

LONDON BOROUGH OF WALTHAM FOREST

Committee / Date:	Planning – 8 th October 2024
Application Reference:	240987
Applicant:	Millie Properties Ltd
Location:	The Plains, 3 Crescent Road, Chingford, E4 6AU
Proposed Development:	Construction of a third floor level to facilitate the provision of two self-contained flats (2 x 2 bedroom) (Use Class C3) with balconies to the front elevation. Provision of cycle storage and additional refuse storage to rear.
Wards Affected:	Chingford Green

1. RECOMMENDATION

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

Highways and Transportation:

- A S106 contribution of £250.00 is required towards CLP monitoring.
- A S106 contribution of £2,000.00 is requested toward improving sustainable modes of transport including walking and cycling in the sites vicinity which will directly benefit new residents in this development.
- A condition survey is required for the nearby carriageway and footways in Crescent Road outside the frontage of the site and 20m on either side.

Epping Forest Special Area of Conservation (SAC):

- A financial contribution of £627 per new homes towards Strategic Access Management and Monitoring (SAMM) with a total of £1254.

Legal Fees:

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

Monitoring and Implementation:

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

Minor Amendments

- 1.2. That authority to be given to the Assistant Director - Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the S106 Agreement and to agree any minor amendments to the conditions or the legal agreement on the terms set out above.

- 1.3. In the event that the S106 Agreement is not completed within a reasonable timeframe following the date of Planning Committee, the Assistant Director - Development Management and Building Control is hereby authorised to refuse the application in consultation with the Chair of the Planning Committee. In the absence of this S106 Agreement, the proposed development would not be able to deliver the development on the site. The implication of this happening is that the opportunity for securing the provision of affordable housing would be lost. Additionally, other financial and non-financial commitments would be lost, which otherwise would be secured by the S106 Agreement.

2. REASONS REFERRED TO COMMITTEE

- Due to level of Public Interest

3. SITE AND ITS SURROUNDINGS

- 3.1. The application site is a three-storey detached block of flats situated on the western side of Crescent Road. The area is residential in character and includes properties of different styles and sizes, including the 6 storey Hadleigh Court and large 2 storey detached properties.
- 3.2. The site is situated in a medium public transport accessibility rating (PTAL 3). Chingford train station is approximately 0.3 miles away, connecting the site with central London and there are bus routes within a close walk of the site. The site is situated outside of any controlled parking zone.
- 3.3. The site is situated in Chingford Station Road Conservation Area. The site is not listed and is not subject to an Article 4 direction other than the Borough-wide change of use from Class C3 to C4.
- 3.4. The site falls within the zone of influence of the identified Epping Forest Special Area of Conservation (EFSAC), under the EU Habitats Directive (92/43/EEC).
- 3.5. The site is within the Borough-wide Air Quality Management Area (AQMA).

4. APPLICATION PROPOSAL

- 4.1. The application seeks planning permission for the construction of a third-floor level to facilitate the provision of two self-contained flats (2 x 2 bedroom) with balconies to the front elevation. Provision of cycle storage and additional refuse storage to rear.

5. RELEVANT SITE HISTORY

Ref 230432 - Prior approval for the construction of a roof extension on a detached building in residential use to create a third floor providing two additional self-contained residential units (2x2-bed) (Use Class C3) - Prior approval Refused (6/4/2023).

Application refused for the following:

1. The proposed development due to its incongruous design and odd spacing between the existing top floor and the proposed additional floor, would create a proposal that would not respond and is out of keeping with the host building to the visual detriment

of the streetscene. As such, the proposed development would be contrary to policies CS15 of the adopted Waltham Forest Local Plan - Core Strategy 2012, policies DM29 of the adopted Waltham Forest Local Plan - Development Management Policies 2013, The National Planning Policy Framework 2021 (achieving well designed places), The National Design Guide: Creating Well Designed Places (2019) and Living with beauty: report of the Building Better, Building Beautiful Commission (2020).

2. Insufficient information has been provided for the Council to assess the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) part Class A1. (e) (ii) of Schedule 2, Part 20 as no section has been provided to identify that the proposal would not exceed the height of the floor to ceiling height, measured internally, of any of the principal part of the existing building.
3. The proposal fails to provide storage inline with the Technical housing standards – nationally described space standard (March 2015) contrary to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
4. The site falls within the zone of influence of the Epping Forest SAC. No mitigation has been provided against the impact of potential additional recreational disturbance arising from the impact of this development on this area. In the absence of this, the proposal conflicts with policy G6 of the London Plan, CS5 of the Core Strategy and DM35 of the Development Management Policies.

The first reason for refusal related to the proposal seeking to replicate the design of the existing elevations for the proposed third floor, whereby the design of the proposal would highlight this visually awkward arrangement.

The space between the existing building and the new proposed floor would make the building appear to have been 'stretched' upwards, disrupting the rhythm of the fenestration and spacing between floor levels, detracting from the appearance of the building. The site is visually prominent and, in contrast to the regular patterns of fenestration on the existing elevations of the building, discordant.

Ref 211007 - Prior approval for the construction of a roof extension on a detached building in residential use to create a third floor providing 2 x 2 bedroom self-contained flats (Use Class C3) with two balconies to front elevation and cycle storage – Prior approval Refused (7/6/2021). Appeal dismissed (19/10/2022).

Application refused for the following:

1. The proposed development due to its incongruous design would create a proposal that would not respond and is out of keeping with the host building to the visual detriment of the streetscene. As such, the proposed development would be contrary to policies CS15 of the adopted Waltham Forest Local Plan - Core Strategy 2012, policies DM29 of the adopted Waltham Forest Local Plan - Development Management Policies 2013, The National Planning Policy Framework 2019 (achieving well designed places), The National Design Guide: Creating Well Designed Places (2019) and Living with beauty: report of the Building Better, Building Beautiful Commission (2020).

Pre-Application

Ref 193883 - Pre-application advice-Proposed loft conversion and extension to form 2 x 2 bedroom (3P) third floor flats

- The principle of an additional floor is considered acceptable in this instance, given the context of the surroundings;
- Suggest setback from both flank elevations and the front elevation, to ensure the addition remain subordinate to the host dwelling. This also provides the opportunity for some level of amenity space to be provided towards the front elevation for the additional units.

