construction. Works to make a new vehicle access to the Site via Orient Way were completed in 2021 under works associated with the Consented Scheme. This will now allow vans and lorries access to and from the Site without disturbing the residents of Clementina Estate. The remaining demolition works will be undertaken followed by piling across the Site. It is expected that Blocks J, I and B will be the first three buildings to be constructed.

8.587 The Outline CEMP will inform the development of further detailed CEMPs for the applications that will set out the strategy, standards, control measures and monitoring procedures that will be implemented to manage and mitigate any adverse environmental effects of the construction process in accordance with industry standards, good practice and guidance. A Construction Logistics Plan ('CLP') will be implemented to minimise traffic related issues associated with the construction works. A finalised agreed CLP would be agreed while considering Highways requirements set out in the consultee response associated with the application. A Remediation Strategy will be implemented to ensure the removal of harmful contaminants from soil is employed. The development will seek to reuse materials and minimise waste production, including that of energy and water, wherever possible.

8.588 An Outline Construction Environmental Management plan has been submitted in support of the planning application as part of Appendix 6.1 of the ES. A detailed CEMP will be conditioned if the application is approved.

8.589 The Works chapter of the ES has been independently reviewed by Avison Young to ensure the chapters comply with the relevant environmental legislations. It was recommended that a finalised CEMP is conditioned with measures that are required to mitigate effects to the resident during the works. Furthermore, Avison Young suggested that the remediation strategy should be conditioned and cover the nature of the reduction activities.

Socio Economics

8.590 Chapter 7 of the ES reviews the socio-economic effects of the development with regards to employment, demand for community infrastructure, the impact on the local economy, provision of open and play space, and crime and safety.

8.591 The baseline scenario has been established from a desktop review of a number of sources. There are 22 primary schools within 1.8km and 18 secondary schools within 3.5km of the Site. There is surplus capacity in the local area and the borough. There are two GP surgeries located within 1km of the Site boundary, however neither have spare capacity. There are two local parks and one small open space within 400m of the Site boundary. The Leyton Jubilee Park is located adjacent to the Development and provides large area of public open space for active and passive recreation as well as playspace facilities appropriate for all ages. There are several larger parks within the guideline distances from the Development (four regional parks accessible within a 3.5km radius), notably the Victoria Park, Lee Valley Park and Hackney Marshes.

8.592 The construction phase would generate approximately 53 net Full Time Equivalent (FTE) jobs per annum. Of these, circa 436 of these jobs would be generated within Greater London whilst circa 94 of the total jobs would be created outside of London. The Development will contribute to meeting the Borough's housing delivery targets of which 35% affordable homes would be provided by habitable room basis in line with the London Plan.

8.593 The ES outlines that the proposal would provide approximately 15,583m² of open, amenity and landscaped space. This would include 4,236m² of private open space (balconies and terraces accessible to residents), 1,033m² of semi-private communal and courtyard space, and c10,314m² of public open and amenity space. Further the development would provide sufficient levels of on-site play space for children.

8.594 The Development will give rise to a projected population yield of 1,389 residents. Taking a 'worst-case scenario' in which all new residents register with one of the two local GP surgeries within 1km, the additional residents would increase the overall average. However, the development is seeking to provide an on-site healthcare facility to serve the new residents. This is likely to provide primary care services in conjunction with a new 'health hub' being delivered as part of the Coronation Square development. The ES concluded with the introduction of new healthcare facility the impact of the development is considered negligible.

8.595 The Infrastructure Delivery Plan (2020) identifies infrastructure requirements across the borough, setting out what is needed, where, and when. It includes projects relevant to waste, transport, education, utilities, health, culture, sports, the emergency services, and green infrastructure. The plan identifies the need for new health care facilities in the area to respond to the future growth in the area. The borough's health infrastructure is maintained and improved through capital investment. The sources of capital investment for well-designed buildings often involve CIL and S106 contributions from large scale residential developments, such as this application, and their delivery over multiple years.

8.596 It is envisaged that there is sufficient capacity in the primary and secondary schools within 1.8km from the site to accommodate the additional children capacity created by the proposed development. The Council's Education Team were consulted during the course of the application confirming that there are sufficient primary and secondary school places in the local area to accommodate the additional demand from the proposed development. In addition to this, the Education Team identified that the Kelmscott Secondary School have expanded two forms of entry.

8.597 For crime and safety, despite there being a relatively low localised crime rate, the detailed design of the Development will seek to incorporate best practice from the Secured by Design guidelines.

8.598 Chapter 7 of the ES has been independently reviewed by Avison Young on behalf of LBWF who raised no concerns with the baseline information or the conclusions of the chapter.

Air Quality

8.599 Chapter 8 of the ES assess matters relating to air quality. The baseline air quality scenario of the site and surrounding road network was established using existing LB Waltham Forest monitoring data for 2019, with future year predictions using dispersion modelling in-line with Institute of Air Quality Management (IAQM) Guidance.

8.600 The results indicate that effects on annual mean NO₂, PM₁₀ and PM_{2.5} concentrations as a result of construction phase traffic emissions were predicted to be negligible. The undertaking of demolition and construction activities has the potential to result in fugitive dust emissions during the works. This can be managed appropriately with suitable practices and mitigation measures in place.

8.601 The CEMP would be in place to effectively manage on-site emissions. These measures would include a Dust Management Plan, logging complaints relating to dust, using

screens and barriers around dust-causing activities, covering of stockpiles of potentially dusty materials and dust monitoring. Emissions from construction plant and vehicles would be reduced through measures including good management of plant and vehicles (e.g. no idling), and the use of electricity or battery-powered equipment where practicable. These measures would be captured via planning conditions.

8.602 The assessment also considers emissions from as result of road traffic and the energy centre emissions as a result of the completed development. It is predicted that emissions from the complemented development would be negligible to the area and to Epping Forest SAC. Exhaust emissions has also been considered in the Shadow Habitats Regulations Assessment that supports the planning application. The development would incorporate low car parking provision, provision of electric car parking spaces and high cycle parking provision.

8.603 Avison Young recommended that an Air Quality and Dust Management Plan and Odour Management Plan are conditioned. NRMM requirements will also be set via a compliance planning condition.

Ground Conditions and Contamination

8.604 Chapter 9 of the ES considers of the likely significant effects of the proposed development on ground conditions and contamination. The Site was formally an extension of Lea Bridge Gasworks, which occupied the land to the immediate west of the Site. Three gasholders were constructed and used between 1915 and 1968, at which point the operational gas works closed. The gasholders remained in use until 2012 and they have recently undergone decommissioning and demolition, with the footprint of the three gasholders remaining on-site. Gasholder 5 is located in the centre of the site, Gasholder 6 is located to the east of the site and Gasholder 7 is located to the south of the site.

8.605 Ground conditions and potential contamination risks have been established by completing a review of multiple historic reports and the previous remediation works on-site. A supplementary site investigation has been undertaken to provide more detailed information on the site conditions. The ES explains that there is a potential presence of soil and groundwater impacts as a result of the historical use as a gasworks and gas storage previously on the site.

8.606 Controlled waters may be affected by oil/fuel spills, infiltration of polluted runoff, leaching of contaminants into the drainage network and creation of a contaminant pathway during piling and ground disturbance works. However, suitable implementation of proposed mitigation measures, such as the Remediation Strategy can manage this appropriately. the completed Development will not introduce significant contamination to the site and mitigation measures (such as hardstanding or cover systems in landscaped areas) will prevent the introduction of new contaminants to the ground. In addition, foundation design will limit the mobilisation of contamination of controlled waters.

8.607 The initial Remediation Strategy supporting the application which provides specifications for remediation to mitigate any identified risks and finalised details would be secured via a planning condition. Remediation measures would be employed during the enabling works and construction stage will be subject to environmental permitting. Following soil and groundwater remediation works, a watching brief will be implemented to mitigate

undiscovered contamination and these details would be secured via a Remediation Strategy that would be secured through a planning condition.

8.608 Should asbestos fibres, vapours or odours in on-site soil be found to be elevated, boundary air monitoring should be undertaken as a line of evidence when considering potential effects upon off-site residents. Planning Conditions requiring a Vapour Risk Assessment, Odour Management Strategy and Asbestos would be secured if permission is granted.

8.609 The implementation of appropriate best practice site measures, through adherence to a CEMP would reduce the mobilisation of airborne contaminants (e.g. damping down during ground reduction / excavation works) and risk of construction workers coming into contact with contaminated soils or groundwater. An odour management plan will be developed in relation to the remedial excavations, as requested via Condition 12.

8.610 The development will integrate the following environmental design measures:

- the selection of concrete materials suitable for use in contaminated ground;
- Installation of appropriate gas protection measures in building footprints;
- Installation of oil interceptors into the surface drainage system from hardstanding areas to ensure that there is no potential contamination from cars and service vehicles;
- Including a drainage system which does not allow surface water infiltration into the underlying soils but is contained within a dedicated drainage system and discharged off-site;
- Importing clean cover in landscaped areas at ground level to protect users and provide a suitable growing medium for plants; and
- Sealing areas of the Site not occupied by soft landscaping with hardstanding and buildings, preventing future Site user exposure to underlying soil.

8.611 The completed development will not otherwise introduce significant contamination to the site and mitigation measures such as hardstanding or cover systems in landscaped areas will prevent the introduction of new contaminants to the ground.

