

## LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 14 <sup>th</sup> October 2025
Application reference:	250991
Applicant:	Zend Property Ltd
Location:	12 Church Hill, Walthamstow, London, E17 3GX and Button Lodge, 46 Stainforth Road, London E17 9RD
Proposed development:	Subdivision of Land adjacent to No. 12 Church Hill to facilitate the construction of a 3-storey building (Block A), including the demolition of 'the Lodge' allowing for the construction of a 4-storey building (Block B) to accommodate 7 self-contained residential units (Use Class C3). Associated works to include fenestration alterations to No. 12 Church Hill and 46 Stainforth Road, provision of rear communal garden, secure cycle parking, refuse storage, landscaping and boundary treatment.
Wards affected:	Hoe Street
Appendices:	None

### 1. RECOMMENDATION

- 1.1 Recommendation to GRANT Planning permission under reference 241838 subject to conditions and informatives and s106 Legal Agreement.

#### A) Highways and Transportation:

- i) Car Free Development - the development is to be classified as car-free and residents will not be eligible for parking permits.
- ii) A condition survey is required of the carriageway and footways fronting the site prior to the commencement of any works.
- iii) A S106 request of £7,000.00 is requested toward improving sustainable modes of transport.
- iv) A S106 contribution of £750.00 towards CLP monitoring.
- v) S278 works - The extent of the works will include but are not limited to:
  - Removal of redundant vehicle crossover on the Church Hill frontage.
  - Removal of redundant vehicle crossover on the Stainforth Road frontage.
  - Renewal of the footway along both frontages of the site (Church Hill and Stainforth Road).
  - Alterations and/or renewals to existing road markings on both site frontages.
- iv) A S106 contribution of £750.00 towards CLP monitoring.

#### B) SAMMS:

- i) SAMMS - A financial contribution of £4,550.00 towards Strategic Access Management and Monitoring measures (SAMMs).

#### C) Biodiversity Net Gain (BNG)

- to register the site on the Biodiversity Gain Site Register
- to provide Biodiversity Gain Plan to the Council

- to complete the Habitat Creation and Enhancement Works at the application site in accordance with the Habitat Management and Monitoring Plan
- Financial contribution towards BNG monitoring, over periods including year 1, 2, 5, 10, 20 and 30.

**D) Carbon offset:**

- Carbon Offset Fund (COF) contributions will be required for any shortfall in emission reductions, calculated to be £7,694.00

**E) Legal Fees:**

- i) Payment of the Council's legal fees for the preparation and completion of the Legal Agreement.
- ii) Monitoring Fee - A financial contribution towards the implementation and monitoring of and securing compliance with the S106, equal to 5% of the total of all other financial contributions.

**2. REASONS REFERRED TO COMMITTEE**

2.1 The application is referred to planning committee due to the number of objections.

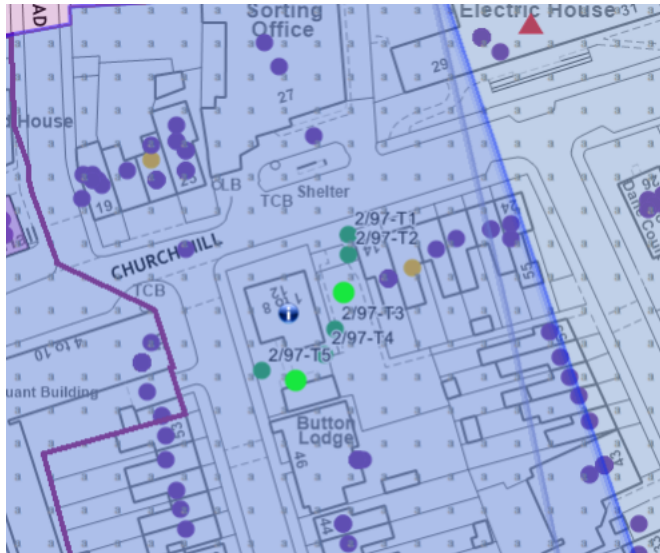
**3. SITE AND SURROUNDINGS**

3.1 The application site as existing features a two storey Edwardian building which benefits from a basement and extension to the roof, together with a single storey coach house building sited towards the rear of the property fronting Stainforth Road. The site is located on the southern side of Church Hill and eastern side of Stainforth Road on a rectangular plot. The buildings are not listed and not within any relevant designated boundaries for this application. There are several protected trees within the site.

3.2 The application site is located within the boundary of the Strategic Location of Walthamstow Town Centre within the Local Plan, meaning consolidated regeneration efforts will be applied to deliver growth within the area. Therefore, new development will be expected to provide a well-balanced mix of economic, social and environmental benefits to support the development of a network of well-connected, sustainable, high quality, attractive, locally distinctive and healthy places.

3.3 The site falls within an Archaeological Priority Areas (APAs) which means that there is a high probability of encountering archaeological remains or where there is significant potential for new discoveries. These areas are identified based on existing evidence, including historical records, past excavations, and known sites.

3.4 ***Location Plan***



3.5 The immediate surrounding area on Church Hill and Stainforth Road is formed of a mix of commercial and residential properties. Noting that the proximity to the main town centre within the borough is within a few minutes walking distance.

3.6 The site is not located within a Conservation Area; it is not listed and is not subject to any relevant Article 4 directions.

#### 4. APPLICATION PROPOSAL

4.1 Planning permission is sought for the Subdivision of Land adjacent to No. 12 Church Hill to facilitate the construction of a 3-storey building (Block A), including the demolition of 'the Lodge' allowing for the construction of a 4-storey building (Block B) to accommodate 7 self-contained residential units (Use Class C3). Associated works to include fenestration alterations to No. 12 Church Hill and 46 Stainforth Road, provision of rear communal garden, secure cycle parking, refuse storage, landscaping and boundary treatment.

4.2 Each block will comprise of the following units –

- Block A – 1 x studio, 1 x 2-bed and 1 x 3-bed
- Block B – 1 x 1-bed and 3 x 2-beds

4.3 To facilitate the construction of the proposed development, modest fenestration alterations would be required to the existing properties at 12 Church Hill and 46 Stainforth Road.

#### 5. RELEVANT SITE HISTORY

##### 5.1 A. Planning

190348	Prior Approval - Change of Use from offices (Class B1) to residential self-contained flats: 1 x 1 Studio; 5 x 1 bedrooms; 1 x 2 bedrooms (Class C3).	Prior Approval Required and Approved
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184020	Prior Approval - Change of Use from Offices (Class B1) to residential (Class C3).	Withdrawn
760694	CONTINUATION OF USE OF COACH HOUSE FOR STORAGE PURPOSES.	Approved (with Conditions & Informatives)

## 5.2 **B. Pre-application Advice**

**PRE\_24\_0363** - Officers acknowledge that the primary points of contention of pre application response PRE\_24\_0109 have been addressed. However, it is noted that there are still a few areas that have not been agreed pertaining to the proposed materials and a robust landscape plan.

**PRE\_24\_0109** - (1) The 'Coach House' is considered a 'Non-Designated Heritage Asset', if a proposal is forthcoming, the applicant should be minded that a complete loss of a non-designated heritage asset will only be supported in exceptional circumstances, and will require robust justification and evidence as to why the non-designated heritage asset cannot be retained or repurposed. (2) Within the vicinity of the Coach House are several existing trees which have Tree Preservation Orders. It was agreed prior to the submission of this proposal by the Council's Arboriculturist that two trees could be felled as they were apparently decaying. However, TPO legislation dictates that the replanting location must be within close proximity to the original location.

**PRE\_21\_0016** - Construction of three storey apartment building to accommodate 5 apartments together with extensive landscaping works – officers note that pre application advice was issued under the now defunct Local Plan which has since been superseded by Part 1 of the 2024 Local Plan which planning decisions are now based on. As such little weight was given to earlier comments.

## 5.3 **C. Enforcement**

Enforcement Investigation and/ or Notice

None

## 5.4 **D. Adjacent sites/ neighbouring properties**

### 5.5 14-16 Church Hill

780727	C.O.U. OF HOUSE INTO A) G/F FLAT B) 2 BEDSITTERS ON F/F C) 1 BEDSITTER ON 2ND FLOOR.	Refused (with Reasons).
760105	C.O.U. OF 2 ROOMS ON F/F & 2 ROOMS ON 2ND FLOOR FROM RESIDENTIAL TO DENTAL PRACTICE.	Refused (with Reasons).

760105	C.O.U. OF 2 ROOMS ON F/F & 2 ROOMS ON 2ND FLOOR FROM RESIDENTIAL TO DENTAL PRACTICE.	Approved (With Informatives).
710735	C.O.U. OF G/F & PART OF F/F FROM RESIDENTIAL TO DOCTORS SURGERY INCLUDING ERECTION OF S/S FLANK EXTENSION.	Approved (with Conditions & Informatives).
061062	Erection of dormer windows at rear and conversion of dwellinghouses into 6 self-contained flats (4x1 bed, 2 studio).	Refused (with Reasons).