Planning Enforcement

5.1. None.

6. PUBLIC CONSULTATIONS

6.1. Following the initial validation of this application, the Council sent notification letters to neighbouring addresses and consultees on 2nd May 2024. Site Notices were displayed on the site, dated 7th May 2024 and Press Notice dated 16th May 2024. Some residents contacted the council about not receiving consultation letters and therefore a second set of letters were posted out on the 17th May 2024.

6.2. The following properties have been consulted:

- Flat 1 – 8, 6 Forest Avenue
- 7 – 11 Forest Avenue (All)
- 1 – 2 Crescent Road
- Flat 1 – 6 The Plains, 3 Crescent Road (All)
- Flat 1 – 16 Hadleigh Court, 4 Crescent Road (All)
- Orange Pcs Ltd Gln 392, Hadleigh Court, 4 Crescent Road, Chingford, London, E4 6AX
- Southdown 4 – 10 Gordon Road (Even)
- Flat 1 – 3 Gordon Road (All)
- Flat 1 – 9 Oakwood Court, 12 Gordon Road (All)

6.3. As a result of the public consultation, 15 objections were received from neighbouring properties.

Objection Received	Response
Amenity impact <ul style="list-style-type: none"> • Loss of privacy • Overbearing • Loss of light 	<p>Given the proposal's relationship with neighbouring properties, it is considered that the proposal would not unreasonably result in loss of light, overbearing impact or overlooking to existing occupiers.</p>
Parking Stress <ul style="list-style-type: none"> • Severely affect on street parking 	<p>The principle of a car-free form of development is supported by Officers. The site is not located within a Controlled Parking Zone (CPZ) and is well served by transport infrastructure (local buses and overground services at Chingford Station). The addition of 2 flats is considered not to significantly create additional pressure to parking. Full details of the car parking provision is assessed in Section 10[H] of the committee report.</p>
Design/Character <ul style="list-style-type: none"> • not in keeping or sympathetic to the road and area • erodes the values of some of the few conservation areas left in Chingford 	<p>In terms of architectural design, officers are of the view that the proposal is of an appropriate design and materials which adequately responds to the urban form of the street scape, identifying the existing built form of the surrounding area and responding to the wider character.</p> <p>Please see Section 10[C] in the full assessment below.</p>
<p>Consultation letters not received by neighbours</p>	<p>The appropriate 21 days statutory consultation was carried out, furthermore a site notice was placed outside the application site and a press notice was issued. Officers requested a second round of consultation letters be issued.</p>
<p>Construction Matters</p> <ul style="list-style-type: none"> • Dust • Noise 	<p>With respect to noise and dust during construction, Council's Environmental Health raised no concerns with respect to noise or dust during the construction. A condition would be included for a Construction Environmental Management Plan which will include details of control of dust and noise during construction.</p>
<p>Fire Safety</p>	<p>The application was accompanied by a Fire Statement and no comments were received from the Fire Brigade.</p>
<p>Utilities impacted that are in the roof</p>	<p>Officers note the concern however any internal utilities would need to be resolved by the developer.</p>
<p>Below technical space standards</p>	<p>The proposal falls marginally short however officers are satisfied with the overall accommodation provided. Please see Section 10[C] in the full assessment below.</p>

Increased potholes from construction	Any damage to roads due to construction would be picked up in the required condition survey for the site. The highways team has raised no objections on this basis.
Reduction in property value	The impact on property values is not a material planning consideration.

7. OTHER CONSULTATIONS

Internal and External Representations Received

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

Consultees	Response
Highways	<p>No highway concerns raised and the following was recommended on grant of any forthcoming approval.</p> <ul style="list-style-type: none"> • Conditions involving the submission of a Detailed Construction Logistics Plan, and highways condition survey. • Financial contributions towards monitoring the Construction Logistics Plan and improving sustainable modes of transport. • S106 car free wording in use in planning that would exclude future residents from eligibility for permits in the event of a future CPZ.
Conservation officer	No objection to an upward extension on building in CA however, did not fully agree with the design approach.
Nature conservation officer	With this scheme, there would be a small loss of amenity grass, and so the impact is likely to be minimal. Can accept the BNG exemption statement submitted with the application.
Natural England	No objection subject to mitigation
Waste	No objection
Fire Brigade	No comments
Environment Health - Noise	No objection subject to condition.

8. DEVELOPMENT PLAN

- 8.1. Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:
- a) the provisions of the development plan, so far as material to the application;
 - b) any local finance considerations, so far as material to the application; and
 - c) any other material considerations.

- 8.2. Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Waltham Forest comprises the Waltham Forest Local Plan LP1 (2024), and the London Plan. Other planning policies are material considerations.

London Plan (2021)

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

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

- GG1 Building Strong and Inclusive Communities
- GG2 Making Best Use of Land
- GG4 Delivering Homes Londoners Need
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirement for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D6 Housing quality and standards
- D14 Noise
- H1 Increasing housing supply
- H10 Housing size mix
- HC1 Heritage conservation and growth
- G1 Green Infrastructure
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving Air Quality
- SI7 Reducing Waste and supporting the circular economy
- SI13 Sustainable Drainage
- T5 Cycling
- T6 Car Parking
- T7 Deliveries, Servicing and Construction
- DF1 Delivering of the Plan and Planning Obligations

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

- 8.5. The draft version of the Local Plan underwent Regulation 18 public consultation between July 2019 and September 2019 and consultation on the proposed submission version between 26 October 2020 and 14 December 2020. It underwent examination and consultation on

proposed modifications concluded on 21 September 2023. The Waltham Forest Local Plan (LP1) was subsequently adopted 29 February 2024 and therefore now forms a key part of the development plan in determining all planning applications. The previous Core Strategy (2012) and Development Management Policies (2013) are superseded by LP1. The relevant policies are:

