

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 3 March 2026
Application reference:	252932
Applicant:	London Borough of Waltham Forest Council
Location:	Yardley Primary School, Hawkwood Crescent, Chingford, London, E4 7PH
Proposed development:	Construction of a single storey detached modular building to provide temporary kitchen located on an area of the school playing field adjacent to the main building.
Wards affected:	Chingford Green
Appendices:	None

1. RECOMMENDATION

- 1.1 That full planning permission is GRANTED, subject to conditions and informatives.

2. REASONS REFERRED TO COMMITTEE

- 1.2 London Borough of Waltham Forest own the site and the Council is the applicant.

2 SITE AND SURROUNDING AREA

- 2.1 The application site relates to Yardley Primary School located on an extensive parcel of land between Hawkwood Crescent and Yardley Lane in the north of the London Borough of Waltham Forest in the Chingford Green ward area.
- 2.2 The school site is bounded by Hawkwood Crescent to the south and Yardley Lane to the north and west. The school site is approximately 250 metres to the east of Sewardstone Road (A112).
- 2.3 The main point of vehicular access to the school site is from the south via Hawkwood Crescent with three pedestrian access points to the site also – 2no. from Hawkwood Crescent and 1no. from Yardley Lane.
- 2.4 To the north and east of the application site is Epping Forest North Site of Importance to Nature Conservation (SINC) with Fairmead Park, a Park and Garden of Local Historic Interest located to the immediate east of the site. The

area immediately to the north and east of the application site is also designated metropolitan green belt land.

- 2.5 The Yardley Primary School site contains the following buildings:
- Main school building;
 - Kitchen/dining block;
 - Reception/nursery unit associated with Yardley Primary School;
 - Private nursery unit; and
 - Caretakers dwellinghouse.
- 2.6 The development will primarily take place on land on the existing playing field to the south of the main school building.
- 2.7 None of these buildings on site are locally or statutorily listed and the site is not within a conservation area.
- 2.8 The Yardley Primary School site has extensive soft landscaping, including many trees primarily located in the western portion of the site, north of the main building and the south-eastern edge of the school site. Between the main school building and kitchen/dining block at the western part of the site is a hard landscaped play area including 3no. Multi-Use Games Areas (MUGAs).
- 2.9 Yardley Primary School is a 2-form entry primary school with 510 pupils (2025-2026 year) (450 pupils pre-2024) attending the school ranging from 3-11 in age. The school employs 65 staff.
- 2.10 21 vehicular parking spaces are provided within the school site. The school grounds are open 6.45am – 6pm each weekday.
- 2.11 The site sits within a mainly residential area comprising mostly two-storey semi-detached properties to the north, west and south of the school site. The school is adjacent to Epping Forest SAC and Hawkswood PRU School.

3 APPLICATION PROPOSAL

- 3.1 Planning permission is sought for a temporary period of 18 months for a single storey modular kitchen building which will comprise production kitchen area, preparation area, dishwashing area, toilets and a dry store.
- 3.2 This application is linked to application 251786 which seeks to upgrade the canteen and kitchen facilities at the school. The development proposed under this applications eeks to ensure that the school can continue to provide suitable catering facilities for pupils whilst the existing building is demolished and new building constructed.
- 3.3 The modular building will be positioned on the existing playing field land in front of the main school building where a temporary dining room will be created within the existing building.

- 3.4 The building will be enclosed with 2.1m tall timber hoarding to differentiate the building and its facilities from the play areas of the school.
- 3.5 Utilities will be provided to the temporary building via a gas cage enclosing 6x47kg LPG cylinders and a waste tank both positioned to the west of the building.
- 3.6 The building will be positioned on 12 concrete pads and will be removed and restored to its original condition through grass seeding.