### 5.6 46 Stainforth Road

173042	Construction of third floor to create 2 x 1 bedroom flat.	Approved (with Conditions & Informatives).
173042	Construction of third floor to create 2 x 1 bedroom flat.	Approved (with Conditions & Informatives).
131950	Erection of three storey building to provide nine self-contained flats (4 x 1 bed, 4 x 2 bed and 1 x 3 bed).	Approved (With Informatives)

## 6. PUBLIC CONSULTATIONS

6.1 A public consultation was initially carried out on 28<sup>th</sup> April 2025 with letters being sent to surrounding residents/ occupiers and internal/ external stakeholders.

6.2 A site notice was displayed on the site, dated 05/05/2025.

6.3 The Council consulted the following properties surrounding the site:

- 19-31 Church Hill (Odd)
- 2-28 Church Hill (Even)
- 141-161 Hoe Street (Odd)
- 11-16 Eastfield Road (Consecutive)
- 1-19 Eastfield House Eastfield Road
- 15-55 Stainforth Road (Even)
- 14-46 Stainforth Road (Even)
- 21-33 West Avenue Road (Odd)

- 43-55 West Avenue Road (Odd)
- 22-44 West Avenue Road (Even)
- 1 Teresa Mews
- 18 Teresa Mews
- 137 Hoe Street
- 1 Church Hill

## 7. REPRESENTATIONS

### Public Representations

7.1 As a result of the public consultation 10 letters of objection were received.

<b>Objection</b>	<b>Response</b>
Disruption during construction works	The Outline CLP gives an indication of 18 months not 3 years. This is just an approximation at this stage as a principal contractor has not been appointed.
Airborne pollution during construction	Environmental Health have requested conditions to deal with airborne pollution which will be inserted into any decision that grants permission.
Parking stress	The scheme would be designated as car free. Therefore, residents would not be entitled to parking permits. This will be ensured by a legal agreement
Loss of greenspace	There would be no loss of green space as the development would be upon a former car park and previously developed land. Due to the biodiversity net gain requirement the scheme must have a net gain in biodiversity. This point is assessed below in section 10 of the report.
Increased traffic (during and post construction)	The outline construction logistics plan is material to the assessment of the scheme which has been approved by the Highway Authority. A detailed Construction Logistics Plan would be required prior to the commencement of any building works.
Out of character	The scheme is policy compliant and is not considered out of character. This is assessed below in section 10 of the report.
Impact to natural light of Button Lodge residents	This point is assessed below in section 10 of the report.
Worsen the mould problem of Button Lodge	This is not material to the assessment of the proposal.

Privacy (overlooked by balconies)	This point is assessed below in section 10 of the report.
Sharing the existing bike store with Button Lodge	The scheme will provide an additional cycle storage that will be policy compliant and ensure provision for all users of the communal garden.
Refuse storage not sufficient	Refuse storage is sufficient and confirmed acceptable by the councils refuse and recycling team.
Rent increases	This is not material to the assessment of the proposal.
Biodiversity net gain loss	The current legislation sets out that an LPA cannot refuse a planning application based on a biodiversity deficit within the baseline assessment. The applicant has provided a baseline assessment which has been considered acceptable. Therefore, a condition would be inserted into any decision that approves development whereby the applicant would need to demonstrate how they will enhance biodiversity beyond what existed before the development.
Overdevelopment/ density of buildings	The proposal is policy compliant and will be discussed within section 10 of the report.

## 7.2 Internal & External Representations

7.3 The below table illustrates comments and representations received from the following noted bodies:

Consultee	Response
Design	<ul style="list-style-type: none"> <li>• There has been justification for the demolition of the Coach House it is not being locally listed and the loss is acceptable.</li> <li>• Architecturally the approach is a contemporary subtle design which references to the residential character. The design of both blocks has been carefully crafted to integrate seamlessly with the existing site context</li> </ul>
Tree preservation & urban greening	<ul style="list-style-type: none"> <li>• the required level of detail in terms of the baseline ecological condition of the site, has properly considered site degradation that has occurred in the relevant period, and has produced a draft biodiversity gain plan which proposes several new habitats that would enhance the site's biodiversity value, whilst acknowledging off-site units will need to be purchased. Therefore, an acceptable</li> </ul>

	biodiversity net gain assessment has been carried out for this application.
Highways	<ul style="list-style-type: none"> <li>Highways are satisfied with the information provided.</li> </ul>
Sustainability	<ul style="list-style-type: none"> <li>The minimum carbon reduction targets are met with 60% improvement over part L including 16% at Be Lean stage. The proposed carbon offset payment of £7,694 matches our calculation.</li> </ul>
Environmental Health	<ul style="list-style-type: none"> <li>If minded for approval requested the inclusion of two air quality conditions.</li> </ul>
Refuse	<ul style="list-style-type: none"> <li>Refuse is satisfied with the information provided.</li> </ul>
Transport Policy	<ul style="list-style-type: none"> <li>A response was not received.</li> </ul>
Natural England	<ul style="list-style-type: none"> <li>A response was not received.</li> </ul>
Thames Water	<ul style="list-style-type: none"> <li>Raise no objection subject to the use of applicable conditions and informatives.</li> </ul>
London Fire Brigade	<ul style="list-style-type: none"> <li>A response was not received.</li> </ul>

## 8. PLANNING POLICY

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 (LPA) must have regard to considerations including the provisions of the development plan and any local finance considerations, so far as material to the application, and any other material considerations.

8.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that “if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

8.3 The Development Plan for the site, at the time of this report, comprises the London Plan (2021), and the Waltham Forest Local Plan Pt 1 (2024). Other planning policies are material considerations.

### The London Plan (2021)

8.4 On Tuesday 2nd March 2021, The Mayor of London published the replacement London Plan. From this date it forms part of the Development Plan for the purpose of determining planning applications.

8.5 The 2021 London Plan supersedes the 2016 London Plan, which no longer has any effect. The relevant policies within the London Plan 2021 are:

- GG1 Building Strong and Inclusive Communities
- GG2 Making Best Use of Land
- GG4 Delivering Homes Londoners Need
- D1 London’s form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach



- D4 Delivering good design
- D6 Housing quality and standards
- H1 Increasing housing supply
- H10 Housing size mix
- G1 Green Infrastructure
- G6 Biodiversity and access to nature
- SI1 Improving Air Quality
- SI7 Reducing Waste and supporting the circular economy
- SI13 Sustainable Drainage
- T5 Cycling
- T6 Car Parking
- T7 Deliveries, Servicing and Construction
- DF1 Delivering of the Plan and Planning Obligations

#### Waltham Forest Local Plan Pt 1 (2024)

8.6 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.

8.7 The policies considered relevant to this application are as follows:

- Policy 1 Presumption in Favour of Sustainable Development
- Policy 12 Increasing Housing Supply
- Policy 15 Housing Mix
- Policy 19 Small Sites
- Policy 53 Delivering High Quality Design
- Policy 56 Residential Space Standards
- Policy 57 Amenity
- Policy 60 Promoting Sustainable Transport
- Policy 61 Active Travel
- Policy 63 Development and Transport Impacts
- Policy 65 Construction Logistic Plans (CLPs)
- Policy 66 Managing Vehicle Traffic
- Policy 73 Archaeological Assets and Archaeological Priority Areas
- Policy 77 Green Infrastructure and the Natural Environment
- Policy 79 Biodiversity and Geodiversity
- Policy 81 Epping Forest and the Epping Forest Special Area of Conservation
- Policy 85 A Zero Carbon Borough
- Policy 88 Air Pollution
- Policy 89 Water Quality and Water Resources
- Policy 91 Managing Flood Risk
- Policy 93 Waste Management
- Policy 94 Infrastructure and Developer Contributions

## **9.0 MATERIAL PLANNING CONSIDERATIONS**

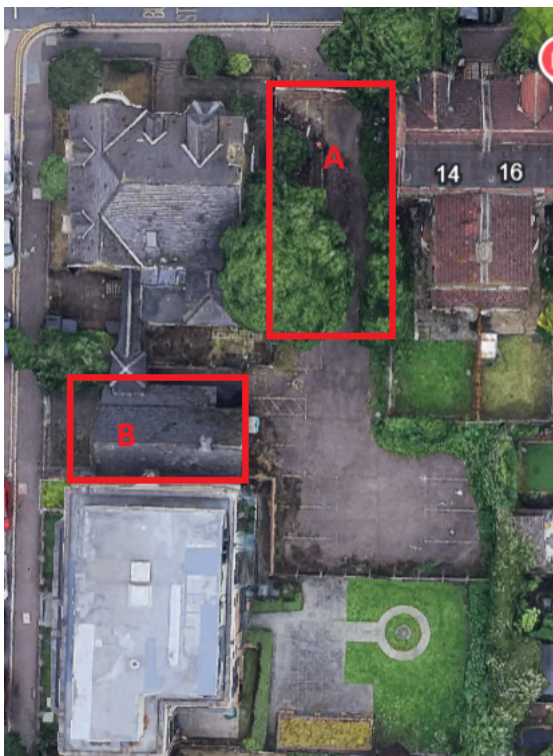
### National Planning Policy Framework (2024)