- Policy 1 Presumption in Favour of Sustainable Development
- Policy 2 Scale of Growth
- Policy 3 Infrastructure for Growth
- Policy 4 Location of Growth
- Policy 5 Management of Growth
- Policy 6 Ensuring Good Growth
- Policy 8 Character-Led Intensification
- Policy 11 North Waltham Forest
- Policy 12 Increasing Housing Supply
- Policy 15 Housing Size and Mix
- Policy 48 Promoting Healthy Communities
- Policy 50 Noise, Vibration and Light Pollution
- Policy 53 Delivering High Quality Design
- 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 Logistic Plans
- Policy 66 Managing Vehicle Traffic
- Policy 72 Conservation Areas
- Policy 77 Green Infrastructure and the Natural Environment
- Policy 79 Biodiversity and Geodiversity
- Policy 81 Epping Forest and the Epping Forest Special Area of Conservation
- Policy 85 A Zero Carbon Borough
- Policy 87 Sustainable Design and Construction
- Policy 88 Air Pollution
- Policy 89 Water Quality and Water Resources
- Policy 90 Contaminated Land
- Policy 93 Waste Management
- Policy 94 Infrastructure and Developer Contributions

9. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework (2023) and 2024 consultation

- 9.1. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. It contains a presumption in favour of sustainable development, described as at the heart of the framework.

- 9.2. For decision-taking the NPPF states that the presumption means “*approving development proposals that accord with an up-to-date development plan without delay*” and where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless “*...any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*”.
- 9.3. The NPPF gives a centrality to design policies; homes should be locally led, well designed, and of a consistent and high quality standard. Local planning authorities (LPAs) are to make sure that the quality of approved developments does not materially diminish ‘between permission and completion, as a result of changes being made to the permitted schemes’.
- 9.4. The specific policy areas of the NPPF considered to be most relevant to the assessment of this application are as follows:
- Delivering a sufficient supply of homes
 - Building a strong, competitive economy
 - Promoting healthy and safe communities
 - Promoting sustainable transport
 - Making effective use of land
 - Achieve well-designed places
 - Delivering a wide choice of high quality homes
 - Meeting the challenge of climate change, flooding and coastal change
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment

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

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

Waltham Forest Local Plan Urban Design SPD (2010)

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

Waltham Forest Planning Obligations SPD (2017)

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

Local Finance Considerations

- 9.8. Local Finance Considerations are a material consideration in the determination of all planning applications. Local Finance Considerations can include either a grant that has been or would be given to the Council from central government or money that the council has received or will or could receive in terms of Community Infrastructure Levy (CIL).

- i. There are grants which have been or will or could be received from central government in relation to this development.
- ii. The Council has not received but does expect to receive income from LBWF CIL in relation to this development.
- iii. The Council has not received but does expect to receive income from Mayoral CIL in relation to this development.

10. ASSESSMENT

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

- A. Principle of Development
- B. Urban Design and Heritage
- C. Safety and Security
- D. Impact on Neighbouring Amenity
- E. Housing mix
- F. Standard of Residential Accommodation
- G. Transport and Highways
- H. Waste Management
- I. Sustainable Design and Energy Efficiency
- J. Trees, Landscaping and Ecology
- K. Environmental Impact

A. PRINCIPLE OF DEVELOPMENT

- 10.2. National, London and Local Plan policies all seek to encourage sustainable housing development on appropriate sites in urban areas. In particular, The London Plan (2021) identifies the urgent need to increase housing supply in London to address the substantial population increase in the capital and requires Waltham Forest to deliver 1264 new homes per year. Waltham Forest Local Plan Part 1 (2024) has been recently adopted with a target of 27,000 additional homes to be provided over the plan period (2023-2035).
- 10.3. The NPPF (2023) Chapter 11 (para 124) support opportunities to use the airspace above existing residential and commercial premises for new homes. To allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers. Reference to consistency with prevailing height is proposed to be deleted in the consultation draft.
- 10.4. Policy 8 seeks to ensure that appropriate density and intensification is achieved in a manner that is informed by, and responds to, the character and context of the site under consideration. Policy 12 sets out the housing supply target setting out this would be delivered by making effective and efficient use of land by seeking to optimise housing densities and ensuring new homes address different housing needs and provide a variety of housing choices.
- 10.5. The Local Plan (2024) sets out the strategic vision for North Waltham Forest within Policy 11. Outside strategic locations the policy sets out that these areas would contribute to the delivery of 1660 homes. Developments should reflect the local character of the area in which they are proposed and improve the quality of the local environment.

- 10.6. The proposal creates an upward extension to an existing residential block, creating a net gain of 2 residential units on previously developed land. This would be welcomed in land use terms. Further to this the site is situated in an accessible and sustainable location in close proximity to Chingford Overground and amenities on Station Road.
- 10.7. In summary, the site whilst outside of a strategic location would be considered within a sustainable location that would intensify an existing site satisfying the requirements of the London Plan (2021) Policies D2, H1, H4 and SD6; the Waltham Forest Local Plan LP1 (2024) policies 1, 4, 5, 6, 8 and 11. The proposal is considered to be acceptable in principle and remains to be assessed against other material planning issues, including design and heritage, housing mix, standard of accommodation and impact on neighbouring amenity. These issues, amongst other relevant planning considerations, shall be considered below.

B. DESIGN AND HERITAGE

- 10.8. The NPPF (2023) states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 208 states that where a proposal leads to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits.
- 10.9. Policies D4 and D6 of the London Plan (2021) states that development should be of a high quality of design and placemaking.
- 10.10. The Waltham Forest Local Plan LP1 Policy 53, states that development proposals should reinforce or enhance local character, taking in account existing patterns of development, townscape, skyline, urban forms, building typologies, architecture, materials, and other features of local and historical significance. It adds that developments should respond appropriately to their context in terms of scale, height and massing.
- 10.11. The Waltham Forest Local Plan LP1 Policy 72 seeks to preserve or enhance the Borough's conservation areas, including their respective significance, character or appearance.
- 10.12. As the site is within a Conservation Area paragraph 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990 is engaged, whereby special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.

