

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 03 Dec 2024
Application reference:	242050
Applicant:	Edward James Investments Ltd
Location:	19 Sunnyside Drive, Chingford, London, E4 7DZ
Proposed development:	Demolition of existing dwellinghouse and construction of three two storey terraced dwellinghouses (3x3-bed) (Use Class C3) together with three parking spaces, hard and soft landscaping, boundary treatment, refuse and recycling storage facilities and bicycle storage provision.
Wards affected:	Chingford Green
Appendices:	None

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:

Epping Forest Special Area of Conservation (SAC):

Financial contribution of £1,881 towards Strategic Access Management and Monitoring Strategy (SAMMS).

Biodiversity Net Gain (BNG)

- to register the site on the Biodiversity Gain Site Register
- to complete the Habitat Creation and Enhancement Works at the application site in accordance with the Habitat Management and Monitoring Plan
- to provide Management Plan Monitoring Reports to the Council
- Financial contribution towards BNG monitoring, over periods including year 1, 2, 5, 10, 20 and 30.

Highways and Transportation:

- Facilitating Highway works under a S278 agreement will be required upon completion of the development, prior to occupation. The works will be funded by the Developer and carried out by the Council, relating to (not limited to):
 - Renewal of the footway on the Sunnyside Drive frontage of the site
 - Renewal of the unnamed access road to the side of the site for the full length of the property frontage, and any other areas that become damaged during construction.
 - Renewal of pedestrian link between Sunnyside Drive and the unnamed access road adjacent, including new steps to be installed
 - Renewal of double yellow lines at access road on Pole Hill Road
 - Installation of double yellow lines at the end of the cul-de-sac on Sunnyside Drive
 - Upgrade of the existing lamp column / lantern along the unnamed access road
- Financial contribution of £750 for CLP monitoring.

- Highway Condition survey: the developer would be required to carry out a pre and post construction highway condition survey of the adjoining carriageway and footway on Sunnyside Drive and the access road adjoining Pole Hill Road. Any damage to the highways as a result of the construction works would be reinstated by the Council and funded by the developer.

Energy efficiency and carbon reductions:

In the event that the 35% carbon reduction target has not been met, a financial contribution towards a carbon levy.

Design:

Design quality monitoring agreement for original architects to be retained during the construction to completion stage to ensure quality build, or with the written agreement of the Local Planning Authority an alternative suitably qualified Architect team to be procured.

Monitoring and Implementation:

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

Legal Fees:

Payment of the Council's legal fees for the preparation and completion 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

- 2.1. The case has been referred to Committee due to the extensive level of public interest.

3. SITE AND ITS SURROUNDINGS

- 3.1. The application site currently hosts a single storey residential bungalow situated at the south-western end of Sunnyside Drive. According to Building Control history, the

property was built in 1939. The property is of 'L' shaped with front, side and rear garden amenity space. The property is recessed from the road and sits in the middle of the site.

- 3.2. The property is also set further away from the adjacent terraced properties of 1 to 17(odd) Sunnyside Drive. The subject bungalow property is an anomaly in the area in terms of overall bulk and architectural style which differentiate with the surrounding two-storey terraced properties which were built in 1928, i.e. 11 years earlier than the bungalow.

Fig 1: aerial view of subject site (in red)



- 3.3. The plot is an irregular quadrangle shape of approximately 620sqm. The western site boundary adjoins onto an unnamed public highway and the rear residential garages of the properties at Nos. 2A to 14 Pole Hill Road. This unnamed road leads to Pole Hill Road to the west and Kings Head Hill to the north. This unnamed road also provides access to the garages at the back of Nos. 44A to 58 Kings Head Hill.
- 3.4. The eastern boundary of the subject site is shared with 17 Sunnyside Drive which is a two-storey end of terrace property, which sits at the front of the plot. The south of the site adjoins onto a service road for the garages of properties 30-42 Kings Head Hill Road.
- 3.5. The northern boundary fronts Sunnyside Drive. Sunnyside Drive is a cul-de-sac extending from Woodberry Way to the east and terminating to vehicular access at the northern boundary of the site. Pedestrian access is present from this end of Sunnyside Drive to the unnamed road stated above.
- 3.6. The topography of the area is sloped, so the plot is on a lower gradient than No.17 Sunnyside Drive, sloping further towards the west and south.
- 3.7. The surrounding area is residential in nature and contains a mixture of two storeys interwar semi-detached and terraced dwellings with various materials used for external finishes. The subject bungalow is noted to already be an anomaly in the area and built at a later date, with a different architectural style.
- 3.8. The site is not located within a Conservation Area/Area of Special Character, is not listed/locally listed and is not subject to an Article 4 direction other than the Borough-wide change of use from Class C3 to C4.
- 3.9. The site falls within the zone of influence of the identified Epping Forest Special Area of Conservation (EFSAC), under the EU Habitats Directive (92/43/EEC), and is also within the 400m buffer to Epping Forest.
- 3.10. The site falls within the Borough-wide Air Quality Management Area (AQMA).

4. APPLICATION PROPOSAL

- 4.1. The proposal proposes the demolition of the existing house, and construction of a terrace of 3 (3 bedroom 5 person) houses.
- 4.2. The properties would be mainly accessed through a front gate to the north, leading to a mews path and separate entrances to each unit. Each property would have a rear garden with patio and soft landscaped area.
- 4.3. One parking space is proposed for each unit, with vehicular access through the unnamed road. There would be footpath and stairs adjoining two parking spaces into the rear gardens of units 1 and 2.
- 4.4. 8 cycle parking spaces would be provided along the mews path, waste and recycle storage would be provided to the front of the site.

Fig 2: visualisation of the proposal



5. RELEVANT HISTORY

Planning

- 5.1. There is no relevant planning application history for the site.

Pre-application

- 5.2. Pre-application advice (Reference: PRE_23_0319 was sought for the demolition of existing house and replacement with terraces of 4 x 3-bedroom houses .and the current application has been submitted following the pre-application.

Fig 3: original pre-application scheme



Planning Enforcement

5.3. There is no enforcement history.

6. PUBLIC CONSULTATION

6.1. The Council circulated 92 consultation letters to neighbouring residents on the 4th Sep 2024. The following properties were consulted:

- 8 to 58 (even) Kings Head Hill
- 35 to 73 (odd) Woodberry Way
- 1 to 17 Sunnyside Drive
- 2a, 2 to 46 (even) Pole Hill Road

6.2. The application was advertised via a site notice on the 11th Sep 2024.

6.3. As a result of the public consultation, 40 objections were received.

Table 1: summary of objection during public consultation

Objection	Officer Response
Out of character	In terms of massing, height and architectural design, officers are of the view that the proposal is of high quality and adequately responds to the urban form of the street scape, positively responding to the area character. Please see Section 11B in the full assessment below.
Overdevelopment and impact on utilities/social infrastructure	Officers consider that the proposed quantum of development is appropriate to the plot size, making efficient use of existing developed residential land to provide a good standard of residential accommodation for future occupiers Please see Section 11B and 11D in the full assessment below.

	Net addition of two homes is not considered to impact on utilities and social infrastructure. The development will also contribute to infrastructure via the community infrastructure levy.
Overlooking and privacy	The proposed fenestration has been carefully designed to minimise the impact of overlooking and protecting privacy. There is also sufficient separation distance between the subject site and neighbouring properties. Please see Section 11C in the full assessment below.
Loss of greenery and natural habitat	The development would introduce additional soft landscaping and achieve 180% biodiversity net gain. Please see Section 11H in the full assessment below.
Parking stress and increase of traffic	The addition of 2 new dwellings is considered to not significantly impact current parking and traffic situation. Please see Section 11E in the full assessment below.
Noise and disruption of construction; impact of construction on access road	Measures can be put in place to control the way construction is managed. Noise and air pollution conditions requiring noise mitigation measures and control of noise levels and air quality mitigation are recommended for any forthcoming approval. Any damage to access road will need to be repaired by the developer. Please see Section 11E in the full assessment below.

- 6.4. Amended plans were submitted after the consultation to move the rear parking spaces slightly further to the north, followed by Highways Officers' advice, to avoid vehicles manoeuvre on private land. Since this is a minor alteration, no re-consultation is required.