- 9.1 The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It is material consideration in planning decisions but does not change the legal status of the Development Plan. It contains a presumption in favour of sustainable development, described as at the heart of the framework.
- 9.2 It contains a presumption in favour of sustainable development, described as at the heart of the framework.
- 9.3 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: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".
- 9.4 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.'
- 9.5 The specific policy areas of the NPPF considered to be most relevant to the assessment of this application are as follows:
- Achieving sustainable development
  - Building a strong, competitive economy
  - Ensuring the vitality of town centres
  - Promoting healthy and safe communities
  - Promoting sustainable transport
  - Making effective use of land
  - Achieving well-designed and beautiful places

### Local Finance Considerations

- 9.6 Local Finance Considerations are a material consideration in the determination of all planning applications. Local Finance Considerations can include either a grant that has been or would be given to the Council from central government or money that the council has received or will or could receive in terms of Community Infrastructure Levy (CIL).
- i. There are grants which could be received from central government in relation to this development.
  - ii. The Council does expect to receive income from LBWF CIL in relation to this development.
  - iii. The Council does expect to receive income from Mayoral CIL in relation to this development.

## **10. ASSESSMENT**



Aerial view of the application site



Proposed Block A



### **Proposed Block B**

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

- A. Principle of Development
- B. Urban Design/ Conservation
- C. Housing Mix
- D. Living Conditions - Future Occupiers
- E. Living Conditions - neighbouring amenity
- F. Trees and Local Biodiversity
- G. Climate change and sustainability
- H. Waste Management
- I. Highways, Traffic Management and Parking
- J. Legal Obligations

### 10.2 ***Principle of development***

National, Regional and Local Plan policies seek to encourage sustainable housing development on appropriate sites in urban areas. Policy 12 (Increasing Housing Supply) of the adopted Local Plan seeks to deliver a minimum of 27,000 homes by 2035 by amongst other things making effective use of land by seeking to optimise housing densities and supporting new homes to be developed on small sites to meet housing needs. The Council will generally not support development proposals containing only smaller homes (one and two bed). Local Policy supports the goal of a Boroughwide mix of housing that reflects the needs and level of supply identified in the London Strategic Housing Market Assessment (SHMA) (2017).

10.3 Chapter 5 of the NPPF relates specifically to the delivery of new housing. It recognises the importance of significantly boosting the housing supply and paragraph 61 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward

where it is needed. This proposal will make effective use of underutilised land in a highly sustainable location to provide seven residential units.

- 10.4 Policy 8 (Character-Led Intensification) seeks opportunities for intensification of development involving housing and employment uses, promoted at appropriate locations. Noting that the application site is located just outside the Major Town Centre (Walthamstow) but within a strategic location. Policy 8 supports a transformative approach to intensifying and changing existing character to deliver substantially more development within strategic locations.
- 10.5 Policy 19 (Small Sites) seeks to intensify and re-model areas of existing housing, encouraging innovative approaches to housing delivery. London Plan (2021) Policy H2 'Small Sites' also states that Boroughs should proactively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to significantly increase the contribution of small sites to meeting London's housing needs.
- 10.6 Noting that the applicant engaged the Local Planning Authority's (LPA) advice from the outset by utilising its pre application service. The pre application advice has helped to shape the submission into a scheme consistent with Local, Regional and National policy. The proposed residential use is located in an area where a transformative design approach is considered acceptable in regard to local policy. As such, the principle of development has been established satisfying the aims and objectives of Policies 8, 12 and 19 of the adopted Local Plan (2024).

10.7 ***Urban Design/ Conservation***

The NPPF requires Local Planning Authorities to approve applications for sustainable development. It states that good design is a key aspect of sustainable development; indivisible from good planning; and should contribute positively to making places better for people. In line with this Waltham Forest Local Plan Policies require all new development proposals, including alterations and extensions to existing buildings, to deliver good design.

- 10.8 Policy 53 requires that proposals provide a high-quality design which states inter alia that proposals should reinforce and/or enhance local character and distinctiveness accounting for existing patterns of development, urban form and grain, materials, building typologies, and other features of local significance and that is visually attractive, with architecture and landscaping reflecting its context whilst encouraging innovation and not unduly restricting style, which is equally supported by London Plan (2021) Policy D6.
- 10.9 The proposed development responds to the local architectural character while delivering a high standard of modern design. It aligns with the surrounding street pattern and carefully considers the impact on neighbouring properties in terms of privacy and overall amenity. The proposed height, scale and massing are in keeping with the local context. The massing and bulk of the new buildings is further broken up by the angled roof, reduction in built form to upper storeys and articulation of the built form with various setbacks. The angled roof will push the height away from the terrace's houses and roofscape will reflect the domestic scale and design. In terms of massing and height the infill development would be a four-storey building between existing four storey buildings. The arrangement of re-establishing an urban grain and responding positively to the existing pattern of development is positive. It is also

appreciated that the proposed building line of both blocks would be in keeping with the existing buildings adjacent to the application site. Architecturally the proposed approach is a contemporary subtle design. The design of both blocks has been carefully crafted to integrate seamlessly with the existing site context, ensuring the new residential units complement neighbouring properties while maintaining their own distinct identity. The proposed materials would be of a contemporary high quality with the finer details of materiality requiring approval post decision.

- 10.10 Although not locally listed, the LPA consider the rear single storey building dubbed 'Coach House' a non-designated heritage asset. This meant the LPA required justification for its demolition in accordance with Policy 74 (Non-Designated Heritage Assets) of the Local Plan. At pre application stage the applicant provided a Heritage Impact Assessment setting out why the building should not be historically or architecturally significant. The supporting documentation also explained why the existing building could not be added to by way of an upward extension. On further assessment the LPA's conservation officer agreed that the building did not contain enough architectural or historical significance to justify restricting development in this instance. Officers consider the approach of the LPA consistent with Chapter 16, paragraph 216 of the NPPF which states '*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*'.
- 10.11 Taking all points into consideration officers are satisfied that the proposal is consistent with the aims and objectives of Local Plan policies 53 and 74.
- 10.12 **Housing Mix**
- 10.13 Policy 15, subsection B of the Local Plan states 'A diverse range of housing will be supported by allowing variations to the dwelling size mix where it can be fully justified based on the tenures and type of housing proposed, site location, area characteristics, design constraints, scheme viability; and where shared ownership is proposed, the ability of potential occupiers to afford the homes proposed'. Policy H10 of the London Plan states one- and two-bedroom units are generally more appropriate in mixed-use locations or in areas with higher transport access and connectivity.
- 10.14 The most recent Strategic Housing Market Assessment (SHMA) which was conducted in 2017 found that the boroughs housing requirements were 31% 2 beds, 27% 1 beds and 28% 3 beds & 12% 4 beds. The assumption is that the applicant is proposing a dwelling mix at market rate, as such the policy consideration should be 20% 1 bed; 50% 2 bed and 30% 3 bed +. The proposed unit mix of 1 x 3 bed, 4 x 2 bed, 1 x 1 bed and 1 x studio is considered acceptable in this location. As the proposal is located within close proximity to Walthamstow Major Town Centre, the proposed dwelling mix aligns with Policy H10 of the London Plan which states smaller dwellings are acceptable within mixed-use locations or in areas with higher transport access and connectivity.
- 10.15 As such, taking all points into consideration the proposed dwelling mix is considered acceptable in relation to the aims and objectives of Local Plan Policy 15 and London Plan Policy H10.

## 10.16 Living Conditions - Future Occupiers

Internal space standards - Policy 53 of the Local Plan states that all new residential units will be required to be of high quality and exemplar design. To ensure that good quality homes are built, to create a suitable and sustainable living environment, Policy 56 of the Local Plan, Policy D6 of the London Plan and the Technical Housing Standards – nationally described space standard (2015) set out required minimum space standards. Paragraph 10 of the Technical housing standards state that any area with a headroom of less than 1.5m is not counted within the gross internal area (GIA) unless used solely for storage, and the minimum floor to ceiling height should be 2.3m for at least 75% of GIA. Policy D6 of the London Plan has a similar ethos, albeit a minimum floor-to-ceiling height of 2.5m.