(i) Heritage

- 10.13. The site is located within the Station Road Conservation area however as identified in the conservation area appraisal does not positively contribute to the area's special character, and is instead noted as being a negative contributor stating, '*Nos. 1-6 The Plains, Crescent Road, which does not respond to the built heritage in this character area in terms of building line, architectural features and materiality*'.
- 10.14. The Council's Heritage Officer, whilst not having any concerns with an upward extension, have raised concerns that proposal would add to the buildings status in the street scene with the proposal making it more assertive. Whilst officers note that the proposal would have a more contemporary approach the top floor set back creates a subordinate addition and the use of appropriate materials helps to integrate the additional floor within the existing building. As such officers are of the view the proposal would not have a negative impact on the

Conservation area. As such the character and appearance of the conservation area is preserved and the neutral impact does not cause harm.

(ii) Design

- 10.15. The proposed development involves the addition of an additional storey, resulting in a 4 storey building. The site currently benefits from 3 storeys (ground, plus 2) with a hipped pitched roof which would be removed and replaced with the flat roof of the proposed extension. Setbacks are proposed on both sides and to the front, measuring 0.51-0.56m.
- 10.16. The height of the proposal is contextualised by the neighbouring 6 storey block of flats, Hadleigh Court. The additional storey would represent an appropriate step in the street scene responding to the rising topography of the street.
- 10.17. The proposed additional floor would be considered harmonious with the existing building. The proposed elevations would have windows sizes and placement that align with the host building. The host building does not currently feature balconies to the existing flats however the balconies proposed would be considered to provide a high level of residential amenity for future occupiers, whilst the integrated nature of these features, not projecting forward of the existing building line, and materiality with the use of railings would not detract from the overall visual balance of the building within the wider area.
- 10.18. Sufficient set-backs to the front and sides of the existing footprint would significantly reduce its visual impact. Its recessive relationship with the floors below would appear as a roof cap to the top of the existing building, materially different from the front façade below that would serve to reduce the perception of the mass and overall bulk of the extension.
- 10.19. The proposal includes two ventilation flues and three rooflights to be located on the flat roof. These elements are not situated to the front and are positioned towards the centre and rear of the proposal, which is considered to make them less prominent in the street scene, with only the ventilation flues likely to be visible at some angles.
- 10.20. The proposal is for a contemporary extension with zinc finish in metallic copper that would be similar to the colour of materials used, notably the red brick work and brown pebbledash. It is considered the lightweight cladding material harmonises with the existing/original materials. A pre-commencement condition would be added to any approval for materials to be submitted, to ensure a high design quality.
- 10.21. Within the locality there is a variety of different architectural forms with varying building heights to the nearby buildings. The topography rises southwards up Crescent Road with Hadleigh Court which adjoins the site at 6 storeys and Forest House at three storeys both appearing taller in the street scene due to the level changes as you move southwards along the street scene. The sensitive application of materials and sets back further lessens the visual impact of the development on the street scene and host building.
- 10.22. As such, the massing and the overall bulk of the extension would remain harmonious with the host building and the elevational treatment would be in keeping with the appearance of the existing building, and as such, is acceptable in design terms.
- 10.23. In light of this and the appropriate material conditions, the proposed development, given the design, height, scale and materials would be acceptable, introducing an appropriate form of development within the existing urban form, Station Road Conservation Area and the wider

locality in accordance with policies D4, D8 and D9 of the London Plan (2021) and Policy 53 and 72 of the Waltham Forest Local Plan LP1 (2024).

C. SAFETY AND SECURITY

(i) Fire Safety

- 10.24. The application submission included a Fire Risk Assessment in support of the proposed development. This statement demonstrated that fire safety formed part of the early stage of the design process, and subject to the development meeting current buildings regulations this would secure the necessary fire safety measures.
- 10.25. In light of the above it is considered that the proposed development would overall comply with London Plan (2021) Policies D5, D11, and D12 in respect of fire safety.

10.26. ii) Security

- 10.27. The proposed flats would be accessed via the main front entrance as such this would not raise any significant security issues. New proposed entry control systems and postal numbers also potentially being installed on the host building. To ensure these are of a high design quality and does not result in any adverse residential amenity impacts, conditions will be attached to ensure compliance with Policy 53 and 57 of the adopted Waltham Forest Local Plan LP1 (2024).

D. IMPACT ON NEIGHBOURING AMENITY

- 10.28. The London Plan (2021) Policy D6 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context.
- 10.29. Waltham Forest Local Plan LP1 (2024) Policy 57 states that new development should respect the amenity of existing and future occupiers, neighbours and the surrounding area by avoiding harmful impacts from overlooking, enclosure and/or the loss of privacy, outlook and daylight/sunlight to adjacent residential properties.
- 10.30. The proposal would not exceed the footprint of the current building however, would extend upwards by one additional storey creating a 4 storey building. The site currently benefits from a hipped roof that is 3.16m to the ridge. The proposal would have a height of 3.72m to the flat roof (including the proposed parapet) creating an additional height 0.56m which would be considered a marginal increase compared to the existing roof.
- 10.31. The proposal would not exceed the principal front or rear building line of No. 2 Crescent Road. No. 2 features a number of windows to the side elevation however they already impacted by the existing building due to the juxtaposition. The 2nd floor side elevation window to No. 2, currently looks out onto the existing roof profile, whilst the proposal would create an additional floor and there would be some impact, the additional height is not significant and its impact would also be further minimised by the set back of the proposal which means the proposal is set approximately 3m from this window, as such it is not considered to be detriment to warrant refusal in this case. The proposal does not have any windows on the main side flank wall and whilst there is a window that faces No. 2 and a balcony located to the front, the juxtaposition is not considered to create detrimental impact to privacy given they would not directly face No. 2 on the boundary.