4 RELEVANT PLANNING HISTORY

- 4.1 On 18 July 2024, planning permission was granted for the construction of a single storey extension to the main school building and the erection of a scooter store (ref. 240808). This application created two additional classrooms at the school to support the expansion of the school by an additional 1 form-entry (increasing from 2 form-entry to 3-form entry) in accordance with projected pupil number increases required by summer 2025. This extension has been completed.
- 4.2 To facilitate further expansion of the school in line with projected increases in student numbers, a further increase in the capacity of the school is required. As such, the applicant worked with planning officers via a Planning Performance Agreement prior to the submission of this application.
- 4.3 This application is accompanied by a planning application for the demolition of the existing canteen building and construction of part two storey, part three storey canteen and classroom building (Use Class F1). Associated works include new bin and bicycle/scooter storage facilities, photovoltaic panels, air source heat pumps (ASHP), electric vehicle charging points and hard and soft landscaping (ref. 251786). This application seeks to provide kitchen and dining facilities for the school whilst the above development occurs should it be approved. This is to ensure operational continuity of the school.

5 CONSULTATION

- 5.1 The Council circulated consultation letters to the following local residents:
 - Hawkwood Crescent, Chingford – No's 39-111 (odd), 113 (St Francis Church and Hall), School House Yardley School, Yardley Primary School and Yardley Children's Centre; and
 - Yardley Lane, Chingford – No's 60 and 62.
- 5.2 The application was advertised via site notice on 23 December 2025.
- 5.3 A press notice also advertised the consultation period for the application on 15 January 2026.
- 5.4 Ward Councillors for Chingford Green were also notified of the application.

5.5 The Council received no public representations following public consultation.

6 OTHER CONSULTATION

Consultee	Response
Tree & Urban Greening Officer	No objection subject to conditions
Environmental Health	No comments received
Highways	No objection subject to requirement for detailed Construction Logistics Plan
Sustainability & Energy	No objection

7 DEVELOPMENT PLAN

The London Plan (2021)

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

- Policy D4: Delivering Good Design
- Policy D5: Inclusive Design
- Policy D11: Safety, Security and Resilience to Emergency
- Policy D12: Fire Safety
- Policy D13: Agent of Change
- Policy D14: Noise
- Policy S1: Developing London's Social Infrastructure
- Policy S3: Education and Childcare Facilities
- Policy G1: Green Infrastructure
- Policy G5: Urban Greening
- Policy G6: Biodiversity and Access to Nature
- Policy G7: Trees and Woodlands
- Policy SI1: Improving Air Quality
- Policy SI2: Minimising Greenhouse Gas Emissions
- Policy SI5: Water Infrastructure
- Policy SI12: Flood Risk Management
- Policy SI13: Sustainable Drainage
- Policy T1: Strategic Approach to Transport
- Policy T3: Transport Capacity, Connectivity and Safeguarding
- Policy T4: Assessing and Mitigating Transport Impacts
- Policy T5: Cycling
- Policy T7: Deliveries, Servicing and Construction

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

7.2 The draft version of the Local Plan underwent Regulation 18 public consultation between July 2019 and September 2019 and consultation on the proposed

submission version between 26 October 2020 and 14 December 2020. It underwent examination and consultation on proposed modifications concluded on 21 September 2023. The Waltham Forest Local Plan (LP1) was subsequently adopted 29 February 2024 and therefore now forms a key part of the development plan in determining all planning applications. The previous Core Strategy (2012) and Development Management Policies (2013) are superseded by LP1. The relevant policies are:

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 3: Infrastructure for Growth
- Policy 5: Management of Growth
- Policy 6: Ensuring Good Growth
- Policy 11: North Waltham Forest
- Policy 46: Social and Community Infrastructure
- Policy 47: Education and Childcare Facilities
- Policy 48: Promoting Healthy Communities
- Policy 50: Noise, Vibration and Light Pollution
- Policy 53: Delivering High Quality Design
- Policy 57: Amenity
- Policy 58: Making Places Safer and Designing Out Crime
- Policy 60: Promoting Sustainable Transport
- Policy 61: Active Travel
- Policy 62: Public Transport
- Policy 63: Development and Transport Impacts
- Policy 64: Deliveries, Freight and Servicing
- Policy 65: Construction Logistic Plans
- Policy 66: Managing Vehicle Traffic
- Policy 77: Green Infrastructure and the Natural Environment
- Policy 78: Parks, Open Spaces and Recreation
- Policy 79: Biodiversity and Geodiversity
- Policy 80: Trees
- Policy 81: Epping Forest and the Epping Forest Special Area of Conservation
- Policy 85: A Zero Carbon Borough
- Policy 87: Sustainable Design and Construction
- Policy 88: Air Pollution
- Policy 89: Water Quality and Water Resources
- Policy 91: Managing Flood Risk
- Policy 93: Waste Management

