
Planning Committee

Minutes of
14 January 2025 at 7.01 pm

Present:

Chair: Councillor Andrew Dixon

Committee Members: Councillors Jenny Gray, Kastriot Berberi and Steve Terry

Councillors in Attendance: Councillor Catherine Saumarez

Officers in Attendance:

Justin Carr	Assistant Director - Development Management and Building Control
Mahnaz Chowdhery	Deputy Planning Manager - North Area Team
Kelvin Bathie	Deputy Planning Manager
Eshan Hussain	Deputy Planning Manager – South Area Team
Sarah Creasy	Planning Officer
Daniel Forde	Planning Officer
Kurt Henry	Planning Officer
Lauren Kimpton	Planning Officer
Ka-Lei Lai	Planning Officer
Joanna West	Planning Lawyer
Ian Buckle	Head of Electoral and Democratic Services
Jenny Richards	Democratic Services Officer

199. Apologies for absence and substitute members

Apologies for absence were received from:

Councillor Sebastian Salek for whom Councillor Steve Terry attended as substitute.

Councillor Uzma Rasool for whom Councillor Kastriot Berberi attended as substitute.

Councillor John Moss.

200. Declarations of interest

None.

201. Minutes of the previous meeting

The minutes of the meeting held on 3 December 2024 were agreed by the Committee.

202. Development management

The Committee considered applications for planning permission received by the Assistant Director – Development Management & Building Control under the Town and Country Planning Act 1990 and took into account the oral representations made by members of the public and applicants and their agents.

The update report of the Assistant Director – Development Management & Building Control was noted in accordance with the urgency provisions of Section 100 B (4) of the Local Government Act 1972 to ensure that Members had before them all the relevant facts and information about the planning applications set out in the agenda.

The Committee resolved that, in the event of recommendations being amended at the meeting in light of debate, or other representations made by members of the public, applicants or their agents, the task of formalising the wording of conditions and/or reasons for refusal is to be delegated to the Assistant Director – Development Management & Building Control.

203. Chingford Kennels, 158 Chingford Mount Road, London, E4 9BS (240189)

Resolved:

That planning permission be granted for application 240189 in line with the reasons and recommendations contained in the committee report, subject to conditions, informatives and completion of a Section 106 Legal Agreement (S106) with the following Heads of Terms:

Affordable Housing Provision:

- Delivery of 5 (12.5% by unit) shared ownership homes
- Viability Review Mechanism (both early and late-stage review) to capture any surplus in profit generated from the development.

Wheelchair Housing:

- Prepare a Wheelchair Accessible Dwelling Marketing Strategy for the development that sets out how the wheelchair units will be promoted and advertised during the exclusivity period of one year, to be agreed prior to commencement of that relevant part of the development.

- The requirement for all wheelchair user dwellings to be exclusively marketed as such for a minimum period of 12 months.

Highways and Transportation:

- S278 Agreement:
 - Facilitating Works
 - (i) Road widening works to facilitate two-way traffic in the pinch points along Genever Close including any associated footway works to facilitate construction as set out within the provisional outline plan [8160-211 Rev A]. Detailed drawing to be drawn up during the s278 for agreement by the relevant parties.

The works will be carried out by the Local Highway Authority, with the developer paying 50% of the costs.
 - (ii) Review of the existing street lighting design and new lighting design for the new 2 metre footway.
 - (iii) Review of all waiting and loading restrictions along Genever Close

The works relating to (ii) and (iii) will be carried out by the Local Highway Authority, at the cost of the developer.
 - (iv) Stage 1 and 2 Road Safety Audits (will be required for the outline design of the road widening works along Genever Close).
- Development Enabling (temporary) works - will be required for physical changes to be made to the highway to enable the development to be constructed. Enabling works are required prior to works commencing on site to facilitate construction. This includes:
 - i. Construction of two temporary construction crossovers on Genever Close.
 - ii. Temporary relocation of a lamp column outside of No. 4 Genever Close.
 - iii. Installation of temporary waiting and loading restrictions along Genever Close including a traffic management order.

The works will be carried out by the Local Highway Authority, at the cost of the developer. After the development construction is completed, the relevant enabling works must be removed, at the cost of the developer.

Costs in respect to Landownership and/or Rights of Way investigations will be funded by the developer and will be carried out by the Council's Commercial Estates and Investment Property & Delivery Team and Commercial Law [Legal Services] Team).