- 10.32. Hadleigh Court is set back from the front building line of the application site however the bulk of the proposal along this boundary would sit in line with Hadleigh Court with only the balconies projecting forward. Hadleigh Court also features side windows on each floor that face the development site. The current windows face north and look out onto the existing flank wall and roof profile. Given the orientation and relationship including the changes in topography between the sites, the additional height is not significant, and its impact would also be further minimised by the set back from the side creating approximately 4.5m separation, as such it is not considered to materially alter the current outlook or daylight from the side windows.
- 10.33. Southdown, 4-10 Gordon Road sits to the rear of the site and is set approximately 62m away. Given the addition of a single floor and the separation between the sites it is considered that the proposal would not detrimentally impact by the proposed additional floor.
- 10.34. *Amenity impact - Balconies*
- 10.35. The proposal features 2 balconies to the front of each unit. The balconies are set within the building line behind the proposed parapet wall.
- 10.36. Hadleigh Court also features balconies to the front. Given the similar arrangement between balconies on Hadleigh Court and that the site sits forward, there would be no direct overlooking as such there would be limited impact to privacy.
- 10.37. No. 2 Crescent Road features side windows however the balcony would be set forward of these windows as such the juxtaposition is not considered to create detrimental impact to privacy given they would not directly face No. 2 on the boundary. Further to this the balconies would be set behind the front building line of No. 2 Crescent Road.

E. HOUSING MIX

- 10.38. The London Plan (2021) Policy H10 requires schemes to generally consist of a range of unit sizes, having regard to robust local evidence of need and the nature and location of the site.
- 10.39. Policy 15 of the Waltham Forest Local Plan Part 1 (2024) sets out that there is a need for a range of dwelling sizes and tenures to meet the housing needs of its diverse population.
- 10.40. The proposal is for addition of 2 units that would be 2 bedroom 3 person. Given the size and scale of the scheme, the uplift in smaller units in this case would be considered appropriate.
- 10.41. As such the proposal with respect to housing mix would therefore be consistent with the objectives of London Plan Policy H10 (2021), and Policy 15 of the Waltham Forest Local Plan LP1 (2024).

F. STANDARD OF RESIDENTIAL ACCOMMODATION

(i) Internal Space Standards

- 10.42. The 'Technical Housing Standards – nationally described space standard' (2015) stipulate the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected for the proposed units. The policy seeks for

high quality internal and external design, which should consider the sense of ‘arrival’ at the building and the ‘home as a place of retreat’, with acceptable size of rooms and functional room layouts, that meet the minimum spatial requirements.

- 10.43. Policy D6 of the London Plan (2021) sets out the housing quality and standard design specifications for new developments. Including internal rooms sizes, dual aspect, built in storage.
- 10.44. Policy 56 of the Waltham Forest Local Plan LP1 (2024) requires all new residential development to meet minimum internal and external amenity spaces. Policy 56 also seeks for all housing designs to maximise the provision of dual aspect dwellings and avoid the provision of single aspect dwellings wherever possible.
- 10.45. (i) Proposed Standard of Accommodation:

Dwelling Type	Minimum Policy Requirement (sqm)	Proposed Dwelling Size (sqm)	Complies?
2bed 3person (2 units)	61m ²	59.4m ²	Marginally below
Storage	2m ²	2m ²	Complies
Bedroom 1	11.5m ² (2.75m width)	12m ² (3.34m width)	Complies
Bedroom 2	7.5m ² (2.15m width)	10.5m ² (2.16m– 3.14m width)	Complies
Living Room/Kitchen	-	25.16m ²	-
Private External Amenity	5m ²	5.6m ²	Complies

- 10.46. The proposal would fall short of the GIA technical space standards by 1.6m² however officers consider that this is a marginal short fall, with both units still offering a good internal layout with usable space.
- 10.47. The flats would have open-plan living areas with integrated kitchen and dining areas with the units being dual aspect. Further to this the proposal provides private external amenity space that would be considered a positive addition meeting the minimum private space.
- 10.48. The habitable rooms within both units would also meet the minimum spatial requirements in that double bedroom and single bedroom would meet and exceed 11.50 sqm and 7.5sqm. The proposed floor to ceiling height of each unit would meet 2.50 metres in height with built-in storage that would meet the minimum standards, as required by policy D6 of the London Plan (2021) and the Technical Housing Standards – nationally described space standard’ (2015).

(ii) External Amenity

- 10.49. Policy D6 of the London Plan (2021) requires a minimum of 5 sq.m. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq.m. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.

- 10.50. Policy 56 of the Waltham Forest Local Plan Part 1 (2024) sets out that one and two bed flats and maisonettes should provide a minimum of 10sqm of external amenity space per dwelling. These external amenity space requirements should include some private outdoor amenity space for each dwelling in the form of balconies, terraces and/or private gardens (including roof gardens). The remaining external amenity space requirements can include communal, landscaped amenity space in accordance with guidelines set out in the London Plan. Private external amenity spaces must be a minimum of 5sqm and achieve a minimum depth and width of 1.5m. Communal external amenity spaces must be a minimum of 50sqm and should be easily accessible to all residents of the development, regardless of tenure.
- 10.51. The proposed features a balcony of 5.6m² in size for each unit and a communal space to the rear of the site measuring around 500m².
- 10.52. As such, both flats would meet the external amenity space in line with Policy D6 and Policy 56 of the Waltham Forest Local Plan Part 1 (2024).

G. TRANSPORT AND HIGHWAYS

- 10.53. The NPPF (2023) states that development should take opportunities to promote walking, cycling and public transport use.
- 10.54. Policy T1 of the London Plan (2021) states that proposals should support the delivery of the Mayor's strategic target of 80% of all trips in London to be made by foot, cycle or public transport by 2041 and requires developments to make the most effective use of land, reflecting its connectivity and accessibility by existing and future transport, walking and cycling routes and ensure that any impacts on London's transport networks and supporting infrastructure is mitigated.
- 10.55. Policy T5 of the London Plan (2021) seeks proposals to help remove barriers to cycling and create a healthy environment in which people choose to cycle by securing the provision of appropriate levels of cycle parking, which should be fit for purpose, secure and well located. Policy T6 of the London Plan (2021) states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity and requires appropriate disabled persons parking for Blue Badge holders to be provided as set out in Policy T6.1 of the London Plan (2021).
- 10.56. Policy 60 of the Waltham Forest Local Plan LP1 (2024) sets out that the Council will promote sustainable with new developments expected to contribute to more attractive, accessible, healthy and safe streets, places and neighbourhoods.
- 10.57. Waltham Forest Local Plan LP1 (2024) Policy 66 - Managing Vehicle Traffic sets out that proposals which (A) provide parking in less well-connected areas (eg the application site) must be accompanied by a robust Transport Assessment; and that (B) parking must not exceed maximum London Plan standards and those at Appendix 1 of LP1 and finally (C) that all development should provide Blue Badge spaces in accordance with best practice set in the London Plan and LP1.