7. OTHER CONSULTATIONS

- 7.1. The following internal and external consultees were consulted, with comments provided below:

Table 2: summary of internal responses

Consultee	Comments
Highways	<p>No highway concerns raised, and the following was requested on grant of any forthcoming approval:</p> <ul style="list-style-type: none"> - Submission of Full Construction Logistic Plan (CLP, along with financial contribution towards CLP monitoring. - Pre and Post Highway Condition survey to capture any damage as result of the development with remedial works paid by the developer - Facilitating highways works relating to: <ul style="list-style-type: none"> • Renewal of the footway on the Sunnyside Drive frontage of the site • Renewal of the unnamed access road to the side of the site for the full length of the property frontage, and any other areas that become damaged during construction • Renewal of pedestrian link between Sunnyside Drive and the unnamed access road adjacent, including new steps to be installed • Renewal of double yellow lines at access road on Pole Hill Road • Installation of double yellow lines at the end of the cul-de-sac on Sunnyside Drive

	<ul style="list-style-type: none"> Upgrade of the existing lamp column / lantern along the unnamed access road <p>There was also requests for the development to be Car free clause in the event of a future CPZ , and for financial contributions towards improving sustainable modes of transport.</p> <p>Given the size and location of the site in question, these requests are not considered to be reasonable. The site is not within a CPZ and there are no plans within foreseeable future to introduce a CPZ, and proposal would be for uplift of only two units with provision of off-street parking being provided whereby impact of additional on street parking would not be significant enough to justify any permit restriction. The site is also on residential street where there would be no direct works that could be carried out adjacent to the site (i.e. cycle lanes) to justify site specific sustainable travel measures - this is a general request falling within the provisions of CIL.</p>
Transport Policy	No response.
Design	No objection, standard condition of material details to be included.
Tree Preservation and Urban Greening	Proposal is supported, mix of planting types across the scheme is welcomed. Findings of the biodiversity assessment are accepted. The Arboricultural Method Statement is fit for purpose. Planning conditions recommended for BNG and soft landscaping
Sustainability and Energy	No comment.
Waste Management	Refuse and Recycle provisions supported.
Environmental Health	No issues of concern raised, and confirmation that there are no contamination issues on site.

Table 3: summary of external responses

Consultee	Comments
Thames Water	No concern raised, standard informative to be included.
Natural England	No objection subject to appropriate mitigation measures.
London Fire Brigade	No observation to make on the proposal

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 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 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.

The 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 relevant policies within the London Plan 2021 relevant to this application are considered to include but not limited to:
- GG2 Making Best Use of Land
 - GG4 Delivering the homes Londoners need
 - D1 London's form, character, and capacity for growth
 - D3 Optimising site capacity through the design-led approach
 - D4 Delivering good design
 - D6 Housing quality and standards
 - D14 Noise
 - H1 Increasing housing supply
 - H2 Small sites
 - H10 Housing size mix
 - G1 Green infrastructure
 - G5 Urban greening
 - G6 Biodiversity and access to nature
 - SI2 Minimising greenhouse gas emissions
 - SI7 Reducing waste and supporting the circular economy
 - SI5 Water infrastructure
 - SI12 – Flood risk management
 - 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.
- 8.6. The relevant policies are:
- Policy 4 Location of Growth
 - Policy 5 Management of Growth
 - Policy 8 Character-Led Intensification
 - Policy 11 North Waltham Forest
 - Policy 12 Increasing Housing Supply
 - Policy 15 Housing Size and Mix
 - Policy 16 Accessible and Adaptable Housing

- Policy 19 Small Sites
- Policy 50 Noise, Vibration and Light Pollution
- Policy 53 Delivering High Quality Design
- Policy 56 Residential Space Standards
- Policy 57 Amenity
- Policy 60 Promoting Sustainable Transport
- Policy 61 Active Travel
- Policy 62 Public Transport
- Policy 63 Development and Transport Impacts
- Policy 65 Construction Logistics Plans
- Policy 66 Managing Vehicle Traffic
- 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 93 Waste Management
- Policy 94 Infrastructure and Developer Contributions

9. MATERIAL PLANNING CONSIDERATION

National Planning Policy Framework (2023) and draft for consultation (2024)

- 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 of this application are as follows:
 - Delivering a sufficient supply of homes
 - Promoting healthy and safe communities
 - Promoting sustainable transport
 - Making effective use of land
 - Achieving well-designed and beautiful places
 - Meeting the challenge of climate change, flooding and coastal change
 - Conserving and enhancing the natural environment

- 9.5. Consultation was held from 30 July to 24 Sep 2024 by the Ministry of Housing, Communities and Local Government to revise the NPPF and to propose other changes to the planning system such as planning fees and, local plan intervention criteria.
- 9.6. The draft NPPF aims to strengthen policies in relation to housing delivery and sustainable growth. The key changes considered to be most relevant to the of this application regards to character and density.
- 9.7. Paragraph 130 of the current NPPF explains that local character can be taken into account when local planning authorities consider their ability to meet their housing needs. The policy sets out that significant uplifts in density may be inappropriate if this would result in development wholly out of character with the existing area.
- 9.8. This paragraph is proposed to be omitted in the draft NPPF. Local planning authorities shall identify opportunities for maximising the efficient use of land, especially in areas well served by transport and other infrastructure. The draft NPPF aims to encourage an uplift in density in urban areas.
- 9.9. The aspirations of delivering well-designed and high-quality housing are upheld in the draft NPPF.

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

- 9.10. 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.

The London Plan, Supplementary Planning Guidance – Housing (2016)

- 9.11. This document provides guidance on a range of strategic policies including housing supply, residential density, housing standards, build to rent developments, student accommodation and appraisals.
- 9.12. 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 and floor areas and dimensions for key parts of the home including bedrooms and storage.

Living with beauty, promoting health, well-being and sustainable growth, The report of the Building Better, Building Beautiful Commission (Jan 2020)

- 9.13. This report sets out a series of recommendations that seek to “ask for beauty, refuse ugliness and promote stewardship”. It sets out the aspiration that beauty should be an essential condition for the grant of planning permission.

National Design Guide: Planning practice guidance for beautiful, enduring and successful places (Jan 2021)

- 9.14. This sets out the ten characteristics of good design: context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan. The purpose of ensure all forthcoming future developments are of high quality design and standard in its entirety.

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

- 9.15. 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.

Waltham Forest Supplementary Planning Document - Planning Obligations (2017)

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

10. LOCAL FINANCE CONSIDERATIONS

- 10.1. 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).
- 10.2. There are no grants which have been or will or could be received from central government in relation to this development.
- 10.3. The Council has not received and expects to receive income from LBWF CIL in relation to this development.
- 10.4. The Council has not received and expects to receive income from Mayoral CIL in relation to this development.

11. ASSESSMENT

- 11.1. The main issues for consideration, in relation to the proposed development are as follows:

- A) Principle of Development
- B) Urban Design
- C) Living Conditions – Existing occupiers
- D) Living Conditions – Future occupiers
- E) Transport and Highways
- F) Waste Management
- G) Sustainable Design and Energy Efficiency
- H) Landscaping and Ecology
- I) Environmental Impacts
- J) Planning Obligations

A. Principle of Development

- 11.2. Paragraphs 123 to 130 of the NPPF (2023) promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 11.3. The draft NPPF (2024) aims to further strengthen policies in relation to housing delivery and sustainable growth.
- 11.4. Policy H1 of the London Plan (2021) states that to ensure housing targets are achieved, boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their planning decisions, especially sites with Public Transport Accessibility Levels (PTAL) of 3-6 and small sites. Policy H2 of the London Plan also states that boroughs should pro-actively support well-designed new homes on small

sites (i.e. those below 0.25ha) through planning decisions in order to increase the contribution of small sites to meeting London's housing needs and to provide opportunities for a variety of locations, housing types and developers.

- 11.5. Policy 5 of the Waltham Forest Local Plan (2024) seeks to make an effective use of previously developed land. Policy 8 seeks to ensure that appropriate density and intensification is achieved in a manner that is informed by, and responds to, the character and context of the site under consideration. Policy 19 of the Local Plan supports well-designed homes on small sites.
- 11.6. Policies 12 and 19 of the adopted Waltham Forest Local Plan LP1 (2024) sets out that the development should make effective and efficient use of land by seeking to optimise housing densities, well-designed new homes on small sites will generally be supported.
- 11.7. The application is a detached property within a spacious plot which fronts two roads; it lends itself to a redevelopment of this nature and level of development whereby the proposal would maximise the use of the land and optimise housing supply for the Borough.
- 11.8. The proposal creates 3 residential units resulting in the net gain of residential family accommodation including 3 x 3 bedroom units to replace the existing house.
- 11.9. In summary, the site is considered appropriate to maximise the use of the land through modest intensification to create a greater supply of family accommodation, housing mix and total number of units, the development would be in line with the aspirations of local and regional policies set out above to make effective and efficient use of small sites and brownfield by optimising housing densities.
- 11.10. The subject site is located approximately 420m from North Chingford District Centre and Strategic Location. It is also situated within an established residential area in Waltham Forest. Given the generous size of the plot and existing urban pattern, it is considered that the proposal for a small scale residential development in this location would be considered an appropriate form of development.
- 11.11. The principle of developing this site for residential purposes is therefore supported with regards to additional housing, in line with NPPF (2023), Policies H1 and H2 of the London Plan (2021), Policies 4, 5, 12 and 19 of the adopted Waltham Forest Local Plan LP1 (2024).