8.612 As set out in the planning assessment the above the Environment Agency did not raise an objection to the ground contamination investigations or outline remediation measures, however requested the conditions agreed via the consent on site (Ref: 201329). The EA's advice is accompanied by a number of stringent conditions and informatives that would be placed on the permission if approved.

8.613 The applicant is required to work in strict adherence with and approved CEMP. A Foundation Works Risk Assessment would also need completing, as well as a Piling Risk Assessment to be approved by the Environment Agency. Condition 19 would ensure that any contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination would be dealt with.

8.614 The majority of works associated with the remediation and decontamination of the site on sensitive receptors, subject to adherence to the CEMP and mitigation measures. Chapter 10 of the ES has been independently reviewed by Avison Young on behalf of LBWF who raised no concern with the conclusion.

Water Resources, Flood Risk and Drainage

8.615 Chapter 10 of the Environmental Statement includes an assessment of the likely significant effects of the proposed development on water quality and hydrology in the study area. An amended Flood Risk Assessment was provided during the course of the application to overcome the EA objections. This document provides detailed information on how the development design seeks to reduce flood risk to the site and to its surrounds, and how foul water (e.g. sewage) and surface water would be managed to ensure that water quality and the level of flood risk within the site and surrounding area is maintained, as well as ensure that the sewerage infrastructure capacity is not compromised.

8.616 The site predominantly lies within Flood Zone 2, with localised areas on the western boundary and the southern tip of the Site located in Flood Zone 3. The site is located within a Zone 2 (Outer) Groundwater Source Protection Zone (SPZ). The principal source of flood risk in the area is typically associated with the River Lee, the Lee Navigation, the River Lee Flood Relief Channel and the Dagenham Brook; all of which form part of the River Lee catchment. One of the spillways from the Dagenham Brook is via a culvert which crosses the south of the site. The culverted spillway from the Dagenham Brook, connecting to the River Lee Flood Relief Channel, crosses the south of the Site. It is not known if there are any current connections from the site into the culverted watercourse.

8.617 The ES highlights that the footprint of the former north eastern gas holder would be at low risk of surface water flooding, with the eastern edge of the gas holder at medium risk of such flooding. The boundary of the former southern gasholder is shown to be at medium risk of surface water flooding. Land on Orient Way, at the southern entrance to the site is shown to be at low surface water flood risk.

8.618 The development designs provide an opportunity for balancing flood risk by allowing flood water to move through the site unimpeded from north to south. It was identified within the Environmental Site Assessment that there are contaminants within soils that could pose a risk to controlled waters if not managed appropriately.

8.619 A robust CEMP and appropriate storage of hazardous materials on site would mitigate and reduce the potential for mobilising existing contamination and/or the creation of new pollution pathway which may arise during demolition and construction works. The CEMP would also detail a temporary drainage system and how this would be implemented to minimise the potential risk of increased sediment affecting the surrounding areas and downstream surface water receptors during construction.

8.620 Implementation of an appropriate temporary drainage system would be required in order to minimise the potential risk of increased sediment affecting the surrounding areas and downstream surface water receptors during construction. This would be detailed in the CEMP. It is intended that surface runoff from the Site during the construction phase would be discharged to a sewer under consent to be obtained from Thames Water or to the culverted watercourse south of the Site under licence from the EA. If sewer capacity is limited or consent is not granted for discharge to the watercourse to the south, then water will be stored on-site prior to being removed by tanker and disposed of at a suitably licenced location. An Site Pollution Incident Response Plan would be developed to deal with potential spillages and/or

pollution incidents. This would include the provision of on-site equipment for containing spillages.

8.621 The following design measures would be incorporated within the design of the development to adequately address flood risk:

- Raising of the floor level of the residential areas of the development.
- Safe refuge within each building at first floor or above.
- The scheme has been designed to demonstrate it can adequately maintain a flood conveyancing route through the site.
- Suitable surface water drainage strategy to provide on-site attenuation, reduce rates of discharge to downstream waterbodies and provide water quality treatment.
- The buildings will be designed to maximise water efficiency.

8.622 A Flood Warning Evacuation Plan (FWEP) would be prepared prior to occupation of the Development and this would include measures to ensure the safety of site occupants and visitors. The facilities management team would be responsible for regular testing of the procedures outlined in the FWEP and updating of the document if necessary.

8.623 It is proposed to discharge surface water runoff from the development to the culverted watercourse to the south of the site. Attenuation storage is proposed for all storm events in the form of swales within areas of soft landscaping. Due to the shallow fall across the site, it is not possible to achieve gravity discharge to the culvert from the most northerly areas of the Site. It is therefore proposed to pump flows from the north and north eastern part of the site prior to connection into a gravity surface water network in the southern part of the site. Prior to discharge off-site all flows will pass through an oil interceptor to provide water quality treatment.

8.624 Thames Water has confirmed that it would anticipate there being sufficient capacity within the existing Thames Water sewer network to serve the development with regard to foul drainage. Therefore, the potential effect of the completed development on the local foul drainage network is considered to be negligible.

Daylight, Sunlight and Overshadowing

8.625 Chapter 11 of the ES sets out an assessment on the environmental effects of the development on the daylight and sunlight amenity to the occupiers of neighbouring properties and overshadowing to existing amenity areas in the vicinity of the site.

8.626 The BRE Guidance provides two primary methods for assessing daylight for existing residential accommodation that are applicable for this assessment: Vertical Sky Component (VSC) and No Sky-Line Contour (NSC) methods. When reviewing the daylight results for each property, they should be read sequentially; VSC and then NSC.

8.627 In relation to overshadowing, the sun-on-ground indicator” methodology was used. The BRE Guidance suggests that the Spring Equinox (March 21st) is a suitable date for the assessment. Using specialist software, the path of the sun is tracked to determine where the sun would reach the ground and where it would not. This assessment reviews the total percentage of an area that receives at least 2 hours of direct sunlight on March 21st.

8.628 The baseline VSC assessment reveals that over half (55%) of windows do not meet the required target for absolute VSC. This is due to the majority of windows that were

deemed relevant for this assessment, are found within the rear extensions of the properties. These windows in question are naturally constrained in their outlook, often facing directly and in close proximity to the neighbouring properties. No. 38 Clementina Road contains an overhanging awning on the rear of the property. This awning is a self-limiting feature which reduces the daylight potential of the windows and rooms below. This has resulted in low levels of VSC in the existing scenario, where the overhung windows (W7 and W8) achieve only 5.5% and 7.4% VSC respectively.

8.629 The baseline NSC results highlights that that the vast majority of rooms (72%) meet the suggested targets of 80% of the room enjoying a view of the sky at the working plane. The baseline APSH assessment results indicate that whilst the vast majority of rooms (78%) do meet the required targets; a number of properties (22%) do experience low levels of sunlight within the existing scenario. Overall, the orientation of the rear additions on these properties lead to more constrained windows.

8.630 The results seen within the baseline scenario are varied for daylight and sunlight, with over half of the windows tested within properties on Clementina Road and Perth Road receiving levels of daylight and sunlight below the recommended levels. This is primarily due to additions and extensions on the back of the properties. Other properties enjoy levels well above the recommended levels as they look out to the low rise and relatively undeveloped gasworks site. In terms of overshadowing, the existing baseline scenario shows that a number of rear gardens on Clementina Road and Perth Road are below the recommended targets. The playing fields to the east and south east show low levels of overshadowing due to the relatively undeveloped land surrounding the site.

8.631 The daylight has been assessed to 269 windows using Vertical Sky Component, the results demonstrate that all 246 windows will meet the BRE recommendations. Internal daylight has been assessed to 156 rooms using Daylight Distribution. The results demonstrate that all 156 rooms will meet the recommendations in the BRE. The sunlight has been assessed 127 windows using Annual Probable Sunlight Hours. The report states that there are no noticeable impacts to the neighbouring properties. The site benefits from planning permission and the results for the proposed demonstrate a similar compliance level and effect on neighbouring receptors.

8.632 Mitigation measures have been included through the design process of the development, taking the surrounding properties into consideration to reduce the potential impact to these receptors. Set back have been introduced to the northernmost Blocks of the Development, significantly reducing the potential impact to neighbouring daylight and sunlight levels. The cutback consisted of the reduction of the top floor of Block H, stepping back from the rear of the Clementina Road properties. This was done to reduce the risk of potential significant daylight effects to the rear of the properties on Clementina Road.

8.633 The development will cause additional levels of shadowing on March 21st and, where not confined to the Site, the shadows will pass quickly across neighbouring amenity areas. The properties to the north of the Site on Clementina Road will experience some additional overshadowing to the gardens intermittently, between 8:00am to 12:00pm. The gardens on Perth Road do not experience any overshadowing during March 21st. The Lammas School Field to the east of the Site will see additional overshadowing from 12:00pm onwards until the end of the day. The shadows cast on this area of the playing fields will pass quickly, generally lasting for no more than two hours in one area.

8.634 Due to the location of the Development to Leyton Jubilee Park to the south of the Site, the Development will only cast shadows over the northernmost element of the park.

On the assessment date of March 21st (equinox), the northern element of the park will experience additional shading from 2pm and this will continue into the evening. On June 21st (summer solstice), where the shadows are at their shortest as the sun is at its highest in the sky, the shading is seen to be less prominent from 3pm, however where the sun is in the sky for longer in the evening the shading lasts later in the day.