**Block A – Flat 1**

	<b>London Plan: Required Space Standards (GIA sq.m)</b>	<b>Local Plan: Required Space Standards (GIA sq.m)</b>	<b>Proposed Space</b>
<b>3 bed, 6 person Self Contained Flat on one level.</b>	102sq.m	102sq.m	104sq.m
<b>Bedrooms</b>	National Standard  Double - 11.5sq.m (2.75m width)  Single - 7.5sq.m (2.15 width)	Default to national standard as there is no local standard.	Bed 1 – 11.7sq.m Bed 2 – 11.4sq.m Bed 3 – 16.9sq.m
<b>Built in storage</b>	2.5sq.m	2.5sq.m	3.5sq.m
<b>Combined living/ dining &amp; Kitchen facilities</b>	31sq.m	Default to Regional standard as there is no local standard.	36.7sq.m
<b>Floor to ceiling height</b>	2.5m	Default to Regional standard as there is no local standard.	Complies
<b>External private amenity space</b>	Minimum 5sq.m. for 1-2 person dwellings and an extra 1sq.m. for each additional occupant, and it must achieve a minimum depth and width of 1.5m.	10sq.m plus an additional 1sq.m for each additional occupant.	19.4sq.m

**Block A – Flat 2**

<b>1 person Studio, self-contained flat on one level.</b>	39sq.m	39sq.m	43sq.m
<b>Bedroom &amp; Combined living/ dining &amp; Kitchen facilities (within one space)</b>	<u>National Standard</u> Double - 11.5sq.m (2.75m width) Single - 7.5sq.m (2.15 width) <u>Regional Standard (combined living/ dining &amp; Kitchen facilities)</u> 21sq.m	No local standard for bed spaces, default to national. No local standard for combined living/ dining & kitchen facilities default to regional standard.	31.6sq.m (acceptable for single person occupancy)
<b>Built in storage</b>	1sq.m	1sq.m	1.4sq.m
<b>Floor to ceiling height</b>	2.5m	Default to Regional standard as there is no local standard.	Complies
<b>External private amenity space</b>	Minimum 5sq.m. for 1-2 person dwellings and an extra 1sq.m. for each additional occupant, and it must achieve a minimum depth and width of 1.5m.	10sq.m plus an additional 1sq.m for each additional occupant.	6.4sq.m

**Block A – Flat 3**

<b>2 bed, 3 person self-contained flat across two levels.</b>	70sq.m	70sq.m	91sq.m
<b>Bedrooms</b>	National Standard Double - 11.5sq.m (2.75m width) Single - 7.5sq.m (2.15 width)	Default to national standard as there is no local standard.	Bed 1 – 13.8sq.m Bed 2 – 9sq.m
<b>Built in storage</b>	2sq.m	2sq.m	2sq.m
<b>Combined living/ dining &amp; Kitchen facilities</b>	25sq.m	Default to Regional standard as there is no local standard.	GF - 22.6sqm FF – 14.5sq.m
<b>Floor to ceiling height</b>	2.5m	Default to Regional standard	Complies



		as there is no local standard.	
<b>External private amenity space</b>	Minimum 5sq.m. for 1-2 person dwellings and an extra 1sq.m. for each additional occupant, and it must achieve a minimum depth and width of 1.5m.	10sq.m plus an additional 1sq.m for each additional occupant.	12.4sq.m

**Block B – Flat 1**

	<b>London Plan: Required Space Standards (GIA sq.m)</b>	<b>Local Plan: Required Space Standards (GIA sq.m)</b>	<b>Proposed Space</b>
<b>2 bed, 3 person self-contained flat on one level.</b>	61sq.m	61sq.m	81sq.m
<b>Bedrooms</b>	National Standard  Double - 11.5sq.m (2.75m width)  Single - 7.5sq.m (2.15 width)	Default to national standard as there is no local standard.	Bed 1 – 13.2sq.m Bed 2 – 9.2sqm
<b>Built in storage</b>	2sq.m	2sq.m	2.2sq.m
<b>Combined living/ dining &amp; Kitchen facilities</b>	25sq.m	Default to Regional standard as there is no local standard.	27.4sq.m
<b>Floor to ceiling height</b>	2.5m	Default to Regional standard as there is no local standard.	Complies
<b>External private amenity space</b>	Minimum 5sq.m. for 1-2 person dwellings and an extra 1sq.m. for each additional occupant, and it must achieve a minimum depth and width of 1.5m.	10sq.m plus an additional 1sq.m for each additional occupant.	20.8sq.m

**Block B – Flat 2**

<b>2 bed, 3 person Self Contained Flat on one level.</b>	61sq.m	61sq.m	68sq.m
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<b>Bedrooms</b>	National Standard  Double - 11.5sq.m (2.75m width)  Single - 7.5sq.m (2.15 width)	Default to national standard as there is no local standard.	Bed 1 – 12.1sq.m Bed 2 – 7.7sq.m
<b>Built in storage</b>	2sq.m	2sq.m	2.4sq.m
<b>Combined living/ dining &amp; Kitchen facilities</b>	25sq.m	Default to regional standard as there is no local standard.	28.6sq.m
<b>Floor to ceiling height</b>	2.5m	Default to regional standard as there is no local standard.	Complies
<b>External private amenity space</b>	Minimum 5sq.m. for 1-2 person dwellings and an extra 1sq.m. for each additional occupant, and it must achieve a minimum depth and width of 1.5m.	10sq.m plus an additional 1sq.m for each additional occupant.	7.7sq.m

**Block B – Flat 3**

<b>2 bed, 3 person Self Contained Flat on one level.</b>	61sq.m	61sq.m	68sq.m
<b>Bedrooms</b>	National Standard  Double - 11.5sq.m (2.75m width)  Single - 7.5sq.m (2.15 width)	Default to national standard as there is no local standard.	Bed 1 – 11.8sq.m Bed 2 – 8.1sq.m
<b>Built in storage</b>	2sq.m	2sq.m	2.4sq.m
<b>Combined living/ dining &amp; Kitchen facilities</b>	25sq.m	Default to regional standard as there is no local standard.	29.1sq.m
<b>Floor to ceiling height</b>	2.5m	Default to regional standard as there is no local standard.	Complies
<b>External private amenity space</b>	Minimum 5sq.m. for 1-2 person dwellings and an extra 1sq.m. for each additional occupant, and it	10sq.m plus an additional 1sq.m for each additional occupant.	7.7sq.m

	must achieve a minimum depth and width of 1.5m.		

**Block B – Flat 4**

<b>1 bed, 2-person self-contained flat on one level.</b>	50sq.m	50sq.m	50sq.m
<b>Bedrooms</b>	National Standard Double - 11.5sq.m (2.75m width) Single - 7.5sq.m (2.15 width)	Default to national standard as there is no local standard.	Bed 1 – 11.8sq.m
<b>Built in storage</b>	1.5sq.m	1.5sq.m	4sq.m
<b>Combined living/ dining &amp; Kitchen facilities</b>	23sq.m	Default to regional standard as there is no local standard.	20.7sq.m
<b>Floor to ceiling height</b>	2.5m	Default to regional standard as there is no local standard.	Complies
<b>External private amenity space</b>	Minimum 5sq.m. for 1-2 person dwellings and an extra 1sq.m. for each additional occupant, and it must achieve a minimum depth and width of 1.5m.	10sq.m plus an additional 1sq.m for each additional occupant.	7.7sq.m

10.17 The above table demonstrates that Flat 2 within Block A and Flats 2; 3 and 4 within Block B have minor external amenity space shortfalls. However, it is acknowledged that the scheme includes a rear communal space measuring in excess of 500sq.m. Taking all points into consideration officers are satisfied that the scheme is consistent with the aims and objectives of Policy 53 and 56 of the Local Plan.

**10.18 Living Conditions - neighbouring amenity**

Policy 57, subsection A states, 'New development should respect the amenity of existing and future occupiers, neighbours and the surrounding area by 'Avoiding harmful impacts from overlooking, enclosure and/or the loss of privacy, outlook and daylight/sunlight'.

10.19 The London Plan (2021) Policy D6, notes that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space. It also considers impacts upon neighbouring buildings and their surroundings when considering the development of

taller buildings in terms of wind, daylight, sunlight penetration and temperature conditions around building(s) and neighbourhoods must be carefully considered so development does not compromise comfort and the enjoyment of open spaces and around buildings.