B. Urban Design

- 11.12. Paragraphs 131 to 141 of the NPPF (2023) require development to be of a high quality and design to ensure that schemes make a positive contribution towards making better places for people. Paragraph 135 (c) notes that developments shall be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 11.13. There are national calls to improve and enhance the development, regardless of size or scale, we should be seeking quality developments. The aspirations of delivering well-designed and high-quality housing are upheld in the draft NPPF (2024).
- 11.14. The "Living with beauty, promoting health, well-being and sustainable growth", The report of the Building Better, Building Beautiful Commission (Jan 2020) states that "We should therefore be advancing the cause of beauty on three scales, promoting beautiful buildings in beautiful places, where they are also beautifully placed" (p10).
- 11.15. Policy D1 of the London Plan (2021) states that change is a fundamental characteristic of London, respecting character and accommodating change should not be seen as

mutually exclusive. Boroughs should not seek to preserve things in a static way but should ensure an appropriate balance is struck between existing fabric and any proposed change. Opportunities for change and transformation, through new building forms and typologies, should be informed by an understanding of a place's distinctive character, recognising that not all elements of a place are special and valued.

11.16. Policies D3 and D4 also state that development should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance, and shape, with due regard to existing and emerging street hierarchy, building types, forms, and proportions.

11.17. Policy 53 of the Waltham Forest Local Plan states that the Council will expect a high standard of urban and architectural design for all the new development.

(i) Height, Bulk and Massing

11.18. Whilst the proposed development would stretch across the plot, its main front building line would set back approximately 11m from the front boundary and 7m from the adjacent terrace. The side elevation of the new houses would also set away 4m to 6m from the adjacent property at No.17 Sunnyside Drive.

11.19. Compared with the existing bungalow, the proposed two storey houses would be more in line with the prevailing built form of the area. To reduce the overall bulk, the maximum height of the proposal would be 0.3m lower than existing bungalow. Due to the sloped topography of the area, the subject plot is on a lower gradient than No.17 Sunnyside Drive, sloping further towards the west and south. Given the topography and sympathetically designed bulk and massing, the development would be a two storey built form with a single storey element adjoining the boundary with No.17.

11.20. Overall, the proposed height of the development would be lower than the existing bungalow, adjacent property No.17 and the rest of the terraced properties. The proposal would not appear visually dominant nor overbearing from the streetscene.

Fig 4: Proposed elevation



11.21. The scheme has been carefully designed to create a new frontage accessed through the side mews path/alley, to minimise the overall bulk when viewed from Sunnyside Drive. The inclusion of a front garden onto the existing pedestrian path, and amenity space wrapping around the site would also deliver natural transition and separation between the proposed development and public realm, softening the overall bulk and appearance of the scheme.

11.22. Therefore, given the sufficient set back and sympathetic design, which adapts to the plot topography, the overall bulk and massing is considered acceptable and proportionate to the subject site and wider context.

(ii) Design and Material

11.23. Whilst Sunnyside Drive consists of mostly two storey terraced properties of similar architectural style, there are different built forms and architectural styles in the immediate

area of the subject site: two storey detached property at No.14 Sunnyside Drive and a row of single storey garages to the west of the site.

- 11.24. The subject bungalow property is already considered an anomaly in the area which was built at a later date and with an architectural style differs greatly from the terraced properties. Therefore, given the immediate context, a proposal which defers from the standardised norm with a contemporary approach in the area is considered acceptable.
- 11.25. Nevertheless, the proposal would take hints from the adjacent terraced properties, by integrating bay windows and triangular oriel windows. The proposed development would also be finished in light red bricks, which is commonly used in the surrounding area.
- 11.26. The contrasting black brick plinth and white brick panels would deliver additional richness and create a break of the massing.
- 11.27. The development would also feature irregular gable roofs, various sizes and designs of triple glazed aluminium fenestrations (including arched, oriel and pothole windows) to create a contemporary and high quality design and appearance. Recessed brick detailing, tile creasing window cills, brick slip lintels, and 100mm to 215mm inset of fenestrations would be adopted to enhance the depth and richness of the façades.

Fig 5 and 6: visualisation of the proposal





11.28. Detailed cross section (1:5) drawings demonstrate that the proposed materials and external finishes, including the window reveals have been carefully designed to deliver a high quality development.

(iii) Boundary Treatment

11.29. The boundary wall would run along the north and west of the site, featuring red and black brickworks, arts and craft style gabled motif and pothole openings to echo with the main houses. Perforated patterned privacy screens would be inserted to the openings, to enhance site security and privacy. Creeping planting is also proposed along the boundary to soften the appearance and provide screening to the residents. Along the shared boundaries of the proposed units, a privacy screen with the same perforated pattern would be installed, with timber fencing further expand to the rear. The proposed boundary treatment is considered appropriate and further details would be secured by a planning condition.

11.30. To secure a high-quality scheme, a clause has been included in the legal agreement to ensure the original architects of this application to be retained from construction to completion stage. Planning condition would also be included to remove the Permitted Development Rights from the new units to ensure any forthcoming extensions or alterations shall be fully assessed by the local planning authority, to ensure that these properties are not inappropriately extended to the detriment of the original build design and quality.

11.31. In conclusion, it is acknowledged that the development would deliver a contemporary architectural style which differs from the existing terraced properties built in 1920s, however the design has taken hint from the local context in terms of fenestrations and materials. The scheme would achieve an appropriate balance between local character and innovative design. The proposal would remain sympathetic to the existing local character while optimising the site capacity to achieve a well designed and high quality residential development which would contribute positively towards the transition of the wider area in line with the NPPF (2023), Policies D1, D3 and D4 of the London Plan (2021) and Policy 53 of the Waltham Forest Local Plan LP1 (2024).

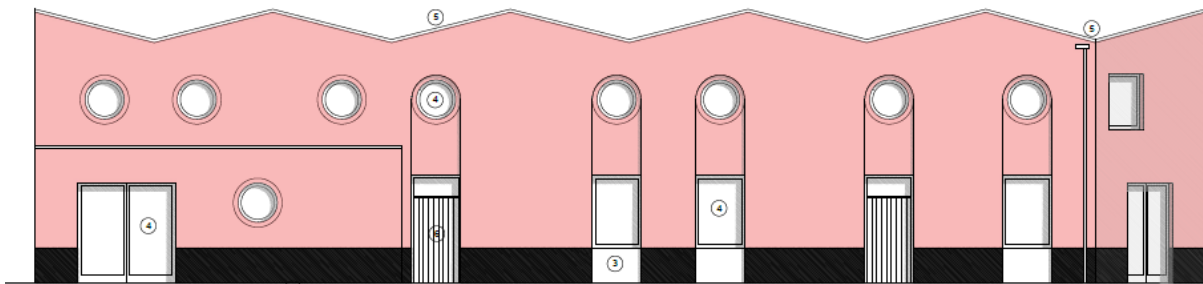
C. Living Conditions – Existing occupiers

- 11.32. Policy D6 of the London Plan (2021), along with Policy 57 of the Waltham Forest Local Plan LP1 (2024) requires that new home proposals 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.
- 11.33. The proposal has been carefully designed to protect the amenity of existing occupiers within the existing site and on neighbouring properties.

17 Sunnyside Drive

- 11.34. No.17 is an end terraced property located to the east of the subject site. Whilst the proposed development would stretch across the plot, a 7m set back from No.17's front building line would be adopted to ensure most of the built form would set away from this adjacent property.
- 11.35. Besides, the proposed development would be set away 4m to 6m from No.17's side elevation. Compared with the existing bungalow, the separation distance from No.17 would increase by 2m to 4m to mitigate impact of enclosure and daylight distribution.
- 11.36. Furthermore, the overall height of the proposal would be 0.3m lower than the existing bungalow. Whilst the last unit would expand further to the common boundary, it would feature a patio and associated soft landscaping as buffer. Besides, the flank walls would be located adjacent to No.17's rear garage, setting 18m away from the main house and habitable rooms. Therefore, the impact of enclosure, outlook and daylight/sunlight are relatively limited.
- 11.37. Additionally, as the adjacent section shows, the subject site sits circa 1m lower than No.17 due to its topography. The overall massing and sense of enclosure incurred from the proposal would be further reduced.
- 11.38. Overall, given the reasonable height and separation distance, the proposed development is not considered to cause unreasonable impact on No.17 in terms of enclosure, outlook and daylight/sunlight.
- 11.39. It is noted that No.17 benefits from two side windows on upper floors. To minimise the impact of overlooking and privacy, proposed fenestrations would be mainly west and north facing. The proposed east elevation has been carefully designed with only obscured-glazed pothole windows on the first floor serving mainly bathrooms or circulation (such as hallway and stairs). In the event of approval, condition shall be included to ensure that these windows would be obscure-glazed and non-openable.
- 11.40. The ground floor fenestrations would set away 4m to 6m from No.17. They would also be screened by proposed soft landscaping and boundary treatment to ensure privacy of No.17.

Fig 7: proposed eastern elevation



11.41. Overall, given the sufficient set back and design, the proposal is considered not to cause significant impact on residents of 17 Sunnyside Drive in terms of enclosure, daylight/sunlight, outlook nor privacy.