8 OTHER MATERIAL CONSIDERATIONS

National Planning Policy Framework (2024)

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

- 8.2 For decision-taking the NPPF states that the presumption means "approving development proposals that accord with an up-to-date development plan without delay" and where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless 'any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'.
- 8.3 The NPPF gives a centrality to design policies; homes should be locally led, well-designed, and of a consistent and high-quality standard. Local planning authorities (LPAs) are to make sure that the quality of approved developments does not materially diminish 'between permission and completion, as a result of changes being made to the permitted schemes.'
- 8.4 The specific policy areas of the NPPF considered to be most relevant to the assessment of this application are as follows:
- Achieving Sustainable Development
 - Decision-Making
 - Promoting Healthy and Safe Communities
 - Promoting Sustainable Transport
 - Making Effective Use of Land
 - Achieving Well-Designed Places
 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
 - Conserving and Enhancing the Natural Environment

Other Policies

- London Plan – Supplementary Planning Guidance – Social Infrastructure (2016)
- London Borough of Waltham Forest Design Charter for Schools – 10 Principles for Well-Designed Schools (2018)
- Department for Education – Area Guidelines for Mainstream Schools – Building Bulletin 103 (June 2014)

9 **ASSESSMENT**

- 9.1 The main issues for consideration in relation to the proposed development are as follows:
- A. Principle of Development
 - B. Urban Design
 - C. Residential Amenity
 - D. Biodiversity and Trees
 - E. Highways, Traffic Management and Parking
 - F. Environment and Sustainability

A. Principle of Development

(i) Kitchen Facility

- 9.2 Policies 46 and 47 of the adopted Waltham Forest Local Plan (2024) seek to support developments related to education facilities whilst Policies S1 and S3 of the London Plan (2021) and Policies 3 and 47 of the Waltham Forest Local Plan (2024) support the delivery of educational developments that meet a local need. Moreover, Policy S3 of the London Plan (2021) seeks to resist the loss of educational facilities.
- 9.3 The purpose of this development is to facilitate the development under consideration under application 251786 for the construction of a new canteen, kitchen and classroom block. If approved, the development under 251786 would result in the temporary loss of canteen and kitchen facilities for the school. As such, there is a need for this development to enable the ongoing operation of the school use during construction. The temporary loss of such facilities at the school should also be resisted.
- 9.4 Moreover, with an increased focus on wraparound care from the Department for Education as set out within the 'Wraparound Childcare: Guidance for Schools and Trusts in England (February 2024)' there is a growing need for breakfast and afterschool provision to help parents and carers balance work and family responsibilities and ensuring children receive quality early education and care. The loss of kitchen and canteen facilities at the site, whilst temporary, would result in a failure to meet this increasing need among parents/carers.

(ii) Loss of Open Space

- 9.5 Policy 78 of the adopted Waltham Forest Local Plan (2024) seeks to protect play and recreational open space and the level of existing provision of playing pitches.
- 9.6 The development will take place on the grassed open space of Yardley Primary School but notably it is not designated as playing field land. As such, the protection of existing provision of playing pitches is not engaged under Policy 78. However, as open space, the policy requires its protection in its own right. The development will also only result in a marginal incursion onto the existing open space (i.e. c.240sqm in total within the hoarded area) and will be a temporary impact therefore not resulting in enduring or permanent loss of the open space. The land will be restored to its original condition upon the removal of the building and as such its condition will be the same after the removal of the development. In this case, the temporary loss of open space is outweighed by the need to provide kitchen facilities at the school.
- 9.7 Overall, the development is therefore supported in principle provided all other policies and material considerations are adhered to.