8.635 The ES concludes that the daylight effects for the residential properties within the vicinity of the proposed scheme however this would be negligible. With regard to overshadowing, 27 of the 28 amenity spaces assessed will show full compliance with the BRE recommended targets. The remaining space shows a marginal deviation from the targets and so this impact is deemed to be an adverse effect of negligible significance.

8.636 There are no cumulative schemes planned or expected in the immediate locality that would impact on the daylight, sunlight and overshadowing assessment.

8.637 It was noted during the course model details discussion that the results in the Environmental Statement Chapter 11 Appendix 11.2 for the neighbouring properties were slightly outdated. The updated results were provided during the course of the application illustrated minor changes. The comparison of results shows minor improvements in nos. 2, 8, 10, 16, 20, 22, 30, 36, 38, 42, 44, 46, 52, 54, 60, 62 and 68 Clementina Road, all of which would experience up to 3 windows which would experience improvements of 0.1% to 0.7% VSC. There is one instance of a minor reduction in VSC, occurring in W1 of 28 Clementina Road, which presents a non-material reduction of 0.2% VSC, however again this is not considered material. These results are considered minor and would not constitute any material change to the daylight and sunlight position.

8.638 Chapter 11 has been reviewed by Avison Young who raised no concerns with Sunlight, Daylight and Overshadowing assessment with regard to the EIA regulations.

Wind Microclimate

8.639 Wind tunnel testing of a physical scale model has been combined with long-term wind statistics appropriate to the Site to provide a detailed assessment of wind conditions at ground level in and around the Site. This has been undertaken in accordance with the industry standard and best practice Lawson Comfort criteria³ for pedestrian safety and comfort. The ES highlights that wind speeds are generally highest during winter, when the most frequent strong winds blow from the south-west or northeast.

8.640 The development would be exposed to a prevailing south-westerly wind and as such the landscape strategy has been designed to help alleviate the channelling of winds through and around the development. The ES highlights that conditions in and around the site would remain safe for all users and the effect of the development on pedestrian safety is negligible. Wind conditions on thoroughfares within the site are considered suitable for pedestrian access to, and passage through. Main entrances to the development are also suitable for pedestrian ingress and egress. The impact for occupiers at building entrances are also considered to be negligible.

8.641 Conditions within the northern amenity spaces are considered suitable for proposed recreational uses. It was highlighted that elements of the playspace between Blocks B, C, D, E and F are slightly windy but while considering the proximity to other nearby calmer play spaces it would be tolerable as a whole. The play spaces at the south end of the Site enjoy amenable conditions for children's play. Recessed terraces and terraces in more sheltered areas of the Site are expected to enjoy suitable conditions for long periods of outdoor sitting during at least summer. Some private ground floor terraces are similarly slightly windy

but tolerable. These terraces are locally sheltered by the tall shrub planting such that conditions are still expected to be suitable for outdoor seating for a large majority of the time during summer.

8.642 The potential communal roof-top terraces on Blocks B, I and J are expected to enjoy suitable conditions for associated recreational uses throughout the year. It was highlighted that Block G would be susceptible to prevailing winds channelling around the upper floors of the Block and is expected to require purposely developed landscaping measures. The ES advises that this may result in mesh screens with climbing plants, hedges or planters with tall shrub planting. These finalised mitigation measures would be captured within the landscape details condition.

8.643 The majority of balconies facilitating Blocks D and E are expected to be safe and considered comfortable. The corner balconies at mid-to upper levels on the south-western elevations of Blocks D and E were assessed as windier than would typically be targeted and the windier balconies may, overall, be considered uncomfortable. At the windiest balcony tested, at the west corner on Level 11 of Block E, the upper threshold wind speed for long-term sitting is exceeded for approximately 30% of the time during summer. At the windiest balcony tested, at the north corner on Level 11 of Block E, the upper threshold wind speed for long-term sitting is exceeded for approximately 6% of the time during summer.

8.644 The results presented in Appendix 12.1 are, conservatively, in the absence of dividing screens and suggest that the Level 09 balconies on the south west elevation of Block E may be marginally windy for associated recreational uses. However, the 1.5 m high, solid, dividing screens tested had a substantial benefit, creating suitable conditions for long periods of outdoor sitting from spring through to autumn. Screens are expected to be implemented for and conditions on the shoulder element balconies are therefore expected to be considered acceptable for a private elevated space.

8.645 The applicant explained that optimising the amenity value of a balcony is not straightforward. A greater amenity value may be achieved through accepting more frequent windy conditions to retain a more outdoor feel to the space, rather than enhancing wind conditions by creating a more enclosed space. The balconies all rate as safe and it was determined that a more open outdoor space was preferable.

8.646 The ES stipulates that the Development has no significant impact on surrounding conditions in terms of suitability for existing uses.

8.647 Overall, Officers consider the conclusions of the Wind Microclimate chapter of the Environmental Statement to be, on balance, acceptable and commensurate of a modern development of this scale at this allocated site for transformation.

8.648 Avison Young undertook the Independent Review of the ES on behalf of the Council and confirmed that the information contained within the section meets the relevant environmental legislation

Townscape and Visual Impact Assessment

8.649 The Environmental Statement Volume II includes a Townscape and Visual Impact Assessment (TVIA) whereby an assessment of the development in relation to the effects upon townscape and visual matters as is carried out. The visual impact assessment considers the effect of the Development on the visual amenity experienced by people (visual receptors) and how this would change through a series of representative views.

8.650 The study area includes the following Conservation Areas, which are shown in:

- Thornhill Road Conservation Area, located approximately 800m to the south-east of the Site; and
- Lea Bridge Conservation Area, located approximately 730m to the south-west of the Site.

Furthermore, there are two Grade II* listed building (the Parish Church of St Mary the Virgin and Walnut Tree House) and 15 Grade II listed buildings within the study area.

The TVIA highlights five townscape character area receptors as follows:

- TCA1: Leyton Fringe includes one designated heritage asset, which is Grade II (the Ice House at St Josephs Roman Catholic School).
- TCA2: Leyton Infrastructure does not include any designated heritage assets or conservation areas and is considered to have a poor townscape value.
- TCA3: Hackney Open Spaces is predominantly open space with varying public access and is designated as Metropolitan Open Land. The southern extent falls within LB Hackney. Due to the character and status as an extensive area of open green space along the Lea Valley, it has a high to medium townscape value.
- TCA4: Leyton includes several listed heritage assets, including the Grade II* Parish Church of St Mary the Virgin, as well as several Grade II and locally listed buildings and the Thornhill Road Conservation Area. Overall, it is considered to have a medium to low townscape value.
- TCA5: Lower Clapton Residential is separated from Hackney Marshes to the east by the River Lee Navigation. It includes several Grade II listed buildings and the Lea Bridge Conservation Area. Overall, it is considered to have a medium to low townscape value.

8.651 The assessment notes there would be minor neutral to no effect on Viewpoints 2: Clementina Road, 9: Hackney Marshes Pavilion, 11: River Lea towpath (south), 12: Lee Valley Park and 13: River Lea towpath (north). View 11: River Lea towpath (south) includes Princess of Wales Public House, within LB Hackney and the foreground falls within the Lea Bridge Conservation Area. It was concluded that in the winter, a limited glimpsed view would be gained to the upper floors of the Development's taller Blocks D and E in the background of the view, behind the intervening trees. It would have a very low magnitude of impact. Therefore, through combining this magnitude of impact with the high sensitivity, the Development would have a likely local, permanent, direct, no effect (not significant) on the representative view.

8.652 The ES concludes that the proposed development would align with the level of intensification and change identified as appropriate for Leyton in LB of Waltham Forest's Characterisation and Intensification Study (Ref.18), which identifies Leyton as an area appropriate for Transformation; i.e. with a fragmented urban grain which could allow for a transformation of existing character. The façade materials palette and tone has been inspired by the architecture of the adjacent Clementina Estate and is therefore rooted in its context, with brickwork featuring as a key material. This helps to assimilate the Development into the townscape.

8.653 The analysis further outlines that the views of the Development's taller buildings (Block D and E) would assist with signposting Lea Bridge from the wider area and the Development represents a positive use of a derelict site. They also provide wayfinding to Leyton Jubilee Park and a new access into it has been provided within the Site.

The TVIA concludes that the cumulative effects of the proposal while considering other developments in the wider area would not raise any considerable concerns.

Effect Interactions

8.654 Chapter 13 of the ES incorporates an assessment on the potential for interaction of individual effects of the Development upon identified receptors / resources, e.g. noise, dust and visual effects ('in-combination' effects) during all phases of the Development. Effect interactions is the combination of different environmental effects resulting from one project upon individual receptors.

8.655 The only in-combination effects with potential to arise during construction works would be in relation to the health and safety risks from ground contamination and risks associated with the storage and removal of hazardous materials on construction workers. However, implementation of the CEMP and Remediation Strategy would help mitigate these matters as far as practicable.

8.656 To mitigate and reduce these impacts as far as possible the Environment Agency and LBWF Environmental Health officers and the Lead Local Flood Authority have requested stringent conditions with regard to Construction Environmental Management Plan, Contamination and Remediation Strategy accompanied with verification and ongoing monitoring, Odour Management, Air Quality and Dust Mitigation Plan, Flood Risk Assessment, Surface Water Drainage and Piling. No ground water infiltration will occur, and all surface water will be tanked and attenuated into the sewer to avoid leaching of contaminants into the ground water.