1 to 15 Sunnyside Drive

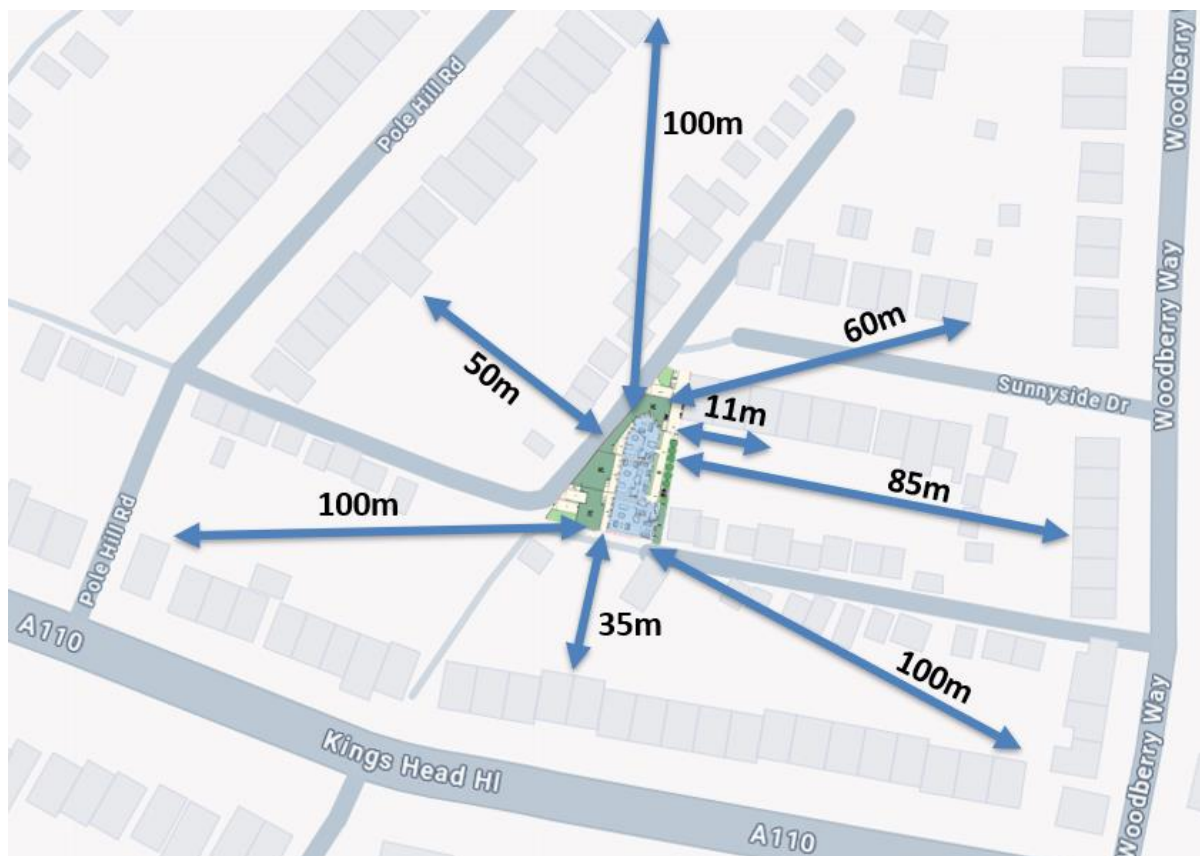
11.42. Nos. 2 to 14 (even) are neighbouring properties located opposite to the subject site, along the northern side of Sunnyside Drive. Nos. 1 to 15 are the adjacent properties located on the same (southern) side of Sunnyside Drive as the subject site. The proposal would set away approximately 11m to 60m from these neighbouring properties. Given the reasonable separation and relationship with these properties, the proposal would only have a distant view and limited amenity impact to the existing residents in terms of overlooking, enclosure and/or the loss of privacy, outlook and daylight/sunlight.

11.43. The amenity impact caused by the development would be similar as the existing bungalow or a typical suburban residential context, as such a refusal is not warrant in this instance.

2a, 2 to 46 (even) Pole Hill Road, 8 to 58 (even) Kings Head Hill and 35 to 73 (odd) Woodberry Way

11.44. The proposed development would set away approximately 35m to 100m from these neighbouring properties. Given the generous separation distance and relationship with these properties, the development is considered to have limited impact on the neighbouring residents in terms of overlooking, enclosure and/or the loss of privacy, outlook and daylight/sunlight.

Fig 8: separation distance between the proposal and surrounding properties



In conclusion, the proposed development would be in accordance with the requirements of Policy D6 of the London Plan (2021) and Policy 57 of the Waltham Forest Local Plan LP1 (2024).

D. Living Conditions – Future occupiers

(i) Internal Space Standards

- 11.45. 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.
- 11.46. Policy D6 (Housing Quality and Standards) of the London Plan (2021), along with Policy 56 (Residential Space Standards) of the Waltham Forest Local Plan LP1 (2024) requires that new development proposals meet the specified minimum internal and external space standards. Additionally, these policies require adherence to qualitative standards for privacy, outlook, and daylight.

Table 4: internal and external space

Dwelling Type	London Plan Required Space standards	Proposed Space Standards, GIA (sq. metres/m2)	Compliance

	GIA (sq. metres/m ²)(per dwelling)		
3 bedroom, 2-storey, 5 - person dwelling (Local Plan and London Plan)	93m ² with 2m ² built-in storage	Unit 1: 130m ² with 4.1m ² storage Unit 2: 112m ² with 2.4m ² storage Unit 3: 112m ² with 2.7m ² storage	Complies
Bedroom (Technical Housing Standards)	Single bedroom: 7.5 m ² with (at least 2.15m wide) Double bedroom: 11.5m ² (at least 2.75m wide)	<u>Unit 1:</u> Single bedroom: 9m ² with a width of 2.15m. Double bedroom (master bedroom): 14.6m ² with a width of 2.8m Double bedroom: 12m ² with a width of 2.9m <u>Unit 2:</u> Single bedroom: 10m ² with a width of 2.4m. Double bedroom (master bedroom): 13.1m ² with a width of 3m Double bedroom: 12.7m ² with a width of 2.8m <u>Unit 3:</u> Single bedroom: 9m ² with a width of 3.5m. Double bedroom (master bedroom): 13m ² with a width of 5.8m Double bedroom: 12.1m ² with a width of 5.8m	Complies
Private External Amenity space (Local Plan)	50m ²	Unit 1: 60.6m ² Unit 2: 66.2m ² Unit 3: 73.5m ²	Complies

11.47. The table above demonstrates that all proposed residential units would either meet or exceed the minimum internal space standards contained within the London Plan (2021)

and Waltham Forest Local Plan (2024). All units would offer a good layout with usable space with access to private amenity space.

(ii) Ceiling height

- 11.48. In terms of internal head height, the nationally described space standard sets a minimum ceiling height of 2.3 metres for at least 75% of the gross internal area of the dwelling. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.
- 11.49. The ceiling height of the proposed development would measure 2.5m on ground floor, 2.4m to 3m on the first floor. Overall, the gross internal area would meet the ceiling height required by London Plan to provide good quality accommodation.

(iii) *Internal Sunlight and Daylight for the occupiers:*

- 11.50. Policy D6 of the London Plan (2021) states that housing developments should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect units. A single aspect dwelling should only be provided when it can be demonstrated that all habitable rooms contain adequate passive ventilation, privacy, acceptable levels of daylight and appropriate orientation.
- 11.51. All the units are double aspect and all the rooms have a good outlook. The main living areas in each case open out on to private amenity space. All habitable rooms would have a good standard of natural light.

(iv) External Space Standards

- 11.52. In terms of amenity space standards, Waltham Forest Local Plan Policy 56 states that for houses (terraced, semi-detached and detached) - a minimum of 50 m² of private amenity space should be provided per dwelling. In this instance, rear gardens of 60.5sqm to 73.5sqm is proposed for each unit, with a raised terrace adjoining each house. The amenity space of each house would exceed the minimum requirement of 50sqm.
- 11.53. Perforated patterned privacy screens and timber fencing would be installed along the common boundaries of each garden to enhance the privacy and usability of the private amenity space.
- 11.54. By virtue of its generous size and usability, the proposed gardens are considered appropriate and well-designed amenity space for future occupants. Planning condition would also be included to remove the Permitted Development Rights from the new units to ensure any forthcoming extensions and loss of external amenity space which may lead to compromising the overall outdoor amenity provision to the detriment of site occupiers in terms of long term health and well-being.

(v) *Secure by Design*

- 11.55. 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. 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.

- 11.56. The proposed units would be accessed through a gated front entrance. Roller shutters would be installed to the parking spaces to enhance site security. The cycle storage for each unit would also be located within a secure enclosure. These arrangements are considered reasonable and appropriate to maintain safety and security of the development, in accordance with Policy D11 of the London Plan and Policy 58 of the Local Plan.
- 11.57. Further details of the boundary treatment, site security measures and cycle storage would be secured by planning conditions and shall be retained over the lifetime of the development.