B. Urban Design

- 9.8 Policy 53 of the adopted Waltham Forest Local Plan LP1 (2024) seeks to ensure developments are a high quality and enhance local character in relation to the architectural integrity of the existing building and the surrounding area.
- 9.9 The policy requirements of Policy 53 are reflected within the London Borough of Waltham Forest Design Charter for Schools – 10 Principles for Well-Designed Schools (2018) with proposals required to make effective and the best use of the site while responding to site characteristics.
- 9.10 The temporary building comprises 85sqm of floorspace and will be supported by 12 concrete pads. It has been carefully designed and located next to the proposed temporary dining hall in the main building to allow efficient and functional transition between the kitchen facilities and the temporary dining hall which will be located within the main school building.
- 9.11 The building will be single storey, measuring c.2.8m tall. This is considered appropriate within the immediate context of the building which will be located in front of the single storey main school building. As a temporary building, it will be c.3.95m lower in height than the main school building. As such, its scale will remain subordinate to the main school building in terms of its height as well as footprint.
- 9.12 A ramp to provide level access to the building will be provided to the eastern side of the building to ensure inclusive access in accordance with Policy 47 and 53 of the adopted Waltham Forest Local Plan (2024). The ramp will be accompanied by a 1.1m timber railed fence for safety purposes.
- 9.13 The building will be constructed from plastisol pre-fabricated walls in a grey colour with black frame. It will be positioned/screened behind a 2.1m high hoarding constructed from timber so will be largely imperceptible at lower levels to the south, east and west of the building. The gas cage and 2.6m tall waste tank on its western side will be largely screened by the 2.1m hoarding.
- 9.14 Whilst the design and material finish of the building and hoarding are not considered to be of a high quality, the temporary nature of the development mean visual amenity impacts will be temporary. Moreover, the development will not be visible from any public streetscape given the backland nature of the school. As such, officers have no concerns regarding the design and visual impact of the development.

C. Residential Amenity

- 9.15 Policy 57 of the adopted Waltham Forest Local Plan LP1 (2024) seeks to maintain the amenity of occupiers of neighbouring properties in terms of daylight/sunlight and outlook.
- 9.16 The closest residential receptors to the development will be approximately 44m to the south of the development on Hawkwood Crescent. Given the single storey nature of the development, ample separation distances to neighbouring properties, the use of the site as a school already and the temporary nature of

the development, the development will not result in any significant loss of daylight/sunlight, outlook or privacy to neighbouring properties.

- 9.17 Policies 50 and 57 of the Waltham Forest Local Plan LP1 (2024) seek to minimise noise pollution by ensuring that operational noise does not adversely affect neighbours, particularly noise sensitive land uses such as residential. Policy 50 also requires regard to be made to the 'Agent of Change' principle set out in Policy D13 of the London Plan (2021) and Policy D14 'Noise' of the London Plan (2021).
- 9.18 The information submitted includes specifications of air supply systems and KPO kitchen extraction canopy which will have sound levels of 64dB(A) @ 3m and 64dB(A) @ 1m respectively. These noise levels are considered moderate in level but given the significant distance of c.44m to the nearest residential receptor, it is not considered that the noise created from these systems would result in undue noise impacts to neighbouring sensitive receptors. The Council's Environmental Health Team were invited for comment on these details but did not provide any comments. As such, in the absence of an objection from Environmental Health, it is considered that they have no concerns with the proposed development regarding noise.
- 9.19 Noise during construction would be minimised through the imposition of a condition restricting construction activities during night time sensitive hours. Given the modular nature of the construction and ease of assembly with short timeframes demonstrated in the submitted information, it is not considered that noise from construction would result in noise nuisance to neighbouring receptors, especially given their ample distance from the development.
- 9.20 Policy 50 of the Waltham Forest Local Plan LP1 (2024) seeks to minimise light pollution on sensitive neighbouring occupiers.
- 9.21 The plans do not demonstrate the erection of any external lighting associated with the development. However, in the interests of protecting both the amenities of neighbours, as well as ecological considerations detailed below specifically regarding bats, a condition is recommended to restrict the use of external lighting on the building proposed unless otherwise agreed with the Local Planning Authority.
- 9.22 Overall, the development would not result in any significant residential amenity impacts with the recommended conditions, in accordance with Policies D13 and D14 of the London Plan (2021) and Policies 50 and 57 of the Waltham Forest Local Plan (2024).