8.657 It is further concluded that future residents within the development are likely to experience adverse effect interactions in relation to wind effects on ground level public and private amenity spaces and through disturbance during any maintenance works. Equally, local residents are likely to incur beneficial effect interactions from the additional local spending associated with the Development, improved playspace provision and townscape and visual improvements both on-site and in the local area as a result of the regeneration of the site.

Q. PLANNING OBLIGATIONS

8.658 Section 106 Agreements are a material consideration in the determination of a planning application. The purpose of such an Agreement is to make otherwise unacceptable development acceptable and they should only be sought where they meet all of the following tests: i) Necessary to make the development acceptable in planning terms, ii) Directly related to the development and iii) Fairly and reasonably related in scale and kind to the development.

8.659 The following S106 Heads of Terms are recommended, having regard to planning policy:

- Affordable Housing
- Local Labour and Employment
- NHS Healthcare Facility
- Primary Healthcare provision
- Highways
- Epping Forest SAC

- Carbon Off-Set
- Retention of Architect
- Monitoring and Implementation
- Legal Fees

The details of these requirements are set out in the recommendation section of this report.

CONCLUSION

8.660 This report provides Officer's comprehensive consideration of the planning application and its supporting documentation, including the further/additional information submitted and any representations received. The conditions set out in the agreed S106 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.

8.662 This Report has considered the proposals in light of the adopted development plan policies and other material considerations or representations relevant to the environment effects of the proposed development. The application if approved would deliver significant regenerative benefits, not least including:

- Redevelopment of a former decommissioned brownfield Gasworks site within a residential context;
- 643 new residential units (35% of which are affordable) which contribute towards local housing targets;
- New nursery;
- New healthcare facility
- Over 10,000sqm of publicly accessible open space, new public square and new walking and pedestrian landscaped links to Leyton Jubilee Park;
- New footpaths and improvements inside Leyton Jubilee Park;
- Optimisation of development potential of the site and regeneration of Lea Bridge and area identified for transformative growth and character development;
- Valuable CIL contributions

8.663 The project is accompanied by a robust public consultation programme including community newsletters, drop in events and a regeneration webpage. The application has received a lot of public interest.

8.664 1The proposed development would result in bringing a contaminated and inaccessible site back into sustainable use which will be safe for human habitation.

8.665 The principle of the development and proposed land uses have been reviewed and considered acceptable by officers in accordance with local and regional planning policies. The GLA is clearly supportive of optimising redundant utility sites and consider former gasworks sites are a source of important brownfield housing land.

8.666 The development would deliver 35% affordable housing and is eligible for GLA Fast Track route. The development would deliver a policy compliant ratio of London Affordable Rent (70%) and Shared Ownership (30%).

8.667 The height, scale, massing and design of the development are acceptable and will result in high quality architecture and density which is considered appropriate for the location. The architectural quality will be maintained through to delivery by appropriate materials conditions and retention of the architect clause in the Section 106 agreement. The scheme would provide a comprehensive landscape strategy that would be accessible to all new residents and current residents within the area.

8.668 The completed development would be car free and provide sufficient cycle parking and disabled parking which and has been designed to promote LBWF's walking and cycling improvements and facilitates the strategic modal shift from car ownership to public transport. Moreover, no construction vehicle routing will enter the Clementina Estate. All vehicles will enter and exit the site via a new Orient Way access point.

8.669 An extensive SuDS strategy has been designed to attenuate the surface water flood risk to greenfield run off rates. The proposal would have an urban greening factor of 0.4 and a valuable net gain in biodiversity, as well as a low carbon energy strategy comprising Air Source Heat Pumps and Solar PV to maximise the renewable energy provision on site. The proposal would make significant CIL contributions, as well as significant social infrastructure.

8.670 Overall, officers have given careful consideration to the submitted Environmental Statement and where impacts are forecast to arise from the proposed development, adequate mitigation measures have been introduced to make the proposed development acceptable in planning terms.

10. ADDITIONAL CONSIDERATIONS

Public Sector Equality Duty

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

A Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

- 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 not considered that the recommendation to grant permission in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights:

10.2 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.

10.3 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.

11. RECOMMENDATION

11.1 The Planning Committee is recommended to GRANT planning permission subject to resolving the outstanding Environment Agency's objection under Delegated Authority, conditions and informatives and followed prior completion of a Section 106 Agreement with the Heads of Terms as set out in paragraph 1.1 of this report. Conditions that have been discharged or part discharged as a result of the commencement of the previous consent will be appropriately amended.

11.2 That authority to be given to the Assistant Director of Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the Legal Agreement and to agree any minor amendments to the conditions or the Legal Agreement on the terms set out above.

PLANNING CONDIITONS

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.

2. The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings Numbers:

W406-POL02-ZZ-00-DR-A-10-001 P3

W406-POL02-Z1-00-DR-A-10-100 P4

W406-POL02-Z1-01-DR-A-10-101 P4

W406-POL02-Z1-02-DR-A-10-102 P4

W406-POL02-Z1-03-DR-A-10-103 P4

W406-POL02-Z1-04-DR-A-10-104 P4
W406-POL02-Z1-05-DR-A-10-105 P4
W406-POL02-Z1-06-DR-A-10-106 P4
W406-POL02-Z1-07-DR-A-10-107 P4
W406-POL02-Z1-10-DR-A-10-110 P4
W406-POL02-Z1-ZZ-DR-A-10-111 P4
W406-POL02-Z2-00-DR-A-10-100 P4
W406-POL02-Z2-01-DR-A-10-101 P4
W406-POL02-Z2-02-DR-A-10-102 P4
W406-POL02-Z2-03-DR-A-10-103 P4
W406-POL02-Z2-04-DR-A-10-104 P4
W406-POL02-Z2-05-DR-A-10-105 P4
W406-POL02-Z2-06-DR-A-10-106 P4
W406-POL02-Z2-08-DR-A-10-108 P4
W406-POL02-Z2-09-DR-A-10-109 P4
W406-POL02-Z2-10-DR-A-10-110 P4
W406-POL02-Z2-11-DR-A-10-111 P4
W406-POL02-Z2-12-DR-A-10-112 P4
W406-POL02-Z2-13-DR-A-10-113 P4
W406-POL02-Z2-14-DR-A-10-114 P4
W406-POL02-Z2-15-DR-A-10-115 P4
W406-POL02-Z2-20-DR-A-10-120 P4
W406-POL02-Z2-ZZ-DR-A-10-121 P4
W406-POL02-Z3-00-DR-A-10-100 P4
W406-POL02-Z3-01-DR-A-10-101 P4
W406-POL02-Z3-02-DR-A-10-102 P4

W406-POL02-Z3-03-DR-A-10-103 P4

W406-POL02-Z3-04-DR-A-10-104 P4

W406-POL02-Z3-05-DR-A-10-105 P4

W406-POL02-Z3-06-DR-A-10-106 P4

W406-POL02-Z3-11-DR-A-10-111 P4

W406-POL02-Z3-ZZ-DR-A-10-112 P4

W406-POL02-ZZ-ZZ-DR-A-10-201 P2

W406-POL02-ZZ-ZZ-DR-A-10-202 P2

W406-POL02-ZZ-ZZ-DR-A-10-300 P3

W406-POL02-ZZ-ZZ-DR-A-10-301 P3

W406-POL02-ZZ-ZZ-DR-A-10-302 P2

W406-POL02-ZZ-ZZ-DR-A-10-303 P2

W406-POL02-ZZ-ZZ-DR-A-10-304 P3

W406-POL02-ZZ-ZZ-DR-A-10-305 P2

W406-POL02-ZZ-ZZ-DR-A-10-306 P2

W406-POL02-ZZ-ZZ-DR-A-10-307 P2

W406-POL02-ZZ-ZZ-DR-A-10-308 P2

W406-POL02-ZZ-ZZ-DR-A-10-309 P2

W406-POL02-ZZ-ZZ-DR-A-10-310 P2

P21210-00-001-GIL-100 P03

P21210-00-001-GIL-101 P04

P21210-00-001-GIL-110 P02

P21210-00-001-GIL-140 P00

P21553-00-001-GIL-200 P01

P21553-00-001-GIL-201 P01

P21553-00-001-GIL-202 P01

P21553-00-001-GIL-203 P01

P21553-00-001-GIL-204 P01

P21553-00-001-GIL-205 P00

Supporting Information:

Design & Access Statement (inc. Landscaping, Urban Greening Factor, Crime Prevention Measures & CGIs) dated 31/10/2023

Design and Access Statement – Addendum dated February 2024

Accommodation Schedule Re. 240207

Planning Statement prepared by Quod dated February 2024

Footnote 59 Compliance Information prepared by St William

Transport Assessment prepared by TPP dated February 2024

Travel Plan prepared by TPP dated October 2023

Car Park Management Plan prepared by TPP dated October 2023

Delivery Servicing Management Plan prepared by TPP dated October 2023

Operational Waste Management Plan prepared by TPP dated February 2023

Energy Strategy prepared by Hodkinson dated May 2024

Sustainability Statement (incl. BREEAM) prepared by Hodkinson dated February 2024

Whole Life Cycle Carbon Assessment prepared by Hodkinson dated February 2024

Circular Economy Statement prepared by Hodkinson dated February 2024

Overheating Assessment prepared by Ramboll Version P0

Internal Daylight & Sunlight Assessment conducted by ED7 dated February 2024

Fire Statement (Stage 2 Report, Gateway One & GLA LP Fire Statement) Rev 2 prepared by Introba

Noise and Vibration Impact Assessment Rev. 6 prepared by RSK Acoustics

Ecological Assessment (incl. Biodiversity Net Gain Assessment) prepared Ecology Solutions

Habitat Regulations Assessment (HRA) (including SANGs Assessment & Open Space Assessment) prepared by Ecology Solutions

Archaeological Assessment prepared by RPS

Tree Survey/Arboricultural Impact Assessment Rev. B prepared by keen

Statement of Community Involvement conducted by Kanda

Elevation Details prepared by Pollard Thomas Edwards dated April 2024

Environmental Statement:

Environmental Statement: Non-Technical Summary prepared by Quod dated October 2023

Environmental Statement Volume 1: prepared by Quod dated October 2023

Environmental Statement Volume 2: Townscape and Visual Impact Assessment dated October 2023

Environmental Statement Volume 3: Technical Appendices dated October 2023

EIA Statement of Conformity prepared by Quod dated February 2024

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

Materials

3. Prior to the completion of roof slab levels for each phase of development, and notwithstanding any indications shown on the submitted plans, samples and a schedule of materials to be used in the external surfaces of each phase of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained as such for the lifetime of the development.