(vi) Inclusive Design

- 11.58. London Plan Policy D5 states that development proposal should achieve the highest standards of accessible and inclusive design. Policy D7 requires 10% of new housing must meets Building Regulation requirement Part M4 (3) 'wheelchair user dwellings', i.e., is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.
- 11.59. Policy 16 of the Waltham Forest Local Plan (2024) sets out an expectation for high quality accessible homes requiring all new homes to be accessible and adaptable and a minimum of 10% to be wheelchair accessible, or easily adaptable meeting M4(3).
- 11.60. All three proposed units would meet Building Regulation requirement Part M4(2) for accessible and adaptable dwellings. Given the scale of the development, with only three units proposed, compliance with Part M4(2) is considered appropriate. A condition shall be included to ensure that the proposed homes would be suitable for the benefit of the M4(2) users.

E. Transport and Highways

- 11.61. The National Planning Policy Framework (2023) at paragraph 108 sets out that transport issues should be considered at the earliest stages of development proposals in order to ensure that the impact of development on the transport networks can be assessed and that opportunities to promote the use of active travel and public transport are prioritised. This is carried forward in paragraphs 109 to 117 which amplify these priorities in a placemaking context, harnessed to need to ensure safe and suitable access to the site for all users.
- 11.62. London Plan (2021) Policies T1 and T5 set out proposals should support the delivery of the Mayor's Healthy Streets transport strategy which aims to ensure that by 2041, 80% of all trips in London are to be made by walking cycling or public transport. Policy T6 sets out the thresholds for car parking in new development which should be restricted in line with levels of existing and future public transport in the area. It states that developments should provide the minimum necessary parking, and that an absence of local on-street parking controls should not be a barrier to development.
- 11.63. 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.
- 11.64. Policy 66 sets out that proposals which (A) provide parking in less well-connected areas (e.g. 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

- 11.65. The proposal includes the provision of three off-street parking spaces, one for each residential property. The parking would be accessed via the unnamed access road adjoining Pole Hill Road. Two parking spaces would be located at the south-western corner of the subject site, secured by roller shutter. Stairs and footpath would be built to provide access to the rear gardens of units 1 and 2. The front parking space would be located next to the garden of unit 3.
- 11.66. The application site is also not located within a Controlled Parking Zone (CPZ). The site has a low level of Public Transport Accessibility (PTAL level 1b) with the Chingford railway station located 1.1km east of the site. As stated within the submitted Transport Statement, car ownership in the ward is 1.27 cars per household according to census data from 2021. Considering the low PTAL, the provision of 3 parking spaces proposed is considered acceptable and within the maximum provision of parking spaces (4.5) as set out by London Plan.
- 11.67. The existing bungalow does not benefit from any off-street parking spaces. The proposal would deliver an uplift of two additional dwellings with three new off-street parking spaces. On balance, given the appropriate off-street parking provision, the proposal is not considered to cause significant parking stress to the area. The number of proposed parking spaces is considered proportionate and justified to meet future residents' needs and prevent additional strain on nearby on-street parking. There are no concerns raised in terms of road or pedestrian safety incurred from the proposed parking. Any overspill parking would be limited, including any visitor parking, and could be facilitated without unduly adding to existing street parking stress and would not be detriment to highway safety or the free flow of traffic.
- 11.68. In terms of parking infrastructure, all proposed parking spaces would be equipped with active EV charging, which exceeds the requirement of LP1 whereby at least 20% of parking spaces to have active charging facilities at the outset, with passive provisions for the remaining spaces.
- 11.69. Roller shutters would also be installed to two of the proposed parking spaces to enhance site security. Further details shall be conditioned to ensure the design and minimal impact on vehicular access.
- 11.70. Overall, the proposal is considered to strike an appropriate balance between the compliance with maximum parking standards and impact on the surrounding road network. Overall, the proposal is compliant with regional and local policies of car parking for development of this scale in this location.

(ii) Cycle Parking

- 11.71. Policy T5 of London Plan and Table 10.2 for residential development requires 1.5 cycle parking spaces per 1 bed units, and 2 spaces for all other residential units.
- 11.72. Local Plan Policy 61 and Appendix 1 sets the minimum requirements for cycle parking for new developments at 1.5 cycle-space/one-bedroom or dwellings, 2 cycle-racks/two-bedrooms and 3 spaces per all other dwellings. For short stay parking, 1 space per 40 homes for visitors with minimum 2 spaces are required.

- 11.73. Accordingly, the proposal would be required to provide a minimum of 9 long stay cycle spaces for future residents and 2 short stay cycle spaces.
- 11.74. Cycle parking spaces are indicated on the proposed drawings, which would be sufficient to fit at least 11 bikes. The gardens of each unit would also provide additional cycle parking. Further detail on the cycle parking is required by planning condition to ensure the cycle parking is appropriately designed and is of an adequate specification.

(iii) Highways Works

- 11.75. Sunnyside Drive is a cul-de-sac extending from Woodberry Way to the east and terminating to vehicular access at the northern boundary of the site. Pedestrian access with a narrowed entrance and steps is present from this end of Sunnyside Drive to the unnamed road leading to Pole Hill Road.
- 11.76. A Section 278 Agreement has been requested by Highways as a way of addressing highways works required to facilitate the development. The extent of works will include but are not limited to:
- Renewal of the footway on the Sunnyside Drive frontage of the site
 - Renewal of the unnamed access road to the side of the site for the full length of the property frontage, and any other areas that become damaged during construction.
 - Renewal of pedestrian link between Sunnyside Drive and the unnamed access road adjacent, including new steps to be installed
 - Renewal of double yellow lines at access road on Pole Hill Road
 - Installation of double yellow lines at the end of the cul-de-sac on Sunnyside Drive
 - Upgrade of the existing lamp column / lantern along the unnamed access road
- 11.77. These works would be carried out by the Local Highway Authority funded by the developer.

(iv) Construction Logistics Plan

- 11.78. Policy T7 of the London Plan (2021) set out the policy for assessing the effects of development on transport capacity.
- 11.79. Policy 63 and 65 of Waltham Forest Local Plan (2024) sets out that a Construction Logistics Plan (CLP) setting out the potential impacts of construction traffic, and how this will be reduced. An Outline CLP should be submitted at application stage, followed by a Detailed CLP at the pre-construction phase.
- 11.80. The Outline Construction Logistics Plan was submitted and reviewed by Highways Officers. Construction vehicles will access the site via Pole hill Road and the unnamed service road. Banksman and traffic marshals will be located at the site to ensure highway safety is maintained. There is also no significant highway nor pedestrian safety concern raised by Highways. Planning condition would be included to for the submission of Detailed CLP to be submitted prior to the commencement of the development.
- 11.81. To ensure compliance with the CLP, a S106 contribution of £250 would be requested towards CLP monitoring which is required to facilitate cost incurred on the Highways Team for directly monitoring of the development, ensure that there is no damage public realm and should there be any damage to facilitate any claims required in terms of remedial works required. The monitoring of the development is an additional service commitment for the Highways Team, above and beyond the statutory Local Highways

Authorities role and monitoring is directly related to the facilitating the development during the construction phase and protecting the public realm.

(v) Highway Condition Survey

- 11.82. The developer would also be required to carry out a pre and post construction highway condition survey of the adjoining carriageway and footway on Sunnyside Drive and the access road adjoining Pole Hill Road. Any damage to the highways as a result of the construction works would be reinstated by the Council and funded by the developer. This would be secured as part of the legal agreement.

F. Waste Management

- 11.83. Policy S17 of the London Plan (2021) seeks to reduce waste and support the circular economy.
- 11.84. Policies 57 and 93 of the Local Plan states the requirement that new development should ensure that waste is managed in the most environmentally friendly way in order to protect human health and the environment from pests and other environmentally damaging effects.
- 11.85. For households, the Council operates a three colour, two-wheeled bin systems with a weekly collection. Black 140 litre wheeled bin for refuse, green 140/240 litre wheeled bin for recycling and a brown 140/240 litre wheeled bin for organic waste.
- 11.86. It is at the developer's discretion to choose the size of the bins required for recycling dependent on the size of the house. However, Waste Management Guidance (2014) recommends that would recommend for households of two or more bedrooms that a 240ltr bin is used for recycling.
- 11.87. Waste and recycling storage is proposed to the front of the site, which is a similar location as the adjacent terrace. Three 120 litre bins would be provided for each unit for refuse, food waste and recycling. The location and capacity of the storage are confirmed appropriate by the Council's Waste Management Team.
- 11.88. The bin storage would be built in red and black bricks matching with the main houses, the proposed timber door and sedum roof would also soften the appearance of the storage and complement well with the development.
- 11.89. In light of the above, the proposal would comply with the objectives of adopted Local Plan policies 57 and 93.

G. Sustainable Design and Energy Efficiency

(i) Water Efficiency

- 11.90. Policy SI5 of the London Plan states that development should minimise the use of mains water in line with the Operational Requirements of the Building Regulations to achieve mains water consumption of 105 litres or less per head per day. In addition, Policy 89 of the Waltham Forest Local Plan (2024) states that 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).
- 11.91. The submitted water efficiency report, water states that efficient fittings would be installed to ensure the total internal water consumption not exceeding 105 litres or less

per head per day. Planning condition would be included to ensure that the details of water efficiency measures in accordance with Policy SI5 of the London Plan and Policy 89 of the Local Plan.