- 10.20 Officers acknowledge that there have been objections relating to the impact on natural light to surrounding neighbours and privacy concerns regarding the proposed balconies.
- 10.21 The proposal was accompanied by a Daylight and Sunlight Assessment which takes into consideration neighbouring properties. The conclusion of this report states that the proposal would not have a significant impact on daylight and sunlight to neighbouring properties when assessed against BRE guidelines. The initial iteration of this document did not consider impacts to the adjacent adjoining building. Officers are aware that concerns were raised by occupiers of Button Lodge (46 Stainforth Road) and are of the opinion that this document should have included this building in the initial assessment report. Nonetheless, an addendum to the initial Daylight and Sunlight Assessment was received and states *'Block B sits neatly adjacent to Button Lodge and does not overextend to the rear of the site. It is considered self-evident from the architect's drawings that windows on the front and rear elevations of Button Lodge would meet the 45-degree tests. Therefore, these windows are compliant with BRE's guidelines, and no further daylight or sunlight testing is required'*. Officers would agree with this statement and overall conclusion that 'Whilst Button Lodge is in close proximity to the proposed development, it complies with BRE's guidelines for daylight/sunlight and is not deemed materially affected by the proposed development at 12-14 Church Hill in regard to daylight and sunlight.
- 10.22 A further point of objection was the balconies of Block B overlooking Button Lodge (46 Stainforth Road). To alleviate concerns officers requested a minor design change to the balconies of Block B with the inclusion of frosted glazing facing Button Lodge at a height of 1.8m. Due to the constraints of the application site all dwellings will have some form of minor overlooking. However, with the inclusion of frosted glazing the this would overcome any potential loss of privacy issues. At the adjacent boundary to Block B is 12 Church Hill. The flank wall of Block B does not have any windows or doors that would unreasonably impact the amenity to the occupiers of 12 Church Hill. Lastly, due to the irregular building line of Block B the balconies would not unreasonably overlook 12 Church Hill to warrant a reason for refusal.
- 10.23 In regard to Block A, there are no windows or doors within the flank elevation adjacent to 12 Church Hill or 14-16 Church Hill that would unreasonably impact the amenity to either adjacent neighbour regarding overlooking. The first-floor terrace projects beyond the two-storey rear projection of 14-16 Church Hill. At the opposing boundary flank elevation there are no existing windows or doors at this level, as such there would be no unreasonable privacy concerns. Regarding the second-floor terrace there are potential views into the adjacent living area and bedroom of 12 Church Hill. There would be limited views into the second-floor dwelling of 14-16 Church Hill. Therefore, if minded for approval officers would insert a condition stating that both sides of the balustrading facing 14-16 and 12 Church Hill must be obscure glazed.
- 10.24 It is acknowledged that the shared external communal space at 46 Stainforth Road (Button Lodge) forms part of the shared external communal space for this current proposal. This existing shared space measures approximately 250sq.m. The total combined proposed external amenity space would now measure in excess of 500sq.m. Policy 56 states that shared external communal spaces should measure 50sq.m. Therefore, the proposed external communal space far exceeds this requirement.

10.25 Taking all points into consideration the proposal is considered acceptable regarding Policy 56 and 57 of the adopted Local Plan.

#### 10.26 **Accessibility**

Part C of Policy 16 (Accessible and Adaptable Housing) states '*Developments will be expected to provide high quality, accessible homes by (a) Requiring all new-build self-contained homes to be accessible and adaptable in line with Building Regulation M4(2);*'. Therefore, to make this proposal acceptable in planning terms it should not be considered unreasonable if minded for approvable to insert a condition into any decision that grants permission that states the above.

#### 10.27 **Trees and Local Biodiversity (Biodiversity Net Gain)**

Policy 79, subsection A of the Local Plan states 'Proposals should seek to protect and enhance biodiversity and geodiversity resources in the borough and achieve biodiversity net gain by maximising opportunities to create new, or make improvements to existing natural environments, nature conservation areas, habitats or biodiversity features and links into the wider green infrastructure network'. Policy 77, subsection D (iii) 'All development proposals should enhance the value of existing open spaces by Increasing biodiversity value'

10.28 As part of the assessment of the proposal the LPA's specialist assessed the scheme and provided the following comments:

#### 10.29 Biodiversity and Ecology

An Ecological Assessment (EA), dated 16<sup>th</sup> May 2025, has been submitted with the application and has identified the ecological constraints on site and within the wider area. The EA's conclusion is that the loss of a significant tree (identified as T3 and subject to TPO) would not result in any impact due to a lack of amenity is disputed by officers. The tree has high amenity value when viewed from Stainforth Road and its loss as a mature green feature would have a noticeable impact. Nevertheless, the overall conclusion that the low to moderate impacts identified can be effectively mitigated is accepted. The report recommends a series of protection measures and enhancement features which can be summarised as:

- Precautionary working practices to account for possible site access by badgers and hedgehogs.
- A sensitive lighting strategy, both during and post development, that considers impacts on nocturnal wildlife.
- Habitat boxes for bats and birds, to include:
  - 1 x Schwegler 1FR bat box per new unit
  - One Vivara pro Woodstone 32mm nest box to be installed onto T1 at a height of 2m and facing north or east.
  - One Vivara pro Build in Woodstone Half Open Nest Box to be installed in the fabric of each new unit, under the roof edge or gutter, at a minimum height of 3m, and facing north or east.
- Hedgehog highways through new fencing.

A biodiversity assessment has been carried out for the development site. As currently assessed, the proposal would result in a net loss of 52.68% and so, alongside the onsite provision of new habitat, there would need to be offsite provision.

### 10.30 Trees

The proposal would result in arboricultural impacts due to the number of trees requiring removal to facilitate the development.

The submitted arboricultural impact assessment (AIA) states:

- 1 category B (BS5837) tree requires removal – T3003 (subject to a TPO T3 2/97)
- 7 category C trees require removal - T3002, T3004, and tree group TG 3001

The AIA's reasons for removal are that the trees are positioned in the footprint for proposed Block A or, in the case of T3004, to facilitate the refurbishment of an access ramp. Replacement planting has been proposed.

The LPA would accept the removal of the category C trees which, as described in the report's Tree Schedule, are of poor quality, with a limited safe useful life expectancy, and are of low amenity value. However, the removal of the protected lime (T3003) is disappointing and will be a noticeable loss of amenity and tree canopy cover in the local area. The LPA would have preferred that the tree was suitably retained, and the design of Block A modified to enable the incorporation of the tree into the scheme. Policy 80 of the Local Plan seeks the retention of significant trees. Under exceptional circumstance, balanced against the wider public planning benefit, such trees may be removed subject to appropriate mitigation. However, on balance, the removal of T3003 would be considered acceptable but the newly created garden space to the rear would need to incorporate an exemplar soft landscaping scheme, with substantial tree planting that includes larger, more mature specimen from the outset in order to provide immediate continuity of tree canopy cover, ecological benefits, and amenity.

In terms of tree retention, the juxtaposition of a protected lime, identified as T3001 (TPO T1 2/97), with the front elevation of Block A is challenging. Whilst the AIA describes at length the measures that will be employed in order to protect the tree's root protection area, the crown of the tree would inevitably be impacted by, and have impacts on, the elevation of the proposed building. This will require managing. The arboricultural report makes the case that the maintenance of T3001 would not be altered by the development as the tree has historically been managed by crown reduction due to its proximity to the elevation of adjacent buildings and the public highway. A review of planning records and a desktop study of streetview images of the tree suggest that the tree has been subject to past pruning in order to manage its proximity to the adjacent built form and uses. Based on the desktop study, the crown of the tree is noted to have a northward bias. Whilst cyclical management of the tree's crown is an acceptable form of maintenance, given the urban context, the development would result in additional habitable rooms being impacted by the tree's crown, and a potential for increased pressure to prune the tree. The tree can be managed within this context, but this must be balanced with retention of the tree's amenity.

### 10.31 Urban Greening and Biodiversity Net Gain

The proposed landscaping scheme includes areas of planting around the boundaries of the site and a communal garden to the rear. The proposed planting includes a wide assemblage of native trees, shrubs and perennials, together with grass and forb planting. Replacements for the protected trees already removed from site are included, two limes proposed. Alongside the landscape plan, a landscape management plan has been submitted, with a 15-month liability period for the appointed contractor.

The approach to the soft landscaping is a positive one. As mentioned above, due to the requirement to demonstrate a net gain in biodiversity, and to replace the trees that have been or are proposed for removal, an exemplar landscaping scheme that sufficiently provides continuity of mature habitat and amenity is expected.

The proposed soft landscaping is generally supported. For further enhancements and to mitigate the loss of trees, the following additions are recommended:

- The scheme should include large, early mature trees with the accompanying maintenance to ensure their survival.
- Advanced Nursery Stock (18-20 cm girth) sized trees should be considered for a number of the proposed trees to give a range of tree canopy age and size within the site.
- Planting should include pollinator friendly species.
- Planting should include night scented species for nocturnal invertebrates.
- The installation and management of the planting should have long term oversight by a suitably qualified horticulturist.

10.32 Contrary to the biodiversity report's conclusion, for BNG, the tree planting is considered to be an on-site significant habitat enhancement. Therefore, that element of the landscaping would need to be managed and monitored for 30 years in accordance with the legislation.

### **10.33 Biodiversity Net Gain (BNG)**

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 all planning permissions granted in England have to deliver at least 10% biodiversity net gain, effective from 12 February 2024.

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.

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.

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.

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.

According to the submitted Biodiversity Statement and Draft Biodiversity Gain Plan, the subject site currently comprises a disused car park, scrub, garden and scattered trees. The baseline habitat value of the site is 1.15 units.

The proposal would have a post-development habitat value of 0.59 habitat units, through the planting of new trees and mixed scrubs. As a result, a net loss of 0.56 units is predicted.