(i) Car Parking

- 10.58. Policies 60 and 66 seek to effectively manage parking whereby all residential development are required to be car-free. The proposed development will not be served by any in-curtilage parking provision. The current 6 flats are served by 6 garages on site.

- 10.59. The site is not located within a Controlled Parking Zone and officers consider that the small-scale nature of the proposed development means the development would have an insignificant impact on parking stress within the vicinity of the site. As such, the lack of car parking provision is considered to be acceptable in this case and in compliance with Policies 60 and 66.
- 10.60. Highways requested that a s106 clause be added restricting future occupants from obtaining a parking permit within any future CPZ in the local area. Given the scale of the development and low impact of adding two flats it is considered appropriate, nor proportionate in this case.

(ii) Cycle Parking

- 10.61. London Plan (2021) Policy T5 and Table 10.2 set out the minimum standards for new development cycle parking provision.
- 10.62. Appendix 1 of the Local Plan (2024) sets out the Council's cycle parking standards which requires 4 cycle spaces.
- 10.63. The proposed provides 6 spaces within an external store within the communal outdoor space. This would meet the required cycle provision for the proposed units and also provide 2 further spaces for existing residents.

(iii) Highways infrastructure

- 10.64. The proposal includes no car parking, and having regard to planning policy, a S106 request of £2,000 is requested toward improving sustainable modes of transport including walking and cycling in the sites vicinity which will directly benefit new residents in this development inline with policy 60 and 61 of the Local Plan.
- 10.65. The application is accompanied by a construction logistics plan (CLP) & construction management plan. The Council's Highways Team was consulted on the CLP and have raised that the CLP is not in the correct format. However, considering that the application will be conditioned to include a Detailed CLP and that financial contributions will be secured to ensure the development adheres to the final CLP, officers are satisfied that the application can progress despite the outstanding CLP revisions.
- 10.66. As such a forthcoming planning consent, an appropriately worded pre-commencement condition will be attached requiring the submission of a detailed full CLP in accordance with Policy 65 of the adopted Waltham Forest Local Plan LP1 (2024). Additionally, a developer contribution of £500 towards CLP monitoring will be required which will be secured by Section 106 Agreement.
- 10.67. A condition survey is required for the nearby carriageway and footways in Crescent Road outside the frontage of the site and 20m on either side which will be included in the s106 heads of terms.

H. WASTE MANAGEMENT

- 10.68. Policy SI7 of the London Plan (2021) seeks to reduce waste and support the circular economy.

- 10.69. Policy 57 of the Local Plan LP1 (2024) states that new developments should ensure that the provision of adequate facilities for the storage, collection and disposal of refuse is well secured.
- 10.70. The existing waste arrangement is individual bins housed to the rear community area that are moved to Gordon Road on collection days. Both existing stores would be extended, and additional bins added to accommodate the additional units.
- 10.71. The waste team were consulted and raised no concerns with the proposal. Officers consider the additional proposed bins would meet the requirements of the new units and movement to Gordon Road is part of the existing arrangement that would be retained. The proposal would therefore be in line with Policy 57 of Waltham Forest Local Plan LP1 (2024).

I. SUSTAINABLE DESIGN AND ENERGY EFFICIENCY

(i) Energy

- 10.72. Policies 85 and 87 of the Waltham Forest Local Plan LP1 (2024) require developments to ensure high environmental standards of development and sustainable resource management and efficiency to support the long term sustainability of our environment and respond to climate change in a practical and effective way. The proposed development would be required to incorporate measures to limit carbon dioxide emissions and provide resilience to climate change, going beyond the minimum Building Regulation requirements.
- 10.73. The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. The Waltham Forest Local Plan 85 is in line with this. This requirement applies to all new developments over a threshold of one residential unit in order to fully comply with The London Plan and Local Plan Policies 85 and 87.
- 10.74. Whilst the Energy & Sustainability Statement confirms that the applicant seeks to achieve the above targets through the use of an air source heat pump, however, these are not shown on submitted plans and therefore an assessment for their visual impact is not possible. However, given that the proposal is creating units within existing building, it would be sufficient for the development to meet the building regulation requirements. An informative would be added that should any additional structures be proposed such as an air source heat pump, these would need to be the subject of a separate planning application for formal consideration.

(ii) Water Efficiency

- 10.75. Local Plan Policy 89 states that developments should implement water efficiency measures to achieve usage of less than or equal to 105 litres per person per day for residential use. This is supported by Policy SI5 of the London Plan (2021).
- 10.76. The Energy & Sustainability Statement submitted with the application details how the scheme will incorporate measures for water saving. Should planning permission be forthcoming, a suitably worded condition will be attached to ensure compliance with Policies 89 and SI5.

J. TREES, LANDSCAPING AND ECOLOGY

(i) Urban Greening Factor and Biodiversity Net Gain

- 10.77. Policies GG1, G1 and G5 of the London Plan (2021) require new development to incorporate urban greening features such as street trees, green roofs, green walls, raingardens and nature-based sustainable drainage.
- 10.78. Policy 79 of Waltham Forest Local Plan LP1 (2024) sets out that schemes should demonstrate a minimum 10% biodiversity net gain using the Defra Biodiversity Metric 2.0 (or subsequent version), even where development proposals do not result in biodiversity loss.
- 10.79. The application was accompanied by an exemption statement stating that the proposal would be exempt as it is below threshold as the development does not impact a priority habitat and impacts less than 25sqm of on-site habitat.
- 10.80. Whilst there is no loss of biodiversity as the extension extends on the main building, the proposed would include a number of enhancements to the existing communal garden, including new planting. To secure the enhancements in line with the principals of biodiversity net gain, a suitably worded condition will be attached to ensure details of the soft landscaping.
- 10.81. As such, it is considered that the proposals accord with Policies 79 of Waltham Forest Local Plan LP1 (2024) and GG1, G1 and G5 of the London Plan (2021) and is therefore considered acceptable.