(ii) Energy efficiency

- 11.92. Policy SI2 of The London Plan sets out a CO2 reduction target of 35% against Building Regulations 2013 for major developments.
- 11.93. Policy 85 of Waltham Forest Local Plan LP1 (2024) requires all development to promote low carbon energy generation and maximise the opportunity for renewable energy following the London Plan energy hierarchy. All development of more than one home or greater than 100sqm must achieve a minimum of 35% reduction below Part L of the Building Regulations on-site, targeting net zero carbon where possible, in line with the London Plan energy hierarchy and with best practice guidance, including the GLA's Energy Planning Guidance. Development should meet the London Plan 'Be Lean' stage (energy efficiency) carbon reduction targets before other measures are incorporated to meet the overall 35% reduction target, achieving a minimum of 10% reduction below Part L of the Building Regulations for residential development. Carbon Offset Fund (COF) contributions will then be required for any shortfall in emission reductions.
- 11.94. The submitted energy statement outlines measures that reduce energy demand and increase the environmental performance of the building, including thermally efficient building fabric, low carbon technology and air source heat pump. Cumulatively the proposed building is predicted to achieve a carbon reduction of 66% reduction in CO2 over Part L regulations. It should be noted that the current plans and proposal submitted do not include any details of potential energy measures such as air source heat pumps, and therefore, if such measures were to be considered, they would need to submit a separate planning application.
- 11.95. Planning conditions and appropriate Section 106 terms shall be included to ensure the development delivers the intended carbon reductions. This is reflected in the recommendations of this report. Overall, the proposal is considered in line with Policy SI2 of The London Plan and Policy 85 of the Local Plan.

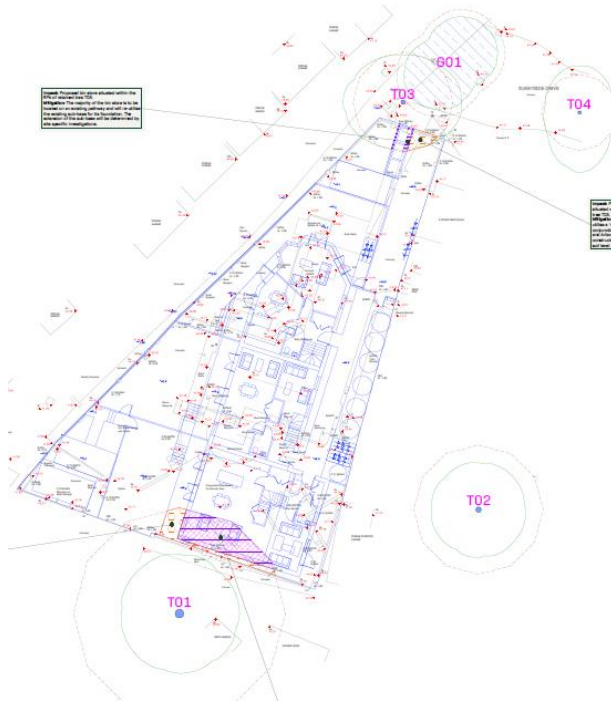
H. LANDSCAPING AND ECOLOGY

- 11.96. The NPPF (2023) states that developments shall contribute to and enhance the natural and local environment.
- 11.97. Policies 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.
- 11.98. Policy 79 of the Local Plan sets out proposals should seek to protect and enhance biodiversity and geodiversity resources in the borough and achieve biodiversity net gain.

(i) Trees

- 11.99. There are no protected trees located within the red line boundary or adjacent to the site however five trees are located adjacent to the site: two within neighbouring gardens and three street trees to the front of the site. All trees would be retained.

Fig 9: trees location plan from AMS



- 11.100. As shown on the Arboricultural Method Statement, whilst the proposed hard surfacing and bin store would be situated within the Root Protection Area (RPA) of T03, a 'no dig' sub-base would be adopted to ensure they would be constructed above the existing soil level.
- 11.101. Although the proposed dwelling would also be situated within RPA of T01, the foundations would be built with manual excavation and designed to an engineering specification in conjunction with advice from the Arboriculturist. Ground protection measures are also proposed during the construction to mitigate impact on trees.
- 11.102. The Council's Tree Preservation and Urban Greening Officers have reviewed the AMS and confirmed that the projected encroachment of RPA is minimal and within the tolerances allowed under the recommendations of the relevant British Standard (BS 5837:2012). Furthermore, the Tree Protection Plan and recommended measures are considered appropriate to mitigate impact on trees. Conditions shall be included to ensure that recommendations set out by the AMS should be strictly adhered to by the developer and overseen by the project arboriculturist.

(ii) Ecology

- 11.103. A bat survey (issue 1, dated 13 Sep 2024) was submitted and demonstrated that no bats were recorded either exiting or entering the existing bungalow during two separate surveying days. Bats are not considered to be roosting within the building. However, it is noticed during the surveys that the garden of the property was used by at least two species of bat as a foraging site.
- 11.104. To mitigate impact on the bats, three mitigation measures were recommended:
- The specified precautionary approach and vigilance during demolition;
 - A sensitive lighting strategy to minimise impacts on bats;
 - Installation of 'Habitat 001' bat boxes.
- 11.105. The Council's Tree Preservation and Urban Greening Officers have confirmed the bat survey and mitigation measures are appropriate. A planning condition shall be included

to ensure the details of these mitigation measures as per the recommendation of the submitted bat survey and shall be retained over the lifetime of the development.

(iii) Landscaping, Biodiversity Net Gain (BNG) and Urban Greening Factor (UGF)

11.106. The landscape strategy for the proposed development has been guided across the site to create high quality landscape and a visually attractive environment with planting and functional amenity space, facilitating movement between buildings and enhancement of site ecology.

11.107. Along the eastern boundary, 6 trees would be planted. Flowering perennial shrub would be placed along the back of each garden, to the front of the subject site and along unit 2 and 3. A green roof would span across the proposed building. The western boundary would feature a green wall with climbers planted along. Permeable block paving would be adopted for parking and pedestrian access. A red Dutch brick paver would be used to complement with the proposed building facades.

Fig 10: landscape plan



11.108. The mix of planting types across the scheme is welcomed, with trees, perennial planting, and green walls proposed, as well as green roofs for the proposed dwellings. Further details of the soft and hard landscaping and maintenance plan would be secured by planning conditions.

- Biodiversity Net Gain (BNG)

11.109. Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) specifies that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (“the biodiversity gain condition”) that development may not begin unless:

- 11.110. All planning permissions granted in England have to deliver at least 10% biodiversity net gain, effective from 12 February 2024.
- 11.111. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.
- 11.112. 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.
- 11.113. 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.
- 11.114. Based on the submissions provided with this application it is considered the proposal under consideration requires the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed are considered to apply.
- 11.115. The submitted Biodiversity Net Gain Assessment report predicts a 183% net gain of biodiversity.
- 11.116. The subject site currently has a vegetated garden with grass and various species of shrubs including bramble and common ivy. The baseline habitat value of the site is 0.08 units.
- 11.117. The proposal would have a post-development habitat value of 0.23 units, through the creation of a green roof (0.11 units), modified grassland (0.01 units), urban trees (0.09 units) and shrub (0.02 units). As a result, a 183% net gain of biodiversity is predicted.
- 11.118. The overall BNG to be achieved on site is considered acceptable. A planning condition will be attached to forthcoming consent requiring the submission of Biodiversity Gain Plan and Habitat Monitoring and Management Plan (HMMP), to demonstrate how the net gain would be achieved and managed over required 30 year period. The management and monitoring of the proposed BNG plans would be secured via S106 agreement.
- 11.119. The responsibility to ensure compliance with the approved BNG plan lies with the Local Planning Authority, with requirement to incrementally monitor this over total 30 years period (end of year 1, 2, 5, 10,20 and 30). To facilitate the monitoring role, a S106 contribution would be sought to cover the 30 year period.
- Urban Greening Factor (UGF)
- 11.120. In terms of Urban Greening Factor, although it is not applicable to minor developments, an Urban Greening Factor score has been submitted which suggests a score of 0.43 would be achieved by the proposed landscaping.
- 11.121. In conclusion, 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, subject to appropriate planning conditions for detailed landscape plan, Biodiversity Gain Plan and Habitat Monitoring and Management Plan (HMMP).