To cover the net loss and to achieve the required 10% biodiversity net gain, a total of 1.26 habitat units will be required and this should be provided off-site according to the Biodiversity Gain Hierarchy. These 1.26 units shall be of medium distinctiveness scrub and trees. This calculation has been confirmed by the Council's Tree Preservation and Urban Greening Officer.

To allow for the scheme to meet the BNG requirement, a pre-commencement 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 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 management and monitoring role, a S106 contribution would be sought to cover the 30 year period.

Off-site gains would be achieved through the purchase of 'Off-site Biodiversity Gain' or 'Statutory Biodiversity Credits'. The off-site gains will also be secured through a S106 planning obligations should planning permission be granted.

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.

#### 10.34 Epping Forest Special Area of Conservation – Appropriate Assessment

A shadow Habitats Regulation Assessment was prepared by the applicant dealing with the impacts of the proposal on the Epping Forest Special Area of Conservation ("SAC"). This has informed the 'appropriate assessment' under the Habitats Regulations 2017 which forms this part of the report.

The qualifying features of the Epping Forest SAC from which its special interest is derived are Atlantic acidophilous beech forests; European dry heaths and Northern Atlantic wet heaths; and the qualifying species are the stag beetle. The Conservation objectives are to ensure the integrity of the site is maintained or restored.

Potential likely significant effects are identified as arising from additional recreational pressure (additional population accessing the SAC for recreational purposes), and urbanising effects, specifically cat predation, fires and fly tipping. Other ways in which the development would have a likely significant effect on the SAC is through construction dust, and visual impact, specifically due to artificial light.

In this case the development is outside the boundary of the SAC and its immediate buffer zone but within the 6.2 kilometre Zone of Influence. It is around 0.6 km from the SAC. The separation distance is such that there are no pathways for impacts of construction and site specific urbanisation to result in impacts on the SAC. The intensified residential use of the site will however result in increasing recreational pressure on the Epping Forest.

Mitigation for this can be achieved through a financial contribution to a Strategic Access Management and Monitoring Strategy which sets out a fully costed set of measures to



be delivered in the forest itself, ranging from interventions like repairing and improving paths and trackways to protect the special interest of the SAC. A financial contribution of £4,550 (£650 per unit) is required for this purpose. This is in accordance with the methodology set out in the Epping Forest Strategic Access Management and Maintenance (SAMM) Strategy.

Secondly, the Council has developed a strategy for Sustainable Alternative Natural Greenspaces which provide alternative locations for recreation and leisure to the Epping Forest SAC, thus reducing recreational pressure on it. Based on the methodology set out in the emerging strategy, it is anticipated that the new homes proposed would result in a potential visitor uplift. The proposed SANGs that this site falls within the catchment of would mitigate the potential recreational impacts on Epping Forest SAC. This would be funded via Community Infrastructure Levy.

Consequently, as a result of the avoidance and mitigation measures set out above, the proposed development would not result in any adverse impact on the integrity of the Epping Forest Special Area of Conservation. The proposal is acceptable in this respect and there is no conflict with the requirements of the Habitats Regulations.

#### 10.35 **Climate change and sustainability**

Sustainability of buildings is an important factor in mitigating climate change and requires proposals to be designed to high feasible environmental standards Policy 87 of the Local Plan states 'The design, construction and operation of all new development should clearly demonstrate how they integrate sustainable design standards'.

#### 10.36 Energy efficiency

Policy SI2 of the London Plan requires all residential development to achieve 10 per cent reduction in carbon emissions, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the Borough.

Policy 85 of the Local Plan states that 'All new build development of more than one home must achieve a minimum of 35% reduction below Part L of the Building Regulations on-site, targeting net zero carbon where possible....10% reduction below Part L of the Building Regulations for residential development'.

The LPA's sustainability officer was consulted and advised that they were satisfied with the information submitted noting that carbon reduction targets are met as there would be a 60% reduction over part L including 16% at Be Lean Stage. They also calculated that the carbon offset payment of £7,694.00 matched their calculation. On review of the submitted Energy and Sustainability Statement officers are in agreement with this assessment. If minded for approval, the carbon offset payment would be captured under a s106 legal agreement.

#### 10.37 Water

Policy SI5 of the London Plan requires all development proposals to achieve a mains water consumption of 105 litres or less per head per day, a BREEAM excellent standard for commercial development as well as incorporate measures such as smart metering, water saving and recycling measures. Retrofitting would also help to achieve

lower water consumption rates and to maximise futureproofing. Policy 89 of the Local Plan has a similar ethos in terms of water efficiency.

Should the application be recommended for approval, water saving measures could be secured by condition.

#### 10.38 Sustainable Urban Drainage Systems (SUDS)

Policy 91 requires new development to contribute towards climate change adaptation and mitigate surface water runoff by incorporating SUDS design elements. To ensure off-site discharge rates meet greenfield runoff rates, it is expected development follow the drainage hierarchy set out in the London Plan utilising SUDS. As part of the proposal the applicant provided a SUDs strategy which has been approved by the Highway Authority.

#### 10.39 **Waste Management**

Policy 57 states that new development should respect the amenity of existing and future occupiers, neighbours and the surrounding area by providing sufficient facilities for the storage, collection and disposal of refuse, considering the level and type of provision, its location, and any negative impacts it may have on visual amenity, access, health and security. Policy 93 states Sustainable management of waste will be achieved by ensuring that new development, provides accessible, adequate and well-designed internal and external storage facilities for residual waste and recycling. Policy SI7 of the London Plan has a similar ethos.

10.40 Officers note that there have been objections relating to the sharing of services with Button Lodge. It is noted that both Block A and B have their own refuse and recycling facilities located within their respective front gardens. If minded for approval, further details would be requested in regard to the actual enclosure. The LPA's refuse team advised that they were satisfied with the proposed refuse arrangements. Therefore, taking these points into consideration officers are satisfied that the proposal is consistent with both policy 57 and 93 of the Local Plan.

#### 10.41 **Highways, Traffic Management and Parking**

Policy 60 of the Local Plan states that the Council will actively encourage sustainable travel and developments should not have a harmful impact on the walking and cycling environment.

#### 10.42 Car Parking

Policy T6 of the London Plan and Appendix 1 - Parking Standards of the Local Plan states that the Council would seek to effectively manage parking by encouraging car-free and car-capped development in locations where there is an existing controlled parking zone excluding Blue Badge holders. As the application site falls within a controlled parking zone, the new units would be classified as car-free with future residents not being entitled to on-street parking permits. If minded for approval permission would be subject to a Section 106 Agreement ensuring occupiers are not provided car permits for the area.

A Section 106 Agreement to provide sufficient mitigation against any potential car parking pressure generated by the proposal would be required if minded for approval. The proposal is therefore consistent with the aims and objectives of Policy 60 of the Local Plan.

#### 10.43 Cycle Parking

The London Plan states that cycle parking for new developments should be 1 cycle parking space per studio or 1 person 1 bedroom dwelling, 1.5 cycle parking spaces per 2-person 1 bedroom dwelling and 2 spaces per all other dwellings. Accordingly, the proposal would be required to provide a minimum of 8 spaces for the x4 two bed units, 3 spaces for the x1 one bed unit and x1 studio unit and 2 cycle spaces for the 1 x 3 bed unit. The proposed plans illustrate adequate provision for secure cycle storage within the rear communal garden for the proposed residential occupiers of 14 spaces.

10.44 The initial submission only provided sufficient cycle parking for the application site and the adjacent adjoining building 46 Stainforth Road. However, noting that the occupiers of 12 Church Hill and 14-16 Church Hill would all have access to the shared external amenity space the scheme should have sufficient provision for all residents who can access this shared space as that is where the secure cycle parking is located. The applicant has now provided a supporting statement that lists the secure cycle requirement for all specified dwellings. The proposal includes a further 44 secure cycle spaces which exceeds the required 4 spaces for 4 x studio units, 21 spaces for 14 x 1 bed units, 16 spaces for 8 x 2 bed units, 2 spaces for 1 x 3 bed unit (total 43).

#### 10.45 Other Highways Matters

If minded for approval, a highway condition survey is required prior to the commencement of any works to show the condition of the footway and carriageway on . The condition survey should cover the site frontage and 20m on both sides including any area on the public highway identified for loading/offloading. 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.

- A S106 request of £15,000 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 S106 contribution of £1500 is requested for CLP monitoring.
- S278 works –
  - The extent of the works will include but are not limited to:
  - Renewal of the footway along the frontage of the site.
  - Renewal of road markings along the frontage and in the vicinity of the site.

#### 10.46 **Archaeology**

*Policy 73 states that 'Proposals which affect Archaeological Assets and Archaeological Priority Areas will be supported where they provide details of measures that will protect and, where appropriate, better reveal remains of archaeological importance by ensuring acceptable methods are used, proportionate to the significance of the asset. This will include preserving the asset and its setting, including physical preservation in situ where appropriate'.*

10.47 The application site is located within a Tier 2 Archaeological Priority Area and therefore there could be archaeological remains within the proposed footprint of the building. If present, paragraph 211 of the NPPF states that applicants should record the significance of any heritage assets that the development harms. Applicants should also

improve knowledge of assets and make this public. Although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that it is considered that a two-stage archaeological condition could provide an acceptable safeguard. As such, the proposal is considered consistent with the aims and objectives of Local Plan Policy 73.