- S38 Agreement: Allow land to be offered up for adoption to become public maintainable highway (adoption of land along the development site frontage facing Genever Close), works to facilitate the construction of the new two metre footway along the frontage of the site.
- A S106 contribution of £2,000 is required towards CLP monitoring.
- A S106 contribution of £25,000 is requested for future CPZ consultation.
- A S106 request of £20,000 is requested toward improving sustainable modes of transport including walking and cycling in the sites vicinity which will directly benefit new residents in this development.
- A pre and post development Highway Condition Survey of the adjoining carriageway and footway along the whole of Genever Close. The condition survey will also need to include the junction of Chingford Mount Road and Genever Close. The condition survey must include a site plan showing the location of where the photographs were taken on the public highway. This will be required, to ensure, if the public highway is damaged as a result of the construction works this would be reinstated by the Council and funded by the developer.

Car Free Housing

- In the event a CPZ is implemented, this site must be classified as car-free with future residents not being entitled to parking permits.

Travel Plans:

- A financial contribution of £8,000 is required towards Travel Plan monitoring.

Employment and Training Strategy:

- Employment and Skills Plan to be sent over prior commencement on site.

- Construction Jobs - Procure that 30% of all jobs available for the construction or fit-out of the Development during the Construction Phase are fulfilled by Local Residents. Local Residents defined as residents of Waltham Forest, Hackney and Newham.
- Local Labour – Apprenticeships - Provide a minimum of 5 Apprentice Posts in the construction trade during the Construction Phase of the Development with such posts being first offered to Local Residents through the Council’s Employment, Business and Skills Service. Default Payments to be applied if fall short.
- Work Placements - To provide a minimum 2 Work Placements, paid at London Living Wage (LLW)) in the construction trade during the Construction Phase of the Development with such posts being first offered to Local Residents through the Council’s Employment, Business and Skills Service
- Default Payments – as set out in LBWF’s adopted Planning Obligations SPD if obligations above are not met.

Air Quality:

- A financial contribution of £11,500 towards implementation of the Air Quality Action Plan

Energy efficiency and carbon reductions:

- A financial contribution of up to £19,611 towards the Carbon Offset Fund to address the shortfall in carbon emission reductions for the residential development. 100% upfront payment of the carbon offset payment to be made on implementation.
- Second Carbon Offset (SOC) - capture of any additional shortfall.
- Final Carbon Emissions Report
- Decentralised Energy Network (connection ready)
- Measures to secure post-construction monitoring (“Be Seen”).
 - A. Prior to the commencement of development, to submit to the GLA accurate and verified estimates of the ‘Be Seen’ energy performance indicators.
 - B. Prior to occupation, the Owner shall provide updated accurate and verified ‘as-built’ design estimates of the ‘Be Seen’ energy performance indicators for each Reportable Unit of the development.
 - C. Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the Owner is required to provide accurate and verified annual in-use energy

performance data for all relevant indicators under each Reportable Unit of the development.

- In the event that the 'In-use stage' evidence submitted under Clause c) shows that the 'As-built stage' performance estimates derived from Clause b) have not been or are not being met, the Owner should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'Be Seen' in-use stage reporting webform. An action plan comprising measures identified in Clause c) shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.)

Epping Forest Special Area of Conservation (SAC):

- A financial contribution of £627 per new homes towards Strategic Access Management and Monitoring (SAMM) with a total of £25,080.

Retention of Architect

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

Legal Fees:

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

Monitoring and Implementation:

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

Minor Amendments

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.

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.

204. Hatherley Mews, Walthamstow, London, E17 4QP (241838)

Resolved:

That planning permission be granted for application 241838 in line with the reasons and recommendations contained in the committee report, subject to conditions, informatives and completion of a Unilateral Undertaking with the following heads of terms:

- Carbon Offset Contribution £27,979
- Monitoring fee of 5%
- Council's legal fees

205. 22 Sutherland Road, Walthamstow, London, E17 6BH (241608)

Resolved:

That planning permission be granted in line with the reasons and recommendations contained in the committee report, subject to conditions and informatives, and the completion of a Section 106 Legal Agreement (S106) with the following Heads of Terms:

Affordable Housing Provision:

- Contribution of £500,000 towards off-site affordable housing provision;
- Viability Review Mechanism (both early and late-stage review) to capture any surplus in profit generated from the development.

Wheelchair Housing:

- Prepare a Wheelchair Accessible Dwelling Marketing Strategy for the development that sets out how the wheelchair units will be promoted and advertised during the exclusivity period of one year, to be agreed prior to commencement of that relevant part of the development.
- The requirement for all wheelchair user dwellings to be exclusively marketed as such for a minimum period of 12 months.