REASON: To ensure a satisfactory appearance in accordance with Policy D4 of the London Plan (2021) and Policy 53 of the Waltham Forest Local Plan LP1 (2024).

Public Art Strategy Details

4. Prior to occupation of Phase 2, a Public Art Strategy shall be submitted and approved by Local Planning Authority setting out strategy how the development would incorporate public art work along the new routeway to the north east of the site.

REASON: To incorporate alternative design initiatives in line Policy 53 of the Waltham Forest Local Plan LP1 (2024).

Floorspace

5. Unless otherwise agreed in writing by the Local Planning Authority, the total quantum of built floorspace for the Development shall be as set out below:

Use	Amount
Residential (Use Class C3)	643 homes
Gym (Use Class E (d))	234 sq.m (GIA)
Nursery (Use Class E(e))	303 sq.m (GIA)
Healthcare Facility (Use Class (f))	702sqm (GIA)

REASON: To ensure an appropriately balanced and complementary range of residential and uses on site, and to ensure that the development is carried out in accordance with the approved plans and other submitted details and to ensure that the quantum of floorspace keeps within the parameters assessed pursuant to the EIA in relation to the development and to accord with London Plan (2021) Policy SD6 and Policies 39, 40, 41 and 46 of the Waltham Forest Local Plan LP1 (2024).

Construction Environmental 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
 - Details of any noise screening measures
 - 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.
 - Details to reduce construction phase road vehicle emissions

- Specific ecological mitigation measures that shall be employed during the construction period to avoid and mitigate for potential environmental effects.
- Mitigation measures required during construction to ensure dust is minimised
- A detailed temporary drainage system to minimise the potential risk of increased sediment affecting the surrounding areas and downstream surface water receptors during construction.

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'.

In particular the applicant shall:

- Submit for approval an Air Quality (dust) Risk Assessment
- Submit for approval an Air Quality & Dust Management Plan
- Equipment and plant used on site shall comply with the requirements for 'Non-Road Mobile Machinery' (NRMM)
- Submit for approval a desktop Unexploded Ordnance Survey
- 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

REASON: To ensure considerate construction and to protect the amenities of the nearby residents from excessive noise and dust and to comply with Policies SI 1 of the London Plan (2021) and Policies 48, 50, 60, 66, 87, 88, 89 and 90 of the Waltham Forest Local Plan LP1 (2024).

CIL Development

7. For the purposes of the Community Infrastructure Levy Regulations 2010 (as amended) this is a phased development. Prior to commencement of works to each phase of CIL development, a CIL development plan establishing the extent of the CIL development shall be submitted to and approved by the Council. Each CIL development approved by this condition shall be considered a separate chargeable development for the purposes of calculating Community Infrastructure Levy. Following approval, any subsequent changes to the CIL Phasing Plan will need to be agreed in writing by the Local Planning Authority.

Reason: For clarity, and to ensure CIL liability payments are phased and that each phase of the development is treated as if it were a chargeable development for levy purposes, in accordance with Regulation 8(3A) as amended by the Community Infrastructure Levy Regulations 2010 (as amended).

Archaeology

8. A phase of the development shall not be occupied until a scheme of permanent heritage interpretation and/or landscaping and/or display at the site has been agreed, in accordance with a historical research, materials, design and long-term maintenance proposal for that phase. The proposal for the work is to be approved in advance in writing by the Local Planning Authority. The scheme shall be displayed in the public realm of the site and should integrate with existing public realm and landscape proposals.

Reason: In order to preserve the historic interest of the site which the Local Planning Authority would like conveyed to the public, in compliance with Policies 53, 73 and 74 of the Waltham Forest Local Plan LP1 (2024).

Construction Logistics Plan

9. No development shall commence, excluding site preparation and enabling works, until a detailed Construction Logistics Plan has been 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. 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 Policy 65 of the Waltham Forest Local Plan LP1 (2024).

Highways Condition Survey

10. Prior to the commencement of any development on the site 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 re-instated by the Council but funded by the developer, in accordance with the timescales and details agreed as part of the survey.

REASON: In the interest of pedestrian and highway safety, to comply with Policy 63 of the Waltham Forest Local Plan LP1 (2024).

Non-Road Mobile Machinery

11. Any development within the London Borough of Waltham Forest is required to have non-road mobile machinery (NRMM) condition. 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 Policy SI 1 London Plan (2021) and the Mayor's SPG: The Control of Dust and Emissions during Construction and Demolition.

Odour Management Plan

12. Prior to commencement of works on the development hereby permitted, excluding site preparation works and enabling works, an odour management plan shall be submitted to and approved by the Local Planning Authority. Details should include an odour mitigation strategy to adequately address the release of odour and gasses during the remediation of the former gasworks. The assessment should be carried out in line with IAQM “Guidance on the assessment of odour for planning”.

REASON: To protect the amenities of occupiers and the surrounding area, in order to comply with Policy 48 of the Waltham Forest Local Plan LP1 (2024).

Air Quality and Dust Management Plan

13. No substructure demolition or development, excluding site preparation works and enabling works, shall commence until full details of the proposed mitigation measures for impact on air quality and dust emissions, in the form of an Air Quality and Dust Management Plan (AQDMP), has been submitted to and approved in writing by the Local Planning Authority. In preparing the AQMDP the applicant should follow the recommendations outlined in the AQ assessment submitted with the application and the guidance on mitigation measures for sites set out in Appendix 7 of the Control of Dust and Emissions during Construction and Demolition SPG 2014. Both ‘highly recommended’ and ‘desirable’ measures should be included. If the development is located in or near an air quality focus area the applicant should follow the guidance on mitigation measures for Medium Risk as a minimum.

REASON: Development must not commence before this condition is discharged to manage and mitigate the impact of the development on the air quality and dust emissions in the area and London as a whole, and to avoid irreversible and unacceptable damage to the environment in accordance with policy SI 1 of the London Plan (2021) and the London Plan SPGs for Sustainable Design and Construction and Control of Dust and Emissions during Construction and Demolition).

Asbestos

14. Prior to commencement of development, the developer must either submit evidence that any site building(s) were built post 2000 or provide an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers. The scheme must be written by a suitably qualified person and submitted to the Local Planning Authority (LPA) for approval in writing. The scheme as submitted shall demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed use. Detailed working methods are not required but the scheme of mitigation shall be independently verified to the satisfaction of the LPA prior to occupation.

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 Policy 48 of the Waltham Forest Local Plan LP1 (2024).

Flood Warning and Evacuation Plan

15. Prior to any part of the permitted development being occupied, a flood warning and evacuation plan (based on the submitted Flood Risk Assessment) must be submitted to and approved in writing by the Local Planning Authority. The plan must detail the rescue and evacuation arrangements, emergency plan, provision of and adequacy of temporary refuge, and details of flood proofing and other building level resistance and resilience measures. The commitments explicitly stated in the Flood Emergency Plan shall be binding on the applicants or their successors in title. The measures shall be implemented upon the first occupation of the building hereby permitted and shall be permanently kept in place unless otherwise agreed in writing with the Local Planning Authority. Upon written request, the applicant or their successors in title shall provide the Local Planning Authority with written details of how the measures contained in the Flood Emergency Plan are being undertaken at any given time.

REASON: To ensure the safety of the residents of the development against the risk of flooding, in accordance with Policy SI 12 of the London Plan (2021), Policy 91 of the Waltham Forest Local Plan LP1 (2024).

Environment Agency Conditions - Flood Risk

16. The development shall be carried out in accordance with the submitted Flood Risk Assessment 'Lea Bridge Gasworks Flood Risk Assessment Addendum' dated June 2024 and the following mitigation measures it details: Finished floor levels of the habitable residential accommodation shall be set no lower than 7.05m above Ordnance Datum (mAOD). These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON: To reduce the risk of flooding to the proposed development and future occupants, in accordance with Policy SI 12 of the London Plan (2021), Policy 91 of the Waltham Forest Local Plan LP1 (2024).

Contamination

17. No development approved by this planning permission, except site preparation works and enabling works, shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

A. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses

- a conceptual model of the site indicating sources, pathways and receptors
- Method Statement Implementation Plan
- Materials Management Plan
- Foundation Works Risk Assessment

B. Potentially unacceptable risks arising from contamination at the site. A site investigation scheme, based on (1) 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 site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

D. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

REASON: To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 189 of the National Planning Policy Framework, in accordance with London Plan (2021) Policy SI 1 and Policy 90 of the Waltham Forest Local Plan LP1 (2024).