D. Biodiversity and Trees

(i) Trees

- 9.23 Trees make an important contribution to the character and quality of urban environments, and can help mitigate and adapt to climate change. Trees also play an important role within the urban environment by helping to trap

pollutants, adding amenity value, providing shade, absorbing rainwater, filtering noise and providing areas of habitat for wildlife.

- 9.24 Paragraph 136 of the NPPF (2024), Policy G7 of the London Plan (2021) and Policies 53, 79 and 80 require developments to contribute to and enhance the natural environment by recognising the abovementioned value of trees. Existing trees of value should therefore be retained where possible.
- 9.25 An arboricultural impact assessment, tree protection plan and method statement have been submitted with the application. The development is demonstrated to have been carefully positioned so that it does not impact any root protection areas or crown spreads of existing trees meaning there will be no loss or impact to existing trees from the development.
- 9.26 Nonetheless, a precautionary approach has been adopted with the submission of a Tree Protection Plan demonstrating that there will be tree protective barriers installed to create construction exclusion zones while works are being conducted on site. This will protect trees along the southern boundary of the site.
- 9.27 However, according to the Arboricultural Impact Assessment, details of the location of new service runs are unknown at this stage. It will therefore be necessary to ensure that site operations do not cause damage to trees or the soil environment upon which they rely and at this stage it is not fully possible to determine the level of impacts to trees associated with any new service runs provided. The Method Statement submitted provides general arboricultural principles to be adhered to in order to manage impacts to trees in the eventuality that access to existing service runs or to install new service runs involves work operations within the RPA of the retained trees.
- 9.28 Given the above assessment, officers are content that with a condition securing the measures contained within the Method Statement, that there would not be any adverse impacts to existing trees in accordance with the NPPF (2024), Policy G7 of the London Plan (2021) and Policies 53, 79 and 80 of the adopted Waltham Forest Local Plan (2024).

(ii) Biodiversity

- 9.29 Policy G6 of the London Plan (2021) and Policy 79 of the adopted Waltham Forest Local Plan LP1 (2024) require new developments to aim to secure Biodiversity Net Gain (BNG). However, with the introduction of 10% BNG requirements for new developments under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), developments are now legally required to secure a minimum of 10% BNG.
- 9.30 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. In this

case, the development does not constitute an exemption to the BNG statutory requirements.

- 9.31 However, under the mandatory Biodiversity Net Gain (BNG) framework in England, which came into force in February 2024 (major sites) and April 2024 (small sites), temporary impacts on habitats can be excluded from the 10% BNG calculation if they can be restored within a two-year timeframe.
- 9.32 This "2-year restoration rule" is not an automatic exemption from BNG, but rather a provision within the Biodiversity Metric for managing short-term damage during development.
- 9.33 To qualify for this provision, the following conditions must be met
- Restoration Timeline: The habitat must be capable of being restored to its baseline type and condition within two years of the initial impact.
 - Documentation: The impacted habitat must be recorded in the Biodiversity Metric as "retained" (rather than lost).
 - Evidence: The applicant must submit sufficient evidence to the Local Planning Authority (LPA) to prove the habitat can be restored within the timeframe.
 - No Permanent Loss: The impact must not result in a permanent loss of habitat, such as building over a green space, but rather temporary disruption (e.g., cabling, temporary access routes).
- 9.34 If the condition is met, the habitat is treated as "retained" in the statutory metric. The statutory metric and technical notes submitted demonstrates that the building and associated works will be in place for 18 months with grass seed planted within the autumn of 2027 to allow grass to fully re-establish to its previous condition within 6 months thus ensuring that there is no loss of habitat for more than 2 years. The information submitted therefore provides a sufficient level of justification and detail on why the impact is considered to be temporary and demonstrates how the habitat can be restored.
- 9.35 Overall, the development will therefore comply with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), Policy G6 of the London Plan (2021) and Policy 79 of the adopted Waltham Forest Local Plan LP1 (2024).