(ii) Epping Forest SAC

- 10.82. Waltham Forest shares a boundary with the Epping Forest Special Area of Conservation and following research in the form of a visitor survey by Footprint Ecology, has been found to fall within a wider ZOI based on the distance most visitors will travel to visit Epping Forest SAC. This report identified that 75% of visitors travelled up to 6.2Km to the SAC and as result of the whole of the London Borough of Waltham Forest falls within this ZOI for recreational pressure. It is anticipated that new residential development within this ZOI constitutes an LSE (Likely Significant Effect) on the sensitive interest features of the SAC through increased recreational pressure, either when considered 'alone' or 'in combination'. The Council as Local Planning Authority is obliged to ensure that any grant of planning permission would have sufficient mitigation measures in place to ensure that there would be no harmful impact on the Epping Forest SAC arising from LSE. The Local Planning Authority is a "competent authority" under the Habitat Regulations and is legally obliged to take Natural England's advice into account in decision making and attach great weight to it.
- 10.83. The Council and Natural England have agreed an approach to address the impact of residential development on the SAC, including seeking contributions towards the Strategic Access Management Measures (SAMMS) and a Suitable Alternative Natural Greenspace (SANGS) strategy, which has been published as part of the Local Plan process. A Habitat Regulations Assessment Screening and Appropriate Assessment has been prepared by Simple Planning which confirms that SAMMS contributions are appropriate for the impact of the development on the integrity of any European designated sites, such as the Epping Forest SAC and SSSI either considered alone or in combination with other plans or projects.
- 10.84. A contribution of £627/unit in total) towards SAMMS is sought and secured through the Section 106 agreement. Financial contributions towards the SANGS would be secured via the Community Infrastructure Levy (CIL) and would be allocated to projects within the relevant catchment area as identified in the strategy.

- 10.85. A HRA has also been completed as the competent authority, the site falls within 400m of the Epping Forest as such Urban Effects have been considered, relevant conditions have been imposed to ensure the impact is mitigated.
- 10.86. On the basis of the above, it is considered that the proposed development would have an acceptable impact on ecology. As such, the proposed development would accord with Policy 81 of the Waltham Forest Local Plan LP1 (2024), and London Plan Policies G1 and G6.

K. ENVIRONMENTAL IMPACT

(i) Air Quality

- 10.87. Policy SI1 of the London Plan (2021) sets out the requirements for new development to address poor air quality. All forms of development must be at least air quality neutral. At a local level, Policy 88 of the Waltham Forest Local Plan LP1 (2024) ensure the avoidance of any adverse air pollution impacts and aim to improve air quality.
- 10.88. If planning permission is granted, an Air Quality and Dust Risk Assessment and Management Plan (AQDMP) should be submitted and approved by the Council and this is to be secured by means of a planning condition.

(ii) Noise

- 10.89. Policy 50 of the Waltham Forest Local Plan LP1 (2024) states that all major forms of development should aim to minimise the adverse impacts of noise through sensitive design, management, and operation.
- 10.90. The Council's Environmental Health Team raises no objections against the development, subject to condition requiring the submission of an internal noise level survey.

11. PLANNING OBLIGATION

- 11.1. Section 106 Legal Agreements are a material consideration in the determination of a planning application. The purpose of such an agreement is to make otherwise unacceptable development acceptable and they should only be sought where they meet all the following tests:
- 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.
- 11.2. In terms of the S106 Agreement, the required Heads of Terms, having regard to planning policy, the Waltham Forest Local Plan Revised Planning Obligations SPD (2017) and the Waltham Forest Local Plan Affordable Housing and Viability SPD (2018), for this development relate to the following Heads of Terms which are also outlined in Section 1 of this report.
- Legal Fees
 - Monitoring and Implementation

12. ADDITIONAL CONSIDERATIONS

Public Sector Equality Duty

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

Human Rights

- 12.2. 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.
- 12.3. 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.

13. CONCLUSION

- 13.1. The principle of development is considered acceptable and consistent with local and regional policies. The proposed development would result in making better use of land and achieve optimisation of an existing site.
- 13.2. The report provides officer's comprehensive consideration of the planning application and its supporting documentation, including the additional information submitted and any representations received.
- 13.3. The conditions set out in the agreed s.106 Heads of Terms (set out in paragraph 1.1 of this committee report) would ensure that any adverse impact of the scheme is mitigated against,

and the positive aspects of the proposal advanced by the applicant are carried out through the implementation.

- 13.4. The report has considered the proposals in light of the Local Plan LP1 (2024) policies and other material considerations or representations relevant to the environment effects of the proposals.

14. RECOMMENDATION

- 14.1. The Planning Committee is recommended to grant planning permission subject to the conditions and informatives below and the completion of a s106 agreement with the agreed Heads of Terms, as set out in paragraph 1.1 of this committee report.

PLANNING CONDITIONS

Time Limit

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

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

Approved Plans and Documents

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

Drawings References:

735/1 A, 735/2 A, 735/3 A, 735/4 A and 735/5 A dated November 2023.
735/6 E, 735/7 E, 735/8 F, 735/9 D and 735/10 C dated Nov 2023.
735/11 A dated March 2024.
735/12 C dated July 2024.
735/13 dated August 2024.