Verification Report

18. No phase of the development shall be occupied until a Verification Report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to, and approved in writing, by the Local Planning Authority for that phase. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met for each phase.

REASON: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 189 of the National Planning Policy Framework, in accordance with London Plan (2021) Policy SI 1 and Policy 90 of the Waltham Forest Local Plan LP1 (2024).

Long-term Monitoring

19. The development hereby permitted shall not commence, except site preparation works and enabling works, until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

REASON: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification

plan have been met and that remediation of the site is complete. This is in line with paragraph 189 of the National Planning Policy Framework, in accordance with London Plan (2021) Policy SI 1 and Policy 90 of the Waltham Forest Local Plan LP1 (2024).

Previously Unidentified Contamination

20. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON: No investigation can completely characterises a site. To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 189 of the National Planning Policy Framework, in accordance with London Plan (2021) Policy SI 1 and Policy 90 of the Waltham Forest Local Plan LP1 (2024).

Infiltration of Surface Water

21. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 189 of the National Planning Policy Framework, in accordance with London Plan (2021) Policy SI 1 and Policy 90 of the Waltham Forest Local Plan LP1 (2024).

Piling / boreholes

22. Piling, deep foundations and other intrusive groundworks using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the proposed piling, deep foundations and other intrusive groundworks does not harm groundwater resources in line with paragraph 189 of the National Planning Policy Framework, in accordance with London Plan (2021) Policy SI 1 and Policy 90 of the Waltham Forest Local Plan LP1 (2024).

Decommission of investigative boreholes

23. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes and a Borehole Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior too the occupation of any part of the permitted development.

REASON: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 189 of the National Planning Policy Framework, Position Statement N Groundwater resources of “The Environment Agency’s approach to groundwater protection” in accordance with London Plan (2021) Policy SI 1 and Policy 90 of the Waltham Forest Local Plan LP1 (2024).

Parking Design and Management Plan

24. Prior to the construction of roof slab level for a phase of development a detailed Parking Design and Management Plan shall be submitted to and approved in writing by the Local Planning Authority for that phase. The Parking Design and Management Plan shall include detailed information on the design, location, access and security arrangements, and maintenance and cleansing regimes of all cycle parking; details and location of Electric Vehicle Charging Points; Car Parking layout and how it will be allocated and managed. The details contained within the Parking Design and Management Plan (including timescales for delivery) shall be implemented and retained thereafter for the lifetime of the development and, the car parking shall be managed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To comply with Policies 63 and 67 of the Waltham Forest Local Plan LP1 (2024).

Cycle Parking

25. Prior to first occupation of the development and notwithstanding any indication on the submitted drawings, a schedule showing the number and location of all cycle parking spaces and details of secure and sheltered cycle storage facilities, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed facilities shall be fully implemented per phase prior to occupation of the relevant phase and shall be permanently retained thereafter.

REASON: In the interest of security and sustainable development, in compliance with Policies 60 and 61 of the Waltham Forest Local Plan LP1 (2024).

Delivery and Servicing Plans

26. Prior to construction of roof slab level of each phase of development, a Residential Delivery and Servicing Plan (DSP) which sets out a scheme for the storage and disposal of waste and recycling for that phase, including details of methods for collection and enclosures, shall be submitted to and approved in writing by the Local Planning Authority. The DSP shall make reference to safety measures that will be in place to reduce conflicts between service vehicles manoeuvring in the private car park and other users (cycle stores, disabled parking and any other pedestrians) and shall also include details on how delivery vehicles are restricted during peak periods. The DSP should also include details of a post box strategy. The development shall be implemented in accordance with the approved details and the refuse stores brought into use prior to the occupation of the dwellings of the phase hereby permitted and shall be retained as such together with the approved delivery and servicing plan being operated for the lifetime of the development.

REASON: In the interest of highway safety, in compliance with Policy 64 of the Waltham Forest Local Plan LP1 (2024).

27. Prior to the occupation of the commercial / nursery unit, a Delivery and Servicing Plan which sets out a scheme for the storage and disposal of waste and recycling, including details of methods for collection and enclosures of the commercial uses and nursery unit, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of highway safety, in compliance with Policy 64 of the Waltham Forest Local Plan LP1 (2024).

Road Safety Audits

28. Prior to the commencement of any development on the site excluding site preparation and enabling works, the new private road layout should be subject to a stage 2 road safety audit, with any changes identified and addressed. In the event of issues identified on private land, the audit will be a record of the review, but the decision to make any changes would remain the responsibility of the developer's expense. The safety audit should be submitted for information, along with any designers responses, and any changes made.

REASON. In the interest of highway safety, in compliance with Policy 63 of the Waltham Forest Local Plan LP1 (2024).

29. Prior to the occupation of of the development a Stage 3 Road Safety Audit shall be submitted the new private road layout should be subject to a stage 3 road safety audit, with any changes identified and addressed. In the event of issues identified on private land, the audit will be a record of the review, but the decision to make any changes would remain the responsibility of the developer's expense. The safety audit should be submitted for information, along with any designers responses, and any changes made.

REASON. In the interest of highway safety, in compliance with Policy 63 of the Waltham Forest Local Plan LP1 (2024).

PRS Noise Attenuation

30. A. Prior to first occupation of a Blocks F, G and I a noise survey shall be undertaken to demonstrate that the acoustical treatment of the PRS ensures that noise levels at the boundary of the PRS enclosure do not exceed 60dB LAeq (15min) in a 24 hour period when the PRS is operating at maximum capacity. The noise survey is to be submitted and approved in writing by the Local Planning Authority prior to first occupation of the relevant dwellings.

B. The acoustic treatment of the PRS shall be maintained during the lifetime of the development to ensure that noise levels at the boundary of the PRS enclosure do not exceed 60dB LAeq (15min) in a 24 hour period when the PRS is operating at maximum capacity.

C. Noise from the PRS shall be controlled to a level not exceeding 32 dB LAeq, 1hr and 27 dB LAeq, 1hr during day and night time hours respectively within any habitable room with windows closed and background ventilation provided.

REASON: To protect the amenities of adjoining occupiers and the surrounding area in order to comply with Policies 50 and 57 of the Waltham Forest Local Plan LP1 (2024).

Noise Mitigation

31. Prior to occupation of each phase hereby approved, details of noise mitigation to each Block where relevant shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To protect the amenities of adjoining occupiers and the surrounding area in order to comply with Policies 50 and 57 of the Waltham Forest Local Plan LP1 (2024).

Noise – new and existing plant

32. Noise from all new and existing building services plant, excluding the pressure reduction system (PRS), 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.

REASON: To protect the amenities of adjoining occupiers and the surrounding area in order to comply with Policies 50 and 57 of the Waltham Forest Local Plan LP1 (2024).

Sound Insulation between residential and commercial

33. Prior to the commencement of superstructure works, excluding site preparation works and enabling works, a sound insulation scheme shall be submitted to and approved in writing by the Local Planning Authority, which will incorporate details of sound insulation to be

installed between the commercial / nursery unit and residential premises in order to manage noise and disturbance. The scheme of noise insulation measures shall be prepared by a suitably qualified consultant/engineer and shall demonstrate that the proposed sound insulation will achieve a level of protection which is at least +5dB above the Approved Document E standard (Dwelling houses and flats) for airborne sound insulation and -5dB for impact sound insulation. The development shall be carried out in accordance with the approved scheme and shall be fully implemented prior to the development hereby approved first being brought into use and shall thereafter maintained as such for the lifetime of the development.

REASON: To protect the amenities of adjoining occupiers and the surrounding area in order to comply with Policies 50 and 57 of the Waltham Forest Local Plan LP1 (2024).

Hours of use (Class E (e) and (f))

34. The use hereby approved shall only operate between the hours of 07:00 and 22:00 on any day.

REASON: To protect the amenities of adjoining occupiers, in order to comply with Policies 50 and 57 of the Waltham Forest Local Plan LP1 (2024).

Commercial Delivery hours

35. No goods deliveries shall be taken to, or dispatched from, the site other than between the hours of 07.00 and 23.00 Mondays to Saturdays, and at no time on Sundays, Bank Holidays or Public Holidays.

REASON: To safeguard the amenities of neighbouring residential properties in order to comply with Policies 50 and 57 of the Waltham Forest Local Plan LP1 (2024).

Estate Management Plan

36. Prior to occupation of the first residential unit, an Estate Management Plan, including details of CCTV and management arrangements for the public access routes, shall be submitted to and approved in writing by the Local Planning Authority. The Estate Management Plan shall confirm the hours that the pedestrian gates to Jubilee Park are to be closed, and will confirm that these hours of closure shall be reviewed should footpath lighting in the park become available in the future. The development shall be implemented in accordance with the approved details maintained for the lifetime of the development.

REASON: To ensure inclusive development in accordance with Policies 53, 57 and 58 of the Waltham Forest Local Plan LP1 (2024).

37. Prior to the completion of a phase to roof slab level, details relating to the entrances, including gates, entry control system, display of postal numbers and position of letter box facilities shall be submitted to and agreed in writing by the Local Planning Authority. The agreed measures shall be fully implemented prior to first occupation of the development and thereafter maintained for the lifetime of the development.

REASON: To ensure inclusive development in accordance with Policies 53, 57 and 58 of the Waltham Forest Local Plan LP1 (2024).