(iii) Ecological Impacts

- 9.36 The Council as Local Planning Authority is obliged to ensure that any grant of planning permission would have sufficient mitigation measures in place so as to ensure that there would be no harmful impact on the Epping Forest SAC arising from Likely Significant Effect (LSE). This is embedded within Policy G6 of the London Plan (2021) and Policies 5, 11, 77, 79 and 81 of the adopted Waltham Forest Local Plan LP1 (2024).
- 9.37 Whilst planning mitigations to impacts on Epping Forest SAC are primarily focussed on new house growth within the Borough, given the location of the site c.130m south-west of Epping Forest SAC, the development is within the

400m buffer of Epping Forest SAC and therefore may pose a risk from “urban effects” to the SAC from intrusive lighting. Moreover, impacts to protected species must be considered in line with the Wildlife and Countryside Act 1981.

- 9.38 The main school building has the potential to contain bat roosts as identified within the Preliminary Ecological Appraisal submitted. Given the proximity of the development to the main school building, officers recommend a condition requiring no external lighting to be attached to the building unless otherwise agreed with the LPA in the interests of avoiding impacts on protected bat species.
- 9.39 The development is not considered to result in any other undue ecological impacts which would negatively impact the ecological designations in close proximity of the site.

E. Highways, Traffic Management and Parking

- 9.40 The development will not create any additional parking impacts over the existing situation. However, the delivery and servicing arrangements and construction logistics must be assessed under this application.

(i) Deliveries and Servicing

- 9.41 Policies 63 and 64 of the adopted Waltham Forest Local Plan LP1 (2024) requires developments to minimise the adverse impacts of deliveries, freight and servicing at both the construction and operational phases of the development. The construction phase of the development is considered below under ‘Construction Logistics’.
- 9.42 The new building will be serviced by existing vans and delivery vehicles serving the existing kitchen/canteen block. However, the a gas delivery will also be required every 2 weeks and emptying of the septic tank of toilet and waste water weekly. The number of additional traffic movements on this basis will be minimal and are not considered to result in significant traffic impacts nor will it prejudice highway safety in accordance with Policies 63 and 64 of the adopted Waltham Forest Local Plan (2024).

(ii) Construction Logistics

- 9.43 Policy T7 of the London Plan (2021) and Policies 63 and 65 of the adopted Waltham Forest Local Plan LP1 (2024) require major developments to provide a Construction Logistics Plan (CLP) setting out the potential impacts of construction traffic, and how this will be reduced. It must be demonstrated within the CLP that the impact of construction logistics on the road network will be minimised and that efficient and sustainable servicing and delivery of goods, waste and servicing activity to and from sites will be enabled.
- 9.44 An outline CLP Note was submitted with the application which explains that a flatbed vehicle will be used to transfer 3 containers onto the site via 3 deliveries. The containers will form the basis of the modular building proposed. A crane

will be set up on the soft play area to the west of the new building to move the containers from the lorry into position and during disassembly. All other deliveries associated with the development would be cement/concrete works for foundation works and delivery of all other associated features such as the railings, gas cage and waste tank. These are considered to be low in number and non-disruptive in nature. A swept path analysis shows that the 12m long lorry will be able to successfully manoeuvre and turn within the multi-use games area and exit the site in forward gear. All works will take place during school holidays to minimise disruption and to ensure the safety of pedestrians.

- 9.45 Given the scale, timeframe and nature of the construction methods primarily related to transferring the containers pre-made onto the site, no detailed construction logistics plan is considered necessary in this case as the impact on the road network is minimal in accordance with Policy T7 of the London Plan (2021) and Policies 63 and 65 of the adopted Waltham Forest Local Plan (2024).

