

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	2 nd May 2023
Application reference:	220695
Applicant:	Aitch Group
Location:	Percy Ingle Site, 210 Church Lane, Leyton E10 7BL
Proposed development:	The demolition of the existing single storey industrial building and structures that contain 4,013 sqm of light industrial floorspace Class E (g) (iii) and office accommodation (Class E (g) (i) and the construction of new building blocks that would range between three to seventeen storeys in height to accommodate 213 residential homes (Use Class C3), new light industrial floorspace (Class E (g) (iii) and office workspace (Class E (g) (i) together with the creation of new public realm and landscaping improvements, provision of 11 disabled parking spaces, cycle parking, refuse stores, new servicing arrangements, highways works and associated developments.
Wards affected:	Leyton and Lea Bridge
Appendices:	None

1. AMENDMENTS TO ASSESSMENT:

- 1.1 Since the publication of the committee report, the description of the site (paragraph 2.3) has been updated as follows (changes in **bold**):
- 2.3 Although The site is designated as a Borough Employment Area (BEA) in the adopted Proposals Map, this designation is being taken forward in the emerging Waltham Forest Local Plan (LP2) (Regulation 19 Stage, dated November 2021) as part of the Church Road/Estate Way Locally Significant Industrial Site (LSIS) **The site is therefore part of the larger Church Road/Estate Way LSIS site allocation (SA08) in the draft Local Plan Part 2 (Regulation 19 Stage dated November 2021)**. The site allocation seeks for a “comprehensive redevelopment of existing industrial location to provide an “industrial-led mixed-use neighbourhood subject to a two-stage industrial masterplan process” with an indicative capacity for 700 new homes and 24,000 sqm of industrial floor space. In addition, the site falls within an Archaeological Priority Area and is also located within the Olympic Legacy Opportunity Area.
- 1.2 Since the publication of the committee report, the trigger for the late-stage review mechanism has been revised in accordance with the advice given by the GLA’s ‘Affordable Housing and Viability Supplementary Planning Guidance (2017)’, which sets out triggering the review after 75% of the market sales. The wording of paragraph 8.29 is therefore updated as follows (changes in bold):
- 8.29 In conclusion and taking into consideration the viability report, it is acknowledged that the development would not be able to deliver an additional quantum of

affordable housing, and therefore the proposed 20% affordable housing can be accepted, subject to an early and late-stage review clauses. This would require the applicant to submit a viability re-assessment after **75%** of sales of the units, that would be accompanied with an updated build contract for the scheme. This would require an open book assessment with the potential for securing additional affordable housing or a financial contribution being payable towards the delivery of affordable housing in the Borough, in the scenario that the viability of the scheme improves, as required by policies, H4, H5 and H6 of the London Plan (2021) and the Mayor's Affordable Housing and Viability SPG (2017).

1.3 Since the publication of the committee report, the quantum of 2 bed units is clarified (paragraph 8.38). Paragraph 8.38 is therefore updated as follows (changes in **bold**):

8.38 Table 1 (paragraph 3.2 of the committee report) sets out the proposed residential mix, which would consist of 80 x 1 bed units (37.6%), 95 x **2** bed units (44.6%) and 38 three bed units (17.8%). Although the percentage of family units is not entirely consistent with the requirements set out by policy DM5 of the WFLP Development Management Policies (2013), by reason of an uplift of one-bed units, policy H10 of the London Plan (2021) and the Mayor's Housing SPG (2016) accept a level of flexibility in terms of housing mix and acknowledge the role smaller units may play in freeing up existing family sized housing stock. The provision of an increased number of smaller units can therefore accepted, considering that the site is positioned within an Opportunity Area.

1.4 Since the publication of the committee report, the quantum of residential units under the section of standard of accommodation (paragraph 8.52) has been revised, as the number of 113 units mentioned in the committee report should read as 213 units. Paragraph 8.52 is therefore updated as follows (changes in **bold**):

8.52 The proposed development would accommodate **213** residential dwellings (including six three-storey townhouses). The table below sets out the range of floor areas provided per each type of unit and the proposed spatial standards compared to the expected sizes that should be provided.

2. CONDITIONS

2.1 Since the publication of the committee report, the following conditions have been updated to clarify the trigger and wording. Changes to the conditions in **bold**):

Condition 5:

5. Prior to commencement of construction works for the development (**excluding demolition works**) hereby approved, a detailed Construction Logistic Plan to cover construction works of the development is required to be submitted for approval by the Local Planning Authority prior to commencement of works and using the TfL template and guidance, which include inter alia:

- Journey planning, highlighting access routes.
- Method of access and parking of construction vehicles.
- Measures to prevent deposition of mud on the highway.
- Dust mitigation and suppression measures to control the spread of dust from demolition, disposal, and construction.

- Site operation times.
- Loading and unloading locations, taking into consideration existing parking restrictions.

The development shall be implemented in accordance with the approved details.

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

Condition 13:

13. Prior to construction of works for the development hereby approved, a construction/demolition method statement in connection to demolition and construction phases of the development 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., 8:00 – 18:00 Mondays to Fridays and 8:00 – 13:00 Saturdays with no noisy working audible at the site boundary being permitted on Sundays and Bank Holidays.
- Haulage routes.
- Likely noise levels being generated by plants.
- Details of any noise screening measures.
- Proposals for monitoring noise and procedures to be put in place where agreed noise levels are exceeded.
- When 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 vibrations levels are exceeded. Note: It is expected that vibration over 1 mm/s measured as a peak particle velocity would constitute unreasonable vibration.

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

The development shall be carried out in accordance with the hours of operation stated in this condition and the approved construction and demolition statement hereby required.

REASON: To ensure considerate construction and to protect the amenities of the nearby residents from excessive noise and dust and to comply with policies CS7 CS13 of the Waltham Forest Local Plan Core Strategy (2012) and policies DM14, DM15 and DM24 of the Waltham Forest Local Plan - Development Management Policies (2013).

Condition 19:

19. No deliveries for the commercial floorspace hereby approved shall be taken to or dispatched from, the site, other than between the hours of 8:00AM and 23:00 Mondays to Saturdays, and at no time on Sundays, Bank Holidays or Public Holidays.

REASON: To safeguard the amenities of occupiers are protected from the poor air quality in the vicinity. In the interests of the future health of the occupiers of the development in accordance with Policy CS13 of the Waltham Forest Local Plan Core Strategy (2012) and policy DM24 of the Waltham Forest Local Plan - Development Management Policies (2013).

Condition 36:

36. Prior to commencement of development, evidence that the site building(s) were built post 2000 **shall be submitted to and approved in writing by the Local Planning Authority**. Alternatively, a pre-demolition and refurbishment asbestos survey in accordance with HSG264 shall be submitted and approved by the Local Planning Authority, which shall be supported by appropriate mitigation measures to control risks to future occupiers of the development. The scheme must be written by a suitably qualified person and submitted to the Local Planning Authority for approval and shall demonstrably identify potential sources of asbestos contamination and detail removal of mitigation appropriate for the proposed uses. Detailed working methods are not required. **However**, the scheme of mitigation shall be independently verified for the satisfaction of the Local Planning Authority prior first occupation of the development.

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 CS13 of the adopted Waltham Forest Local Plan – Core Strategy (2012) and Policies DM24 and DM34 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

3. INFORMATIVES

3.1 Since the publication of the committee report, a new informative has been added (Informative 15), as advised by the Environment Agency, which would read as follows:

15. 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-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 4222549 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.

4. RECOMMENDATION:

4.1 Officer's recommendation has not changed.