Fire Statement

38. Prior to commencement of development, excluding site preparation works and enabling works, and ground works, an updated Fire Statement in line with the objectives set out within Policy D12 of the London Plan (2021) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.

REASON: In order to protect the living conditions and safety and security of the occupants in line with policy D12 of the London Plan (2021).

Circular Economy

39. Prior to occupation of the final phase of of the development a post-construction monitoring report should be completed in line with the GLA's Circular Economy Statement Guidance.

The post-construction monitoring report shall be submitted to the GLA, via email at: circulareconomystatements@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of each phase of development.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials in accordance with London Plan (2021) policy SI 7.

External Lighting

40. Prior to the completion of roof slab level of each phase of the development, details of any form of external illumination and / or external lighting on the buildings and around the site including for that phase any street lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of any of the residential units hereby permitted and retained as such for the lifetime of the development.

REASON: In the interest of health and to protect the living conditions of existing and future residents in the locality in accordance with Policies 48, 50, 57 and 79 of the Waltham Forest Local Plan LP1 (2024).

Safety and Security

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

Prior to the occupation of the first residential unit in the relevant phase, evidence that the phase has achieved a Certificate of Compliance to the relevant Secure by Design Guide(s) or alternatively achieve Crime Prevention Standards, 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 shall be fully retained and maintained as such for the lifetime of the development.

REASON: In the interest of health and to protect the living conditions of existing and future residents in the locality in accordance with Policies 53 and 58 of the Waltham Forest Local Plan LP1 (2024).

Residential

42. 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 D7 of the London Plan (2021) and Policy 16 of the Waltham Forest Local Plan LP1 (2024).

43. A minimum of 10% of the residential units hereby permitted shall be built in accordance with Approved Document M 2015, M4 Category 3. Circulation areas in blocks with M4(3) dwellings will be built in full accordance with Part M4(3), as referred to in London Plan (2021) para 3.7.2. This includes the entrance and circulation area doors which will have to be fully compliant with the relevant sections of Approved Document M. Details should demonstrate compliance with ADM M4Cat (2) for 90% of units.

Details are to be submitted accordingly to and approved in writing by the Local Planning Authority prior to commencement of any above ground superstructure works for each phase. All wheelchair user dwellings must provide sufficient footprint and drawings must demonstrate that they can achieve a fully accessible layout. To ensure compliance with these conditions, contact should be made with the Council's Senior Occupational Therapist in Housing both before and during the build.

REASON: To ensure inclusive development in accordance with Policy D7 of the London Plan (2021) and Policy 16 of the Waltham Forest Local Plan LP1 (2024).

Children's Play

44. A. Prior to occupation of the first residential unit details of the proposed children's play equipment will be submitted to and approved in writing by the Local Planning Authority. The plans must demonstrate that playspace and equipment within the development is not segregated by tenure. As per the approved plans, 2,430sqm of approved children's playspace shall be provided across the site.

B. All children's play equipment will be installed in accordance with the information approved under part A and retained and maintained in good working order in perpetuity for the lifetime of the development.

REASON: In order to ensure adequate and appropriate children's play equipment is provided in accordance with Policy S4 of the London Plan (2021).

Habitat Creation Management Plan

45. Prior to completion of roof slab level of each phase of development, a Habitat Creation Management Plan (HCMP) shall be submitted to and approved in writing by the Local Planning Authority and include:

(i) Planting of trees and shrubs in the public spaces, covering a variety of species, including those of benefit to wildlife;

(ii) Location of proposed habitat, bird and bat boxes; and

(iii) details of biodiverse roofs

(iv) details of habitat boxes

Approved details are to be implemented and maintained as approved. Any clearance of scrub and trees within the site should be timed to avoid the bird nesting season (March to August).

Prior to the start of works on site the contractor should receive a 'toolbox' talk to describe the ecological features and species present, their legal protection and responsibilities towards them and what to do if wildlife is encountered.

REASON: To comply with policy G6 Biodiversity and access to nature conservation in the London Plan (2021) and Policy 79 of the Waltham Forest Local Plan LP1 (2024).

Landscaping and Trees

46. Prior to construction to roof slab of each phase of development, a scheme of hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority for that phase. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers/densities within a planting schedule, also the method of planting including soil composition, tying and staking, a maintenance care regime including mulching and watering, detailed maintenance and management details associated with tree pruning followed by the replacement of any

species that die within 5 years of planting, details of any additional passive parking and the required wind mitigation measures. Details of hard and permeable landscaping works including street furniture and wayfinding signage shall also be submitted within the landscaping strategy. The development shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.

REASON: To ensure a satisfactory appearance and in the interest of local amenity and biodiversity in accordance with Policies 53, 77 and 79 of the Waltham Forest Local Plan LP1 (2024).

47. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out not later than the first planting and seeding seasons prior to the first occupation of any of the residential units in the relevant phase, or the completion of that phase of the development, whichever is the sooner. Any new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the Local Planning Authority agrees any variation in writing.

REASON: To ensure a satisfactory appearance and in the interest of local amenity and biodiversity in accordance with Policies 53, 77, 79 and 80 of the Waltham Forest Local Plan LP1 (2024).

48. All trees shall be planted in accordance with the details and times stated in the specification in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General.

REASON: In the interest of biodiversity and local amenity, in accordance with Policies 53, 77, 79 and 80 of the Waltham Forest Local Plan LP1 (2024).

Existing trees to be retained

49. No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees in Leyton Jubilee Park (the Tree Protection Plan) 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, in accordance with Policies 77, 79 and 80 of the Waltham Forest Local Plan LP1 (2024).

Boundary Treatment

50. Prior to the construction of roof slab level of each phase of development, details relating to the siting, design and height and finish of all new walls, gates, fencing, railings and other means of enclosure for that phase shall be submitted to and approved in writing by the

Local Planning Authority. The development shall be carried out solely in accordance with the approved details, prior to the first occupation of the use hereby approved and thereafter shall be fully retained and maintained accordingly for the lifetime of the development.

REASON: In the interest of general visual amenity, and amenity of neighbouring occupants, in accordance Policies 53, 57 and 58 of the Waltham Forest Local Plan LP1 (2024).

Energy and Sustainability

51. Prior to the occupation of the relevant phase of development hereby permitted, a report demonstrating how the scheme reduces the carbon dioxide emissions of the development by at least 35% compared to the 2021 Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall reference the measures set out in the Energy Statement accompanying the planning application but shall explain what measures have been implemented in the construction of the development. The development and energy efficiency measures shall thereafter be retained.

REASON: In the interests of the sustainability and energy efficiency of the development and to meet the requirements of of Policy SI2 of the London Plan (2021) and Policy 87 of the Waltham Forest Local Plan LP1 (2024).

Overheating

52. A) Prior to commencement of development, excluding site preparation works and enabling works, and ground works, an Overheating Assessment covering both residential and non-residential elements of the development, which will outline all measures introduced for the minimisation of overheating and which will demonstrate that the overheating risk has been minimised, shall be should be submitted to and approved in writing by the Local Planning Authority.

B) Prior to the occupation of the first residential unit, a copy of the overheating guidance which will be provided to occupants on minimising the risk of dwelling overheating in line with the energy hierarchy, shall be submitted to and approved in writing by the Local Planning Authority.

The approved measures shall be incorporated into the final design of the development and implemented prior to first occupation.

REASON: In the interests of the sustainability and energy efficiency of the development and to meet the requirements of Policy SI 2 of the London Plan (2021) and Policy 87 of the Waltham Forest Local Plan LP1 (2024).

BREEAM

53. The non-residential units hereby permitted shall be constructed to achieve not less than BREEAM 'very good' in accordance with the submitted Energy Report (or the equivalent

standard in such measure of sustainability for non-residential building design which may replace that scheme). The unit shall not be occupied until formal certification has been issued confirming that not less than 'very good' has been achieved for each, and this certification has been submitted to, and approved in writing by, the Local Planning Authority."

REASON: In the interests of the sustainability and energy efficiency and to provide high quality development in accordance with Policy 87 of the Waltham Forest Local Plan LP1 (2024).

Water Reduction

54. Prior to the commencement of superstructure works, excluding site preparation works and enabling works, a scheme detailing measures to reduce water use within the development, to meet a target water use of 105 litres or less per person, per day, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme and thereafter retained.

REASON: To minimise the water use of the development, in accordance with the requirements of policy SI 5 of the London Plan (2021) and Policy 87 of the Waltham Forest Local Plan LP1 (2024).

Surface Water Drainage

55. Prior to the construction of roof slab level of each phase of development, specifications of a surface water drainage system based on sustainable drainage principles to include details of design, implementation, adoption, maintenance and management of that phase 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 of that phase 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 ensure that adequate drainage facilities are provided in accordance with Policies 90 and 91 of the Waltham Forest Local Plan LP1 (2024).

Thames Water

56. 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. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

57. There shall be no occupation beyond the 99th dwelling until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

Phasing Plan

58. The development hereby approved shall not be commenced until a phasing plan showing the location of all phases, the sequencing for those phases and indicative timescales for their delivery is submitted and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the plan thereby approved. The phasing plan may be updated from time to time subject to the written approval of the Local Planning Authority.

REASON: To allow the Local Planning Authority to understand the relevant phase of development that is subject to condition discharge and to ensure coordination between the phasing plan as approved and the triggers in any relevant agreement made under Section 106 of the Town and Country Planning Act 1990 (as amended).