Documents:

Material Schedule Rev B
Water Efficiency Calculator (undated)
Energy & Sustainability assessment dated January 2024
Combined Planning, Design & Access Statement (undated)
Fire risk assessment dated 25th January 2024
Heritage Statement (undated)
Construction logistics plan & construction management plan Revision 01 dated 1st May 2024

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

Construction

3. Prior to the commencement of any part of the development, including demolition and site clearance, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include details of the following:
 - Works of demolition and construction shall be carried out during normal working hours, i.e. 08:00 to 18:00 hours Monday to Friday, and 08:00 to 13:00 hours on Saturdays, with no noisy working audible at the site boundary being permitted on Sundays or Bank Holidays
 - Construction Vehicle Access Strategy
 - Likely noise levels to be generated from plant
 - Details of any noise screening measures
 - Proposals for monitoring noise and procedures to be put in place where agreed noise levels are exceeded

- Where works are likely to lead to vibration impacts on surrounding residential properties, proposals for monitoring vibration and procedures to be put in place if agreed vibration levels are exceeded. Note: it is expected that vibration over 1mm/s measured as a peak particle velocity would constitute unreasonable vibration.
- The method statement shall make reference to and comply with The Mayor of London's supplementary planning guidance (SPG) 'The control of dust and emissions from construction and demolition' <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/control-dust-anddo/planning/implementing-londonplan/supplementary-planning-guidance/control-dust-and>

In particular the applicant shall:

- Submit for approval an Air Quality (dust) risk assessment
- Submit for approval an Air Quality & Dust management Plan (AQDMP)
- Equipment and plant used on site shall comply with the requirements for 'Non-Road Mobile Machinery' (NRMM)
- Submit a for approval Dust monitoring programme
- All the above submissions shall have regard to the Mayor's SPG

Reference shall be made to:

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

REASON: To ensure considerate construction and to protect the amenities of the nearby residents from excessive noise and dust and to comply with Policies 57, 63, 64, 87 and 88 of the adopted Waltham Forest Local Plan LP1 (2024).

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

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

5. Prior to the commencement of the development, a detailed Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the local planning authority. The Construction and Logistics Plan and Delivery and Servicing 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 that disruption is kept to a minimum and does not affect highway traffic flows to comply with Policies 50, 57, 63, 65, 87 and 89 of the adopted Waltham Forest Local Plan LP1 (2024).

Architecture and Design

6. Prior to the commencement of development, notwithstanding site clearance and investigation works, demolition and construction to slab level, samples and a schedule of materials to be used in the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained as such for the lifetime of the development.

REASON: To safeguard and enhance the visual amenities of the locality, in accordance with Policy 53 and Policy 57 of the adopted Waltham Forest Local Plan LP1 (2024).

7. Prior to the first occupation of the new residential unit, details relating to the residential entrance relating to the display of postal number and position of letter box facility shall be submitted to and agreed in writing by the Local Planning Authority, and the agreed proposal shall be fully implemented and thereafter maintained for the lifetime of the development.

REASON: In the interest of security and to protect the living conditions of existing and future residents in the locality in accordance with Policy D11 of the London Plan (2021) and Policy 58 of the of the adopted Waltham Forest Local Plan LP1 (2024).

Sustainable Design and Energy Efficiency

8. Prior to first occupation of any part of the development hereby permitted, notwithstanding site investigation and clearance works, demolition and constructions to slab level, a scheme detailing measures to reduce water use within the development, to meet a target water use of 105 litres or less per person, per day, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme and thereafter retained.

REASON: To minimise the water use of the development, in accordance with the requirements of Policy SI5 of the London Plan (2021) and Policy 89 of adopted Waltham Forest Local Plan LP1 (2024).

Landscape and Biodiversity

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

REASON: To ensure a satisfactory appearance and in the interest of local amenity and biodiversity in accordance with Policies 53, 77, 79 and 80 of the adopted Waltham Forest Local Plan LP1 (2024).

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

REASON: To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies 53, 79 and 80 of the adopted Waltham Forest Local Plan LP1 (2024).

Waste Management

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

REASON: To ensure that adequate arrangements are made for the storage and collection of refuse and recycling and to comply with Policies 57 and 93 of the adopted Waltham Forest Local Plan LP1 (2024).

Noise

12. All residential premises in the development shall be designed and constructed to attain the following internal noise levels: 35dB(A) Leq 16 hours 07:00hrs – 23:00hrs in living rooms, while 30dB(A) Leq 8 hours in bedrooms and no individual noise event to exceed 45dB(A) max (measured with F time weighting) 23:00hrs – 07:00hrs. External noise affecting gardens, balconies or amenity spaces shall not exceed 55dBLAeq.

A test shall be carried out after completion but prior to occupation to show that the criteria above have been met and the results must be submitted to and approved in writing by the Local Planning Authority prior to occupation of any part of the building.

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources and in accordance with the adopted 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. A legal agreement will be entered into with the London Borough of Waltham Forest in conjunction with this grant of planning permission.
3. The approval relates only to the works within the description of development. Any additional structures to be proposed such as an air source heat pump, would require a planning application for formal consideration
4. "Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development may be liable to pay the London Borough of Waltham Forest Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Waltham Forest CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties may now need to assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at CIL@walthamforest.gov.uk. The Council will then issue a Liability

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

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

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

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

5. **IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences**
 - You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
 - Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
 - Beginning development in breach of a planning condition will invalidate your planning permission.
 - If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a Certificate of Lawfulness.

6. Construction and demolition works audible beyond the boundary of the site should only be carried out between the hours of 0800 and 1800 hours Mondays to Fridays and 0800 and 1300 hours on Saturdays, and not at all on Sundays or Public/Bank Holidays.
7. The submitted Construction Environmental Management Plan shall include details of: Site hoarding Wheel washing Dust suppression methods and kit to be used Bonfire policy Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 Confirmation if a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors Copy of an asbestos survey. Unexploded Ordnance Survey
8. 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.
9. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit "<http://nrmm.london/>".
10. 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):
 - i. A summary of work to be carried out;
 - ii. 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;
 - iii. Inventory and timetable of all dust and NOx air pollutant generating activities;
 - iv. List of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment;
 - v. Details of any fuel stored on-site;
 - vi. Details of a trained and responsible person on-site for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions);
 - vii. Summary of monitoring protocols and agreed procedure of notification to the local authority; and
 - viii. 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 precommencement 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.

11. 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 $0.5 \mu\text{g}/\text{m}^3$ 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.
12. This determination does not constitute permission to build under the Building Regulations 2010. Works should not commence until any appropriate building regulation applications have been submitted and where necessary approved.
13. This notice is without prejudice to your responsibilities under any other legislation.