F. Environment & Sustainability

(i) Dust & Air Quality

- 9.46 Policy 88 of the adopted Waltham Forest Local Plan requires that new development should neither contribute to nor suffer from unacceptable levels of air pollution. This is to improve the health and well-being of the Borough residents.
- 9.47 Given that the majority of the development will be pre-constructed off-site, as described above in Section E, the development is not considered to result in any undue dust or air quality implications during construction in accordance with Policy 88. There will also be no significant urban effects from air quality and dust on the nearby Epping Forest SAC.

(ii) Flood Risk and Sustainable Drainage

- 9.48 Policy 91 of the adopted Waltham Forest Local Plan LP1 (2024) seeks to manage flood risk both on- and off-site. Educational developments are considered to be 'more vulnerable' to flooding as defined by the NPPF (2024).
- 9.49 The application site is not within a Critical Drainage Area nor is it in a flood zone at high risk of flooding being located within Flood Zone 1.
- 9.50 Nonetheless, a Drainage Plan and Drainage Flood Exceedance Plan has been submitted with the application. Surface water ACO drainage channels will be located on the eastern side of the new kitchen block which will connect into new surface water sewers connecting into the existing surface water sewer system to the north-west of the kitchen block in the forecourt of the main school building. The drainage infrastructure will be able to manage most precipitation events but note that a small area of pluvial flooding measuring only 0.05m in depth would result in a 1 in 200 year flood event. This however does not pose

a risk to any building on or off site and will be localised in the forecourt of the main school building.

- 9.51 Given the temporary nature of the development and limited depth of any pluvial flooding surcharges, the development is considered acceptable in flood risk and drainage terms. The Council's Lead Local Flood Authority was also consulted on the above details and confirmed no objection to the development.
- 9.52 Overall, the development complies with Policy 91 of the adopted Waltham Forest Local Plan (2024).

(iii) Contaminated Land

- 9.53 Policy 90 of the adopted Local Plan requires the Council to be satisfied that where sites are potentially contaminated, the proposal can be safely constructed and used in the future without hazardous substances posing a significant risk to human health.
- 9.54 The Foundations Plan submitted states that foundations to be founded that a minimum of 1m below existing ground level or deeper in order to reach competent London Clay. Whilst made ground in borehole investigations at the existing canteen/kitchen block found some evidence of asbestos containing material, it is considered that given the location of the development on playing field land which has not been previously developed, the risk of asbestos and other contaminants is not considered likely. However, officers note that some drainage works will occur on made ground within the forecourt of the main school building which may contain such contaminants.
- 9.55 No Preliminary Risk Assessment covering this part of the school site has been submitted. However, given the scale and temporary nature of the development, it would be overly onerous for a condition to be attached requiring a desk-based risk assessment, intrusive site investigation and remediation strategy. Moreover, the building would not be exempt from Building Regulations requirements regarding contamination. The control of asbestos in soil is also covered by the Control of Asbestos Regulations 2012. As such, to attach a condition requiring the above information prior to commencement would be a duplication of legislative requirements outside of planning legislation. As such, other legislative provisions for contaminated land apply and therefore legal compliance outside of planning will ensure compliance with Policy 90 of the Waltham Forest Local Plan (2024).

(iv) Hazardous Substances

- 9.56 The provision of 6x47kg gas tanks on the site do not raise any safety concerns nor does the provision of these gas tanks require the need for a hazardous substance consent as it falls below the controlled quantities for liquefied petroleum gases in accordance with The Planning (Hazardous Substances) Regulations 2015.

10 **ADDITIONAL CONSIDERATIONS**

Public Sector Equality Duty

- 10.1 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.
- 10.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 10.3 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.
- 10.4 It is not considered that the recommendation to grant permission in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

- 10.5 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.
- 10.6 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.

11 CONCLUSION OF ASSESSMENT

- 11.1 The proposed development will ensure the efficient ongoing operation of the school building during the construction of a new kitchen/canteen/classroom building under consideration under application 251786. It does not raise any residential amenity, ecological, arboricultural or highways concerns.