(iv) Epping Forest SAC

- 11.122. Waltham Forest shares a boundary with the Epping Forest Special Area of Conservation (SAC) and following research in the form of a visitor survey by Footprint Ecology, has been found to fall within a wider Zone of Influence (ZOI) based on the distance the majority of visitors will travel to visit Epping Forest SAC. This report identified that 75% of visitors travelled up to 6.2Km to the SAC and as result of the whole of the London Borough of Waltham Forest falls within this ZOI for recreational pressure. All new residential development within this ZOI constitutes an LSE (Likely Significant Effect) on the sensitive interest features of the SAC through increased recreational pressure, either when considered 'alone' or 'in combination' with other plans and projects.
- 11.123. The Council as Local Planning Authority is obliged to ensure that any grant of planning permission would have sufficient mitigation measures in place so as to ensure that there would be no harmful impact on the Epping Forest SAC arising from an 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.
- 11.124. For schemes comprising one or more units of residential accommodation a new package of costed Strategic Access Management Measures (SAMM) has been prepared by the City of London Conservators of Epping Forest. This Mitigation Strategy has been agreed by all of the partners in the agreement and is in the process of adoption. A new SAMM levy is now in operation which requires a contribution of £627 per unit from all new residential schemes. Natural England is supportive of this approach, provided the total expected contribution is delivered to the City of London Conservators to support the delivery of SAMM in Epping Forest SAC. In addition, all new residential development is required to contribute either directly or indirectly to the delivery of Suitable Alternative Natural Green Spaces (SANGS) to mitigate impacts which arise directly from the proposal.
- 11.125. Where an application is within 400m of the SAC boundary, it is required to make further mitigations to avoid urban effects in the form of SAMM+. These will need to be agreed with Natural England and the Conservators of Epping Forest.
- 11.126. The applicant has submitted a Habitats Regulation Assessment (HRA) (dated 01/07/2024) and, as competent authority, the Council have carried out an Appropriate Assessment (AA) of the proposed development in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, and Article 6 (3) of the Habitats Directive.
- 11.127. The HRA has identified that the proposal would have several LSEs (Likely Significant Effects) on the sensitive interest features of the SAC through additional recreational pressure (additional population accessing the SAC for recreational purposes), ground or surface water pollution (overland runoff) and vehicular emissions, both in isolation and in combination with other Borough wide projects.
- 11.128. However, these likely significant effects can be mitigated within the Council's existing HRA mechanisms through standard SAMM payment and CIL payment for SANGS. This application would result in creation of 3 new residential units. Should there be a forthcoming approval for this application the development, based on current circumstances and regulations would be liable for £1,881 (3 new unit x £627) payment towards the Epping Forest SAMM levy in addition to contribution to SANGS. The SAMM contributions and monitoring fee would be secured by a legal agreement
- 11.129. Additionally, since the subject site is located within 400m of the boundary of the Epping Forest Special Area SAC, near Pole Hill, an additional level of mitigation measures bespoke to site would be secured in the form of SAMM+. In this case, given position on the site, this would relate to:

- Construction Environmental Management Plan (CEMP) which includes measures to suppress dust and noise during construction and to ensure that construction vehicles are routed away from the SAC
- Air Quality and Dust Risk Assessment and Management Plan (AQDMP) and relevant air pollution contribution
- EV charging in parking spaces

I. Environmental Impacts

11.130. Policy 50 of the Waltham Forest Local Plan Part 1 seeks to control and mitigate pollution in all its forms, including noise, vibration, light, smell as well as land, water, and air-based considerations.

(i) Air Quality

11.131. 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.

11.132. 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, for the management of the site during construction phase.

(ii) Noise

11.133. Policy D14 of the London Plan (2021) requires mitigation measures on existing and potential adverse impacts in terms of noise as a result of new development to enhance the acoustic environment of a site and its surroundings.

11.134. Policy 57 of the Adopted Local Plan states that new development should respect the amenity of future occupiers by, amongst other things, avoiding harmful impacts from noise and vibration.

11.135. There is no noise generating plant or equipment proposed. A condition would also be included to ensure that a separate permission shall be sought prior to installation of these plant or equipment (including air source heat pumps), as these would require formal planning assessment.

11.136. Regarding the noise during construction, it would be managed by conditions requiring the submission of a Construction Environmental Management Plan (CEMP) and Noise levels to be controlled from on site plants and machinery.

(iii) Contaminated Land

11.137. Policy 90 of the Waltham Forest Local Plan (2024) seeks to manage contaminated land and prevent the spread of contamination.

11.138. The site currently hosts a residential property built in 1939. The site and building are not identified as being contaminated as a result of previous uses. The Council's Environment Health Officers were consulted and no concerns were raised.

(iv) Flood Risk and Sustainable Urban Drainage

- 11.139. 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. 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).
- 11.140. The site is located within Flood Zone 1, which is of low probability of surface water flooding. However it is noted that there had been flash flooding on the access road to the west of the site, as surface water runoff discharged downstream into garages. Additionally, the site slopes towards the south, which might increase the velocity of surface water.
- 11.141. A flood risk and surface water assessment has been submitted. It concludes that the proposed soft landscaping wrapping around the site would improve the natural soakaway of surface water across the site. SuDs features are also proposed, including simple rainwater recycling (water butts) and attenuation storage with a controlled outlet. Operation and maintenance schedules of the SuDs are also included in the assessment. The proposed SuDs scheme is considered acceptable to control water runoff and mitigate flood risk, subject to further details secured by planning conditions. The current proposal would in fact resolve current existing problem of flash flooding onto the access road, whilst also ensuring water drain away from the new development is also efficiently managed.
- 11.142. Overall, the impact on flood risk and drainage is considered to be acceptable, subject to conditions. The proposal complies with Policies SI12 and SI13 of the London Plan and Policy 91 of the Adopted Local Plan in this respect.

J. Planning Obligation

- 11.143. Section 106 (s106) 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.
- 11.144. 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.
- 11.145. The applicant has agreed with the Heads of Terms therefore, the development would be in compliance with planning policy, viability and the Council's Planning Obligations SPD (2017), the Waltham Forest Supplementary Planning Document "Affordable Housing and Viability" (2018) and Policy 94 of the Local Plan (2024).

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:
- 12.2. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- 12.3. 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).
- 12.4. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 12.5. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 12.6. 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.
- 12.7. 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

- 12.8. 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.
- 12.9. 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 the introduction of three 3-bedroom residential units in this location is acceptable. The proposal would provide a well-designed, high quality residential development which would achieve satisfactory standard of accommodation for future occupants and would not have an adverse impact on neighbouring amenity or highway safety. Subject to compliance with the requirements of conditions to be imposed on the development and the completion of a Section 106 agreement, the proposal is in compliance with relevant policy and can be recommended for approval accordingly.
- 13.2. 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.

- 13.3. The report has considered the proposals in light of the adopted and emerging development plan policies and other material considerations or representations relevant to the environment effects of the proposals.
- 13.4. Overall, officers have given careful consideration to the material considerations 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.

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:
 - Existing plans: 23.076.001A, 002A, 003, 004, 005, all dated Jun 24
 - Proposed plans: 23.076.101E, 110B, 111B, 130B, 140B, all dated Nov 24
 - Proposed plans 23.076.112, 120, 121, 141, all dated Jun 24
 - Proposed refuse store: 23.076.150A, dated Sep 24
 - Proposed details: 23.076.160, 161, both dated Aug 24
 - Design and Access and Planning Statement, dated July 2024
 - Outline Construction Logistics Plan, issue 01, dated 08/10/2024
 - Bat Surveys Report, issue 1, dated 13 September 2024
 - Planning Fire Safety Strategy, dated Aug 2024
 - Transport Statement, dated July 2023
 - Flood Risk and Surface Water Assessment, rev 0, dated 8 July 2024
 - Report to Inform Habitat Regulations Assessment, dated 01/07/2024
 - Preliminary Ecological Appraisal and Roost Assessment, dated 21 June 2024
 - Arboricultural Survey, dated 28 May 2024
 - Headline result of BNG calculations, undated
 - Biodiversity Net Gain Assessment, by Arbtech, issue 2, dated 8th July 2024
 - Design Stage Water Efficiency Report Part G, dated 29.05.2024
 - Energy Statement, dated 29th May 2024
 - Sustainability Statement, dated 29/05/2024
 - Summary of GLA spreadsheet - Part L 2021 Performance, undated
 - Landscape Proposal, rev A, undated
 - Arboricultural Impact Assessment, dated June 2024
 - Tree Protection Plan, dated June 2024
 - Arboricultural Method Statement, dated 18 June 2024

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

Construction

3. 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 T1 and T5 of London Plan (2021), Policies 50, 57, 63, 65, 87 and 89 of the adopted Waltham Forest Local Plan LP1 (2024).

4. 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-and-do/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 D6 and SI1 of London Plan (2021), Policies 57, 63, 64, 87 and 88 of the adopted Waltham Forest Local Plan LP1 (2024).

5. 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).

Architecture and Design

6. Prior to the commencement of development, notwithstanding demolition, site clearance and investigation works, a phasing programme setting out the progress of development from a) slab level to b) development completion, including but not limited to "construction programme" to allow for design compliance and quality checks, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved under the terms of this condition.

REASON: To ensure high quality design delivery, safeguard the visual amenities and ensure positive contribution of the site in the long term interest of the area in accordance with Paragraphs 131 to 141 of the NPPF (2023), Policies D3 and D4 of the London Plan (2021), and Policy 53 of the adopted Waltham Forest Local Plan LP1 (2024).

7. Notwithstanding the submitted plans, 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 construction of the external surfaces of the development hereby approved 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 high quality design delivery, safeguard the visual amenities and ensure positive contribution of the site in the long term interest of the area in accordance with Paragraphs 131 to 141 of the NPPF (2023), Policies D3 and D4 of the London Plan (2021), and Policy 53 of the adopted Waltham Forest Local Plan LP1 (2024).