#### 10.48 **Planning obligations**

10.49 Section 106 Agreements are a material consideration in the determination of a planning application. The purpose of such an Agreement is to make otherwise unacceptable development acceptable and they should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

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) for this development relate to:

#### **A) Highways and Transportation:**

- i) Car Free Development - the development is to be classified as car-free and residents will not be eligible for parking permits.
- ii) A condition survey is required of the carriageway and footways fronting the site prior to the commencement of any works.
- iii) A S106 request of £7,000.00 is requested toward improving sustainable modes of transport.
- iv) A S106 contribution of £750.00 towards CLP monitoring.
- v) S278 works - The extent of the works will include but are not limited to:
  - Removal of redundant vehicle crossover on the Church Hill frontage.
  - Removal of redundant vehicle crossover on the Stainforth Road frontage.
  - Renewal of the footway along both frontages of the site (Church Hill and Stainforth Road).
  - Alterations and/or renewals to existing road markings on both site frontages.
- iv) A S106 contribution of £750.00 towards CLP monitoring.

#### **B) SAMMS:**

- i) SAMMS - A financial contribution of £4,550.00 towards Strategic Access Management and Monitoring measures (SAMMs).

#### **C) Biodiversity Net Gain (BNG)**

- to register the site on the Biodiversity Gain Site Register
- to provide Biodiversity Gain Plan to the Council
- to complete the Habitat Creation and Enhancement Works at the application site in accordance with the Habitat Management and Monitoring Plan

- Financial contribution towards BNG monitoring, over periods including year 1, 2, 5, 10, 20 and 30.

**D) Carbon offset:**

- Carbon Offset Fund (COF) contributions will be required for any shortfall in emission reductions, calculated to be £7,694.00

**E) Legal Fees:**

- i) Payment of the Council's legal fees for the preparation and completion of the Legal Agreement.
- ii) Monitoring Fee - A financial contribution towards the implementation and monitoring of and securing compliance with the S106, equal to 5% of the total of all other financial contributions .

**11. CONCLUSION**

**11.1** The detailed assessment in the previous sections of this report demonstrate that the proposal complies with the LPA's development plan policies together with other guidance and strategies. It has been acknowledged that there were enough objections to warrant this scheme being referred to the planning committee. However, officers are of the opinion that the report has addressed all concerns. Councillors should note that the application site has been disused for a long period of time. Taking into account the regeneration benefits offered by the development and its contribution to the wider area, it is considered that the scheme is acceptable.

**12. ADDITIONAL CONSIDERATIONS**

Public Sector Equality Duty

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

- a) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- b) Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
- c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- d) The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

**12.2** 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.

- 12.3 It is considered that the recommendation to approve permission in this case would not have a disproportionately adverse impact on a protected characteristic.

#### Human Rights

- 12.4 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.
- 12.5 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 RECOMMENDATIONS**

- 13.1 The Planning Committee is requested to resolve that planning permission be granted subject to a s.106 agreement and the following conditions and informatives.

#### **CONDITIONS AND REASONS:**

##### **Time:**

1. The development hereby permitted shall begin no later than the expiration of three years from the date of this permission.

**Reason:** to comply with the provisions of section 91(1)(a) of The Town and Country Planning Act 1990 (as amended).

##### **Plans and Documents:**

2. The development hereby permitted shall be carried out in accordance with the approved plans and supporting documentation and thereafter maintained as such for the lifetime of the development
  - **Plan(s) numbered:** 448\_PL\_110 Rev H, 448\_PL\_111 Rev F, 448\_PL\_112 Rev F, 448\_PL\_113 Rev E, 448\_PL\_114 Rev E, 448\_PL\_311 Rev C, 448\_PL\_320 Rev B  
**Dated:** 21/08/2025
  - **Plan(s) numbered:** 448\_PL\_410 Rev A **Dated:** 08/04/2025
  - **Plan(s) numbered:** 448\_PL\_001 Rev C, 448\_PL\_002 Rev C, 448\_PL\_010 Rev C, 448\_PL\_011 Rev C, 448\_PL\_012 Rev C, 448\_PL\_013 Rev C, 448\_PL\_014 Rev B, 448\_PL\_050 Rev A, 448\_PL\_051 Rev A, 448\_PL\_052 Rev A **Dated:** 01/04/2025
  - **Plan(s) numbered:** 448\_PL\_020 Rev B, 448\_PL\_030 Rev B, 448\_PL\_031 Rev A, 448\_PL\_310 Rev B **Dated:** 31/03/2025
  - **Document(s) titled:** Addendum to Daylight and Sunlight Assessment (14/08/2025), Room Count Summary Schedule – Rev D (21/08/2025), Biodiversity Statement and Draft Biodiversity Gain Plan – Rev Post Submission A (21/08/2025, Arboricultural

Impact Assessment (March 2025), Archaeological Desk-Based Assessment Rev 2 (March 2025), Daylight and Sunlight Assessment (Neighbouring Properties) (March 2025), Daylight and Sunlight Assessment (Proposed Scheme) (March 2025), Flood Risk Assessment & SuDS Statement Rev 1 (28/03/2025), Foundation Calculations Rev 1 (28/03/2025), Energy and Sustainability Statement (March 2025), RIBA Stage 2 Fire Strategy (19/03/2025), London Plan Statement (19/03/2025), Heritage Impact Assessment (March 2025), Landscape Management Plan Rev B (31/03/2024), Landscape Proposals Plan Rev B (31/03/2025), Soft Landscape Proposals Rev A (31/03/2025), Transport Statement Rev B (02/04/2025), Planning Statement Rev 2 (10/04/2025), Design & Access Statement (April 2025), Ecological Assessment Rev A (10/04/2025), Outline Construction Logistics Plan Rev E (03/07/2025), Biodiversity Metric Rev Post Submission (21/08/2025).

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

**Design:**

3. Prior to the commencement of development, excluding site investigation and clearance works, demolition and construction to slab level, detailed drawings must be provided that show the second-floor balustrading facing 14-16 and 12 Church Hill (Block A) is obscure glazed, obscured at a height of 1.8m. The development shall thereafter be carried out solely in accordance with the approved details and thereafter retained as such.

**Reason:** To prevent overlooking and loss of privacy in the interests of the amenities of the adjoining property, in accordance with Policy 53 and 57 of the adopted Waltham Forest Local Plan Part 1 (2024).

4. Prior to the commencement of development, excluding site investigation and clearance works, demolition and construction to slab level, a schedule of materials to be used in the construction of all 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 a satisfactory appearance in accordance with Policy 53 of the adopted Waltham Forest Local Plan Part 1 (2024).

5. Prior to the commencement of development, excluding site investigation and clearance works, demolition and construction 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 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out solely in accordance with the approved details, prior to the first occupation of the use hereby approved and thereafter shall be fully retained and maintained accordingly for the lifetime of the development.

**Reason:** In the interest of general visual amenity, and amenity of neighbouring occupants, in accordance with Policies 53 and 57 of the adopted Waltham Forest Local Plan Part 1 (2024).5.6.

6. Prior to the commencement of development, excluding site investigation and clearance works, demolition and construction to slab level, design details relating to the residential entrances including entry control system, display of postal numbers and position of letter box facility shall be submitted to and agreed in writing by the Local

Planning Authority. The agreed measures shall be fully implemented prior to the first occupation of the development and thereafter maintained.

**Reason:** To ensure safety and security of the site users, in accordance with Policy 58 of the adopted Waltham Forest Local Plan Part 1 (2024).

7. Prior to the commencement of development, excluding site investigation and clearance works, demolition and construction to slab level, full details of all forms of external lighting to be provided on site shall be submitted to the Local Planning Authority. No works, other than the construction of foundations shall be carried out prior to the approval of these details and the development shall be fully completed in accordance with the agreed details prior to the initial occupation of the site.

**Reason:** Insufficient details have been provided as part of the planning application and in the interest of security and sustainable development in accordance with Policy 58 of the adopted Waltham Forest Local Plan Part 1 (2024).

8. Prior to the commencement of development, excluding site investigation and clearance works, demolition and construction to slab level, details of all hard landscaping to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall demonstrate that all hardstanding areas are permeable. The development shall be carried out solely in accordance with the approved details of the development hereby permitted.

**Reason:** To ensure a satisfactory appearance in accordance with Policy 53 of the adopted Waltham Forest Local Plan Part 1 (2024).

9. Prior to first occupation, the development shall achieve a Certificate of Compliance to the relevant Secure by Design Guide(s) or alternatively achieve Crime Prevention Standards submitted to and approved in writing by the Local Planning Authority in conjunction with the Metropolitan Police. The development shall be carried out in accordance with the approved details and thereafter shall be fully retained and maintained as such for the lifetime of the development.