Whole Life-cycle Carbon Assessment

59. Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new owner, if applicable), the legal owner(s) of the development should submit the post-construction Whole Life-Cycle Carbon (WLC) Assessment to the GLA at: ZeroCarbonPlanning@london.gov.uk. The owner should use the post construction tab of the GLA's WLC assessment template and this should be completed accurately and in its entirety, in line with the criteria set out in the GLA's WLC Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the guidance and should be received three months post as-built design completion, unless otherwise agreed.

REASON: To ensure whole life-cycle carbon is calculated and reduced and to demonstrate compliance with Policy SI 2 of the London Plan (2021).

Digital Connectivity

60. Prior to occupation of each phase hereby approved, detailed plans demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development should be agreed and approved by Local Planning Authority. The development shall be carried out in accordance with the plans thereby approved.

Reason: In line with Policy SI6 of the London Plan (2021).

Open Space Information Pack

61. Prior to occupation of the last phase of the development hereby approved details of the open space information pack shall be agreed and approved by the Local Planning Authority. The details shall set out a map and guide to local walking routes, raising awareness of local opportunities in preference to habitats within Epping Forest SAC, thereby diverting visitors away from the designated site.

Reason: In line with Policies 79 and 91 of the Waltham Forest Local Plan LP1 (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. The application is subject to both the Mayoral and the Waltham Forest Council Community Infrastructure Levy.
3. A phase of development relates to a phase defined by planning condition (CIL condition), or any subsequent construction sub-phase agreed with the Local Planning Authority.

4. Construction and demolition works audible beyond the boundary of the site should only be carried out between the hours of 07:30 and 18:30-hours Mondays to Fridays and 0800 and 1300 hours on Saturdays, and not at all on Sundays or Public/Bank Holidays.
5. Circular Economy - The applicant is required to submit a Post Completion Report to the relevant local authority and the GLA.
6. 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.
7. The LPA wishes that the rich history and prehistory of the site and its surroundings be conveyed to the public. The interpretation scheme should be researched and designed by a recognised historical or archaeological interpretation specialist with appropriate experience.
8. Piling works: With respect to any proposals for piling through made ground, the EA refer the applicant to the EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention". NGWCL Centre Project NC/99/73. Approval of piling methodology should be further discussed with the EA when the guidance has been utilised to design appropriate piling regimes at the site. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters. Considering the site sensitivity, a groundwater monitoring/ sampling program should be implemented prior/ during and after piling works.
9. Environmental Permitting Regulations: The Environmental Permitting (England & Wales) Regulations 2016 make it an offence to cause or knowingly permit a groundwater activity unless authorised by an Environmental Permit which we will issue. A groundwater activity includes any discharge that will result in the input of pollutants to groundwater.
10. Requirement for an Environmental Permit As stated above, the infilling of the gasholder associated with this development will require an Environmental Permit from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted. Groundwater protection We would like to refer the applicant/enquirer to our groundwater position statements in 'The Environment Agency's approach to groundwater protection', available from gov.uk. This publication sets out our position for a wide range of activities and developments, including:
 - Waste management

- Discharge of liquid effluents
- Land contamination
- Ground source heat pumps
- Drainage

11. Waste on-site: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/ or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are
- treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

12. The EA recommends that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

13. Waste to be taken off-site Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials – Framework

for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

14. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit "<http://nrmm.london/>".

15. The AQDMP can form part of the Construction Environmental Management Plan (CEMP). The AQDMP shall include the following for each relevant phase of work (demolition, earthworks, construction and trackout):
 - a) A summary of work to be carried out;
 - b) Proposed haul routes, location of site equipment including supply of water for damping down, source of water, drainage and enclosed areas to prevent contaminated water leaving the site;
 - c) Inventory and timetable of all dust and NOx air pollutant generating activities;
 - d) List of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment;
 - e) Details of any fuel stored on-site;
 - f) Details of a trained and responsible person on-site for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions);
 - g) Summary of monitoring protocols and agreed procedure of notification to the local authority; and
 - h) A log book for action taken in response to incidents or dust-causing episodes and the mitigation measure taken to remedy any harm caused, and measures employed to prevent a similar incident reoccurring.

Developments assessed to be medium risk or greater for any of the steps required in an Air Quality and Dust Risk Assessment (AQDRA) regular or continuous PM10 monitoring should be carried out on site. Baseline monitoring should commence 3 months before the commencement of works and continue throughout all construction phases. Details of the equipment to be used, its positioning, additional mitigation to be employed during high pollution episodes and a proposed alert system should be submitted to the Council for approval.

No demolition or development shall commence until all necessary pre-commencement measures described in the AQDMP have been put in place and set out on site. The demolition and development shall thereafter be carried out and monitored in accordance with the details and measures approved in the AQDMP. The IAQM "Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites" details appropriate monitoring for the scale of the site or project.

16. Air Quality

- ADMS-Roads input data and output files must be provided to LB of Waltham Forest on validation of the planning application.
- AQ modelling must be based on transport related inputs which have been approved by LB of Waltham Forest Transport Assessment team.
- It is essential that junctions and heavily congested roads are modelled accurately and this is reflected in the choice of relevant node spacing and vehicle speed inputs – clearly showing the node distance with speed reduction as the vehicle approaches the area of congestion/junction. This also applies to pedestrian crossings, roundabouts and any street layout which causes congestion such as single lanes with a bus stop.
- Where under predictions occur nodes must be scrutinised and where necessary vehicle speeds adjusted to reflect queuing.
- It is the responsibility of the applicant to ensure that their appointed consultants' modelling verification is robust and adjustment factors clearly explained and justified, calculations and graphs must be provided at validation.
- Margin of error must not exceed 4 (refer to LAQM guidance as best practice).
- Contrary to the values given in the EPUK guidance a magnitude of change greater than 0.5 µg/m³ is considered significant in areas where present concentrations are approaching / breaching limit values and shall be assessed as such.
- Any other scenarios should be considered which are relevant to this site.

17. The applicant must seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813.

18. You have been granted planning permission for a development in a flood risk area. We strongly advise that you sign up to the free Flood Warning Direct service.

19. Superstructure: Superstructure works are defined as part of the building above its foundations. These exclude site preparation works.

20. Phase: A phase of development comprises a phase defined for the purposes of CIL and/or a phase defined for the purposes of the discharge of planning conditions and/or a construction phase or sub-phase, and for the purposes of discharging relevant planning obligations. A phase can comprise site preparation works, demolition works, site preparation works, sub-structures, and/or buildings, plots or groups of plots.

21. Site preparation works: Site preparation works comprise demolition (limited to superstructure demolition if defined by the relevant planning condition), surveys, site

clearance, the erection of fencing or hoardings, the provision of security measures or lighting, the erection of temporary buildings or structures associated with the development, the laying removal or diversion of services, the provision of construction compounds and laying down of a haul road.

22. Enabling works: Enabling works comprise construction access works and removal of telecoms mast as set out on drawing reference W406 SK2.

23. Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

24. The developer must apply the waste hierarchy as a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government guidance on the waste hierarchy in England can be found here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb13530-waste-hierarchy-guidance.pdf

Site Waste Management Plans (SWMP) are no longer a legal requirement, however, in terms of meeting the objectives of the waste hierarchy and your duty of care, they are a useful tool and considered to be best practice.

25. If materials that are potentially waste are to be used on-site, the applicant will need to ensure they can comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc....' in order for the material not to be considered as waste. Meeting these criteria will mean waste permitting requirements do not apply.

Where the applicant cannot meet the criteria, they will be required to obtain the appropriate waste permit or exemption from us. A deposit of waste to land will either be

a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) of WFD as:

- any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.

- We have produced guidance on the recovery test which can be viewed at <https://www.gov.uk/government/publications/deposit-for-recovery-operators-environmental-permits/waste-recovery-plans-and-deposit-for-recovery-permits#how-to-apply-for-an-environmental-permit-to-permanently-deposit-waste-on-land-as-a-recovery-activity>.

You can find more information on the Waste Framework Directive here: <https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive>

More information on the definition of waste can be found here: <https://www.gov.uk/government/publications/legal-definition-of-waste-guidance>

More information on the use of waste in exempt activities can be found here: <https://www.gov.uk/government/collections/waste-exemptions-using-waste>

Non-waste activities are not regulated by us (i.e. activities carried out under the CL:ARE Code of Practice), however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the Waste Framework Directive). The 'Is it waste' tool, allows you to make an assessment and can be found here: <https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-by-products-and-end-of-waste-tests>

26. As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://protect-eu.mimecast.com/s/G9H1CQkM8tgoKzOUx61TU>
27. There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://protect-eu.mimecast.com/s/G9H1CQkM8tgoKzOUx61TU>
28. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

29. 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.
30. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://protect-eu.mimecast.com/s/G9H1CQkM8tgoKzOUx61TU>
31. The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://protect-eu.mimecast.com/s/G9H1CQkM8tgoKzOUx61TU> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk
32. The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://protect-eu.mimecast.com/s/HmO-CVvRVImgEO3Cynhsz>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.
33. It is advised that the developer contacts Network Rail Asset protection team (ASPRO) through the Network Rail Basic Asset Protection Agreement (BAPA) process to support their development via Anglia ASPRO Town Planning Notices AngliaASPROTownPlanningNotices@networkrail.co.uk

The developer must ensure that their proposal, both during construction and after completion does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings

- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

34. Guidance on Planning Gateway One is available on the Planning Portal: Planning and fire safety - Planning Portal.