8. Prior to the commencement of development on site, notwithstanding site investigation and clearance works, demolition and constructions to slab level, details relating to the siting, design and height and finish of all new walls, gates, fencing, railings, and other means of enclosure (including entrance to mews and enclosures associated with the off-street parking spaces) 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, amenity of neighbouring occupants and site security, in accordance with Policies D4 and D6 of London Plan (2021), Policies 53, 57 and 58 of the adopted Waltham Forest Local Plan LP1 (2024).

9. The approved east-facing windows on the first floor shall be obscured-glazed and non-openable. 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 amenity of neighbouring occupants, in accordance with Policy D6 of London Plan (2021) and Policy 57 of the adopted Waltham Forest Local Plan LP1 (2024).

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and/or re-enacting that Order with or without modification, no development under Schedule 2, Part 1, Classes A, B, C, D, E, F, G, H shall be carried out unless approved by way of a planning permission granted.

Reason: In the interest of ensuring the high quality and integrity of original architecture is maintained, general visual amenity and external amenity of future occupiers, in accordance with Paragraphs 131 to 141 of the NPPF (2023) , Policies D3 and D4 of the London Plan (2021), Policies 53 and 57 of the adopted Waltham Forest Local Plan LP1 (2024).

Security and Safety

11. Prior to the commencement of development on site, notwithstanding site investigation work, clearance and demolition, full details of measures to be incorporated into the development, demonstrating how site security would be achieved and include details of CCTV, lighting and entry control systems on site (including the gated mews entrance and the access points to the car parking spaces), along with how the development can achieve the principles of Secure by Design accreditation and this shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details prior to the first occupation of the development and shall thereafter be retained 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).

12. Prior to the commencement of the development, notwithstanding site investigation and clearance works, demolition and groundworks to slab level, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. All luminaries shall be oriented and designed in such a way to minimise light spillage beyond the site boundary and prevent glare to the windows of residential or light sensitive properties identified and of local ecology. The lighting scheme shall be implemented in accordance with the agreed details and thereafter maintained as such for the lifetime of the development.

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

Sustainable Design

13. Prior to the commencement of development on site, notwithstanding site investigation and clearance works, demolition and constructions to slab level, a scheme detailing measures to reduce water use within the development, to meet a

target water use of 105 litres or less per person, per day, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme and thereafter retained.

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

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

REASON: To prevent the increased risk of flooding, both on and off-site to ensure that adequate drainage facilities are provided in accordance with Policies 89 and 91 of the adopted Waltham Forest Local Plan LP1 (2024).

15. Prior to the commencement of the 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 are to be implemented in the construction of the development. The development and energy efficiency measures shall thereafter be retained. Any shortfall shall be compensated for in line with the Section 106 legal agreement associated with this site.

REASON: To ensure the development is sustainable and to comply with Policies 85 and 87 of the adopted Waltham Forest Local Plan LP1 (2024).

Noise

16. No noise generating plant, equipment or ventilation/heating systems, shall be installed on the residential development hereby approved without the grant of planning permission by the local planning authority.

REASON: To protect the amenities of adjoining occupiers and the surrounding area in order to comply with Policy D14 of the London Plan (2021), Policy 50 and 57 adopted Waltham Forest Local Plan LP1 (2024).

Biodiversity and Soft Landscaping

17. The development shall fully conform with the recommendations of the Arboricultural Method Statement, dated 18 June 2024 and Preliminary Ecological Appraisal and Roost Assessment, dated 21 June 2024 submitted with this application. The development shall be carried out in accordance with the approved details, and all works shall comply with BS 3998:2010 (Tree Work - Recommendations) and shall be supervised by a suitably qualified Arboriculturist and any post-construction mitigation

measures shall thereafter be maintained for the lifetime of the development.

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

18. Prior to the commencement of the development on site, notwithstanding site investigation work, no other work including any site clearance or demolition shall take place until a Biodiversity Gain Plan has been prepared in accordance with Biodiversity Net Gain Assessment, by Arbtech, issue 2, dated 8th July 2024, and submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full and retained thereafter in accordance with approved Biodiversity Gain Plan, failure to achieve 10% Biodiversity Net Gain or any shortfall, will require for the developer to either enter "A Biodiversity Offsetting Scheme" or "Statutory Biodiversity Credits" as set out in the s106 legal agreement.

REASON: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990, Policies G6 of the London Plan (2021) and Policy 79 of the Waltham Forest Local Plan LP1 (2024)

19. Prior to the commencement of development on site, notwithstanding site investigation and clearance works, demolition and constructions to slab level, a 30 year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration of 30 years, in accordance with terms set out within the s106 agreement.

REASON: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990, Policies G6 of the London Plan (2021) and Policy 79 of the Waltham Forest Local Plan LP1 (2024).

20. 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 G1, G5 and G6 of London Plan (2021), Policies 53, 77, 79 and 80 of the adopted Waltham Forest Local Plan LP1 (2024).

21. Prior to the first occupation of the residential units, a Landscape Management Plan, which includes long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved Landscape Management Plan shall be implemented prior to the first occupation of the development hereby approved and thereafter maintained for the lifetime of the development.

REASON: To ensure the well-being of the trees and in the interest of biodiversity, in accordance with Policies G1, G5 and G6 of London Plan (2021), Policies 53, 77, 79 and 80 of the adopted Waltham Forest Local Plan LP1 (2024).

22. Prior to the commencement of development, including the demolition of the existing building, details of ecological enhancement measures (including bat boxes and sensitive lighting) and associated location plan to identify areas of enhancement on site shall be submitted to and approved in writing by the local planning authority. The measures shall be installed prior to the first occupation of the development hereby approved and shall thereafter be maintained in accordance with the approved details in perpetuity.

REASON: In the interest of local amenity and biodiversity in accordance with Policies G1, G5 and G6 of London Plan (2021), Policies 53, 77 and 79 of the adopted Waltham Forest Local Plan LP1 (2024).

Waste Management

23. 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 Policy S17 of the London Plan (2021), Policies 57 and 93 of the adopted Waltham Forest Local Plan LP1 (2024).

Parking Management

24. Prior to the commencement of development on site, notwithstanding site investigation work, clearance and demolition, and notwithstanding any indication on the submitted drawings, details of electric vehicle charging point locations and technical specifications 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 thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interest of effective provision of safe and well designed parking facilities in accordance with Policy 67 of the Waltham Forest Local Plan LP1 (2024).

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

drawings of the cycle storage facilities, including enclosures, access and security, must be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the areas identified cycle storage shall be retained as such for the lifetime of the development.

REASON: To comply with London Cycle Design Standards, Policies T1 and T5 of London Plan (2021), Policy 53, 60 and 61 of the adopted Waltham Forest Local Plan LP1 (2024).

Residential Standards

26. 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 Policies D5 and D7 of London Plan (2021) and Policy 16 of the adopted Waltham Forest Local Plan LP1 (2024).

Informatives

1. To assist applicants the Local Planning Authority has produced policies and provided written guidance, all of which is available on the Council's website and which have been followed in this instance.
2. 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 2019. 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 (excluding indexation).

3. **A legal agreement has been entered into with the London Borough of Waltham Forest in conjunction with this grant of planning permission to ensure appropriate facilitating highway works; monitoring of Construction Logistics Plans; SAMMs contribution; on site BNG delivery and monitoring; retention of architects along with relevant legal fees and s106 monitoring fees.**
4. The Biodiversity Gain Plan will need to include the following information:
 - a. information about the steps taken or to be taken to minimise the adverse effect of the development on the existing biodiversity of the onsite habitat and any other habitat;
 - b. the pre-development biodiversity value of the onsite habitat;
 - c. the post-development biodiversity value of the onsite habitat;
 - d. any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
 - e. any biodiversity credits purchased for the development; and
 - f. any such other matters as the Secretary of State may by regulations specify.
5. The Habitat Monitoring and Management Plan (HMMP) will need to include the following information:
 - a) Description and evaluation of the features to be managed;
 - b) Ecological trends and constraints on site that may influence management;
 - c) Aims, objectives and targets for management - links with local and national species and habitat action plans;
 - d) Description of the management operations necessary to achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a works schedule, including annual works schedule;
 - g) Details of the monitoring needed to measure the effectiveness of management;
 - h) Details of the timetable for each element of the monitoring programme;
 - i) Details of the persons responsible for the implementation and monitoring;
 - j) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and
 - k) Reporting on year 1,2,5,10,20 and 30, with biodiversity reconciliation calculations at each stage.
6. **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.

7. It is the developer's responsibility to ensure all signage associated with the proposed development i.e. street nameplates, building names and door numbers are erected prior to occupation, as agreed with the Councils Street Naming/Numbering Officer.
8. 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.
9. 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 track out):
 - 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 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.
10. 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.

11. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via <https://protect-eu.mimecast.com/s/NnT8CPjLVhNRRj4IzKCJR>.
12. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
13. 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.
14. This notice is without prejudice to your responsibilities under any other legislation.