

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 14 th 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.
Ward affected:	Hoe Street
Appendices:	None

1. GENERAL MATTERS:

- 1.1 Section 80(1)(a) of the Town and Country Planning Act 1990 enables the Local Planning Authority to impose conditions into planning permissions as they think fit. This power should be interpreted in light of material considerations such as the National Planning Policy Framework (NPPF) and relevant case law.
- 1.2 Paragraph 55 of the NPPF makes clear that planning conditions should only be used where they satisfy the following tests:
 - Necessary.
 - Relevant to planning.
 - Relevant to the development to be permitted.
 - Enforceable.
 - Precise.
 - Reasonable in all other respects.
- 1.3 The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 states that a pre-commencement condition should not be imposed on the grant of permission without the written agreement of the applicant subject to

exclusions. In the instance of this current proposal, the Local Planning Authority were still in the process of negotiating the proposed conditions when the initial committee report was drafted. As such, the applicant has since requested a revision to the wording of some of the pre commencement conditions. The Local Planning Authority agreed to the revision of condition(s) 3, 4, 6 and 7.

1.4 The requested changes were as follows. If 'Landscaping' could be included in the list of exclusions acceptable prior to the submission of details relating to the following condition(s):

- **[3]** Prior to the commencement of development, excluding site investigation and clearance works, landscaping, 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.
- **[4]** Prior to the commencement of development, excluding site investigation and clearance works, landscaping, demolition and construction to slab level, a schedule of materials to be used in the construction of all external surfaces of the development.
- **[6]** Prior to the commencement of development, excluding site investigation and clearance works, landscaping, 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.
- **[7]** Prior to the commencement of development, excluding site investigation and clearance works, landscaping, demolition and construction to slab level, full details of all forms of external lighting to be provided on site.

Officers found this request reasonable as this would allow the developer to start the soft and hard landscaping across the site once the other applicable conditions and legal agreement had been approved/ complied with.

1.5 It was also highlighted that recently superseded plans had been quoted within condition 2. As such, the correct plans have now be quoted within the revised list of conditions.

1.6 **UPDATED 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 J, 448_PL_111 Rev G, 448_PL_112 Rev G, 448_PL_113 Rev F, 448_PL_114 Rev F **Dated:** 16/09/2025
 - **Plan(s) numbered:** 448_PL_410 Rev B **Dated:** 17/09/2025
 - **Plan(s) numbered:** 448_PL_102 Rev B **Dated:** 16/09/2025
 - **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_311 Rev C, 448_PL_320 Rev B **Dated:** 21/08/2025
 - **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, landscaping, 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 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, landscaping, 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, landscaping, 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, landscaping, 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 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).

9. 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 G (21/08/2025).

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

10. 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:

11. 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).

12. 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:

13. 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).

14. 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).

15. 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:

16. 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. 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:

17. 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).

18. 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:

19. 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).

20. 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.

21. 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.

22. 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:

23. 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:

24. 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:

25. 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.

2. RECOMMENDATION:

2.1 Officer's recommendation remains unchanged.