**Reason:** In the interest of security and sustainable development, in compliance with Policies 53 and 58 of the adopted Waltham Forest Local Plan Part 1 (2024).

10. Prior to first occupation, the second-floor corner window at 46 Stainforth Road (Button Lodge) should be altered in accordance with approved drawing 448\_PL\_112 Rev F (21/08/2025).

**Reason:** To protect the amenity of adjoining properties in accordance with Policy 57 of the Local Plan Part 1 (2024).

11. All window reveals on the external faces of the development hereby permitted shall be set in 115mm (minimum) from the external face of the building and thereafter retained as such.

**Reason:** In the interest of visual amenity in accordance with Policy 53 of the adopted Waltham Forest Local Plan Part 1 (2024).

### **Biodiversity Net Gain**

12. Prior to the commencement of the development on site, a Biodiversity Gain Plan in accordance with Preliminary Ecological Appraisal Report, version 2.1, dated 11/03/2025, should be submitted to and approved in writing by the Local Planning



Authority. The development shall be implemented in full and retained thereafter in accordance with the approved Biodiversity Gain Plan. In the failure to achieve 10% Biodiversity Net Gain or any shortfall, the developer shall confirm with option they will enter into relating to either “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).

13. 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).

### **Landscaping**

14. 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 planting should include

- Advanced Nursery Stock (18-20 cm girth) sized trees should be considered for a number of the proposed trees to give a range of tree canopy age and size within the site.
- Pollinator friendly species.
- Night scented species for nocturnal invertebrates.

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).

15. 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).

16. Prior to the commencement of development, including the demolition of the existing building, details of ecological enhancement measures (including bat boxes, bird boxes, wildlife gaps and sensitive lighting) and associated pre-works precautionary method statement and 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).

**Highways:**

17. 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 must be submitted using the CLOCS template and guidance found here: [www.constructionlogistics.org.uk](http://www.constructionlogistics.org.uk). The logistics plan shall include details of site access, journey planning, access routes, hours of deliveries, temporary traffic arrangements or restrictions, site operation times, loading and unloading locations and material storage. All works shall be carried out in accordance with the approved details and the Construction and Logistics Plan should be implemented throughout all demolition and construction works.

**Reason:** To ensure considerate construction and to protect the amenities of the nearby residents to ensure that disruption is kept to a minimum and does not affect highway traffic flows to comply with Policies 50, 57, 63, 65, 87 and 89 of the adopted Waltham Forest Local Plan Part 1 (2024).

**Sustainability:**

18. Prior to the commencement of development, excluding site investigation and clearance works, demolition and construction 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, as such for the lifetime of the development.

**Reason:** To minimise the water use of the development, in accordance with the requirements of Policy SI 5 of the London Plan (2021).

19. Prior to first occupation of the use hereby approved, a report demonstrating how the scheme reduces the carbon dioxide emissions of the development by at least 35% compared to the 2021 Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall reference the measures set out in the Energy Statement accompanying the planning application but shall explain

what measures have been implemented in the construction of the development. The development and energy efficiency measures shall thereafter be retained.

**Reason:** In the interests of the sustainability and energy efficiency of the development and to meet the requirements of policy SI 2 of the London Plan and Policy 85 of the London Borough of Waltham Forest Local Plan.

**Environmental Health:**

20. No development shall take place whatsoever, until a Construction Method Statement including any demolition works, has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period. The Statement shall provide for the (i) parking of vehicles of site operatives and visitors, (ii) loading and unloading of plant and materials, (iii) storage of plant and materials used in constructing the development, (iv) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate, (v) wheel washing facilities, (vi) measures to control emissions, dust and dirt during construction, and (vii) recycling/disposing of waste resulting from demolition and construction works.

**Reason:** To ensure considerate construction and to protect the amenities of the nearby residents from excessive noise and dust and to comply with Policies 57, 63, 64, 87 and 88 of the adopted Waltham Forest Local Plan Part 1 (2024).

21. No development shall take place whatsoever, until full details of the proposed mitigation measures for impact on air quality and dust emissions, in the form of an Air Quality and Dust Management Plan (AQDMP), have been submitted to and approved in writing by the local planning authority. In preparing the AQMDP the applicant should follow the recommendations outlined in the AQ assessment submitted with the application. If the development is located in or near an air quality focus area the applicant should follow the guidance on mitigation measures for Medium Risk and include automatic dust monitoring as a minimum.

**Reason:** To manage and mitigate the impact of the development on the air quality and dust emissions in the area and London as a whole, and to avoid irreversible and unacceptable damage to the environment, in accordance with Policy 88 of the adopted Waltham Forest Local Plan 2024.

22. 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 during the construction phase of the development, in line with Policy 88 of Waltham Forest Plan and London Plan Policy SI 1.

23. Noise produced on the premises must not increase the existing background noise level (LA90 5mins) when measured (LAeq 5mins) 1 metre external from the nearest residential or noise sensitive premises.

**Reason:** To protect the amenity of residential properties and the surrounding area in accordance with Policy 85 and 87 of the adopted Waltham Forest Local Plan Part 1 (2024).

**Housing:**

24. Notwithstanding the approved drawings, the development hereby permitted shall have the following mix of accommodation and shall be retained as such for the lifetime of the development:

- 1 x 3-bedroom self-contained residential units.
- 4 x 2-bedroom self-contained residential units.
- 1 x 1-bedroom self-contained residential unit.
- 1 x studio self-contained residential unit.

**Reason:** In the interest of the creation of mixed and balanced communities in accordance with Policy 15 of the adopted Waltham Forest Local Plan Part 1 (2024).

**Accessibility:**

25. 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 provide accessible residential units which can be adapted to residents' changing needs throughout their lifetime in accordance with Policy 16 and 53 of the adopted Waltham Forest Local Plan Part 1 (2024).

**Archaeology:**

26. a) No development shall take place whatsoever, until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

b) If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- Where appropriate, details of a programme for delivering related positive public benefits.
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be approved until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

**Reason:** to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme.

**Informatives:**

1. To assist applicants the Local Planning Authority has produced Policies and written guidance, all of which is available on the Council's website and which offers a pre planning application advice service. The scheme was submitted in accordance with guidance following pre application discussion.
2. 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.
3. 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.
4. 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.

This notice is without prejudice to your responsibilities under any other legislation

5. 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.
6. Construction activities must not affect traffic flows on the highway. No materials can be stored on the highway and no construction related activities can take place on the highway. It is an offence to place scaffolding, skip or hoarding on the highway without

permission. Early contact with the Council's Network Operations is advisable, as it may affect the construction programme.

7. Community Infrastructure Levy: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development may be liable to pay the London Borough of Waltham Forest Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Waltham Forest CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties may now need to assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at [CIL@walthamforest.gov.uk](mailto: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](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil) and the Waltham Forest Council website at [walthamforest.gov.uk/content/community-infrastructure-levy](http://walthamforest.gov.uk/content/community-infrastructure-levy). Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at [atplanningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/](http://atplanningguidance.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).
8. Surface water drainage, where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required [https://protect-eu.mimecast.com/s/U\\_GjCywvfv2WqyzcZjmRt8](https://protect-eu.mimecast.com/s/U_GjCywvfv2WqyzcZjmRt8). The construction details of any new surface water connection to the Thames Water public sewer will need to be agreed to by the Water Authority and consent records must be provided to Waltham Forest Lead Local Flood Authority (LLFA) for record keeping.
9. If the applicant is planning on using Thames Water mains water for construction purposes, it is important that you let Thames Water know before you start using it to avoid potential fines for improper usage. More information and how to apply can be found online at <https://protect-eu.mimecast.com/s/yOdiCz6kwlwBQmpTX9JqJ12>.
10. A legal agreement has been entered into with the London Borough of Waltham Forest in conjunction with this grant of planning permission with regard to car free and other highways matters (condition survey, sustainability contribution), SAMMS contribution and legal fees.
11. It is the developer's responsibility to ensure all signage associated with the proposed development i.e. street nameplates, building names and door numbers will be erected prior to occupation, as agreed with the Councils Street Naming/Numbering Officer.
12. Unless otherwise agreed, hardstanding levels within the red line boundary, and threshold levels should be designed to tie into existing public highway back of path levels. Discharge of surface water onto public highway will not be permitted.
13. **IMPORTANT:** Compliance with planning conditions requiring submission and approval of details before development commences:

- a. 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.
  - b. 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.
  - c. 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.
14. The applicant must ensure that they have read the Thames Water 'working near our assets' guide to ensure that your workings will be in line with the necessary processes that you must follow if you are considering working above or near Thames Water pipes or other structures <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) or write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.
  15. 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.
  16. The applicant should be minded that this decision does not give consent to display any form advertisement. For clarity, an advertisement consent application must be submitted and approved in writing by the Local Planning Authority before any form of advertisement can be displayed.