Highways and Transportation:

- Highway works under Section 278 will be required upon the completion of development, prior to occupation, The works will be funded by the Developer and carried out by the Council, which relate shall include but not limited to:
 - (i) Renewal of footway on the frontage of the site.
 - (ii) Renewal of road markings along the frontage of the site.
 - (iii) Provision of new dropped kerb to facilitate bin collection.
- S106 contribution of £2,000 towards CLP monitoring.
- S106 contribution of £10,000 to sustainable modes of transport.
- Pre and Post Construction Highway Condition survey of the adjoining carriageway and footway of Sutherland Road. This should cover the site frontage and 20m on both sides including any area on the public highway identified for loading/offloading.

Car Free Housing:

- The site will be car-free, residents will not be entitled to parking permits for any CPZ unless disabled/blue badge holder.
- Each new Residential Occupier of the development must be informed prior to occupying any residential unit that they shall not be entitled to a residents parking permit unless blue badge holder.

Employment and Training Strategy:

- Employment and Skills Plan to be sent over prior to commencement on site.
- Construction Jobs – Procure that 30% of all jobs available for the construction or fit-out of the development during the Construction Phase are fulfilled by Local Residents. Local Residents of Waltham Forest, Hackney and Newham.
- Local Labour – Apprenticeships – Provide a minimum of 1 apprentice posts in the construction trade during the Construction Phase of the development with such posts being first offered to Local Residents through the Council's Employment, Business and Skills Service. Default payments to be applied if fall short.
- Default Payments – as set out in LBWF's adopted Planning Obligations SPD if obligations are not met.

Energy Efficiency and Carbon Reductions:

- A financial contribution of £4,096 towards the Carbon Offset Fund to address the shortfall in carbon emissions reductions for the residential development. 100% upfront payment of the carbon offset payment to be made on implementation.
- Second Carbon Offset (SOC) to capture any additional shortfall.

- Final Carbon Emissions Report.
- Decentralised Energy Network (connection ready).
- Measures to secure post-construction monitoring (“Be Seen”).
 - (iv) A. Prior to the commencement of development, to submit to the GLA accurate and verified estimates of the ‘Be Seen’ energy performance indicators.
 - (v) B. Prior to occupation, the Owner shall provide updated accurate and verified ‘as-built’ design estimates of the ‘Be Seen’ energy performance indicators for each Reportable Unit of the development.
 - (vi) C. Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit of the development.
 - (vii) In the event that the ‘In-use stage’ evidence submitted under Clause c) shows that the ‘As-built stage’ performance estimates derived from Clause b) have not been or are not being met, the Owner should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the ‘Be Seen’ in-use stage reporting webform. An action plan comprising measures identified in Clause c) shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.)

Epping Forest Special Area of Conservation (SAC):

- Financial Contribution of £8,778.00 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.

Retention of Architect:

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

Legal Fees:

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

Monitoring and Implementation:

- Payment of 5% of the total amount of Section 106 contributions towards monitoring, implementation, and compliance of the legal agreement.

Minor Amendments

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.

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.

206. 7 Burghley Road, Leytonstone, London, E11 4QP (242482)

Resolved:

That planning permission be granted for application 242482 in line with the reasons and recommendations contained in the committee report and update report, subject to the conditions and informatives therein.

207. Crematorium, Chingford Mount Cemetery, 121 Old Church Road, London, E4 6ST (242444)

Resolved:

That planning permission be granted for application 242444 in line with the reasons and recommendations in the committee report, subject to the conditions and informatives therein and an additional informative agreed by the Committee as follows:

- Prior to the operation of the crematorium, the developer shall engage with local residents adjoining the cemetery grounds to review and enhance the existing boundaries to enhance neighbouring privacy.

208. Public Speakers

4.1	240189 Chingford Kennels, 158 Chingford Mount Road, Chingford, London, E4 9BS	Syed Ali Cllr Catherine Saumarez Tim Gaskell
4.2	241838 Hatherley Mews, Walthamstow, London, E17 4QP	
4.3	241608 22 Sutherland Road, Walthamstow, London E17 6BH	Ruth Goodwin Simon Plowman
4.4	242482 7 Burghley Road, Leytonstone, London, E11 4QP	
4.5	242444 Chingford Mount Cemetery, 121 Old Church Road, Chingford, London, E4 6ST	Ben Walker (written statement) Rosemary Langlands Ashley Uglow Cllr Catherine Saumarez Charles Moran

The meeting closed at 9.33 pm

Chair's Signature _____

Date _____