12 RECOMMENDATION

- 12.1 Based on the assessment above, the Planning Committee is recommended to grant planning permission, subject to Unilateral Undertaking, conditions and informatives.

13 CONDITIONS AND REASONS

1. The development hereby approved shall be carried out within 3 years of the date of this permission.

REASON: To comply with the statutory timeframes relating to commencement of development.

2. Upon commencement of the development:

(A) a written notification and proof of commencement shall be submitted to and approved in writing by the Local Planning Authority.

(B) The hereby permitted building and associated works shall be removed in their entirety and the land restored to its former condition on or before 2 years of the commencement date as agreed in part A.

REASON: In the interests of compliance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and to ensure that the impact to existing open space is temporary in accordance with Policy 78 of the adopted Waltham Forest Local Plan (2024).

3. The development hereby permitted shall be carried out in accordance with the following approved plans and supporting documents:

- EVO-ZZ-00-D-A-A-042 Rev P2 (30/01/2026)
- EVO-ZZ-XX-D-A-A-043 Rev P1 (14/11/2025)
- EVO-ZZ-XX-D-A-044 Rev P1 (14/11/2025)
- EVO-ZZ-00-D-A-045 Rev P1 (undated)
- EVO-ZZ-ZZ-DR-A-013 Rev P1 (12/11/2025)
- EVO-ZZ-00-D-A-040 Rev P1 (undated)
- C13942 PER XX XX DR C 03031 Revision P2 (17/12/2025)
- C13942 PER ZZ FN SK S 01020 Revision P1 (17/12/2025)
- EVO-ZZ-00-D-A-040 Rev P1 (undated)
- C13942 PER XX XX DR C 02031 Revision P2 (17/12/2025)
- C13942 PER XX XX DR C 02038 Revision P2 (17/12/2025)

- Arboricultural Impact Assessment, 240148-PD-31 (27 November 2025)
- C13942-PER-ZZ-XX-CA-C-02036 TEMP KIT (Pages 1-5) (27/11/2025)
- Addendum to Ecology Report (18/11/2025)
- BNG exemption Technical Note for Temporary Kitchen (December 2025)
- Construction Delivery Note, Revision V1 (27/11/2025)
- Preliminary Ecological Appraisal and Preliminary Roost Assessment, Version 1.0 (4 July 2025)
- Commercial Kitchen Ventilation System, Statement of Design Methodology and Compliance (undated)
- Community Infrastructure Levy (CIL) - Form 1: CIL Additional Information (03/12/2025)
- Planning Statement (including Transport Statement) (02/12/2025)
- The Statutory Biodiversity Metric (12/01/2026)

REASON: In the interests of proper planning.

4. No external lighting shall be installed, including on the external façade of the hereby approved development, without written consent from the Local Planning Authority.

REASON: In the interests of protecting residential amenity and mitigating potential impacts on protected species and Epping Forest SAC in accordance with Policy G6 of the London Plan (2021) and Policies 5, 11, 50, 77, 79 and 81 of the adopted Waltham Forest Local Plan LP1 (2024).

5. The development shall fully conform with the recommendations of the 'Arboricultural Impact Assessment, 240148-PD-31 (27 November 2025)'. The development shall be carried out solely in accordance with the approved details, and all works shall comply with BS 3998:2010(Tree Work - Recommendations) and shall be supervised by a suitably qualified Arboriculturist.

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

6. Construction and demolition work 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.

REASON: In the interests of protecting residential properties from noise nuisance in accordance with Policies D13 and D14 of the London Plan (2021) and Policies 50 and 57 of the Waltham Forest Local Plan (2024).

Informatives

- 13.1 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 have been followed in this instance, and offers a pre-planning application advice service. In this instance the applicant was provided pre-application advice and the advice was followed accordingly.
- 13.2 This notice is without prejudice to your responsibilities under any other legislation, including Building Regulations and Control of Asbestos Regulations 2012.
- 13.3 You are reminded of the requirements of the Wildlife and Countryside Act 1981 in relation to Protected Species and to take necessary precautionary measures in relation to demolition works on the site.