

89. DECLARATIONS OF INTEREST

There were no declarations of interest.

90. DEVELOPMENT MANAGEMENT

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

The update report of the Head of Development Management and Building Control was noted in accordance with the urgency provisions of Section 00B(4) of the Local Government Act 1972 to ensure that Members had before them all the relevant facts and information about the planning applications set out in the agenda.

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

91. THE MALL, 45 SELBORNE ROAD, WALTHAMSTOW, LONDON

Subject to the applicant entering into a Legal Agreement with the Council, with the heads of terms set out below, and subject to no adverse response from the Mayor of London at Stage 2 referral, both full and outline planning permission be granted for Application 173042 in line with the recommendation, conditions, reasons and informatives set out in the report and the update report, for

Full Planning Permission:

Part demolition of The Mall, and its replacement and extension by an additional 8,769sqm (Gross External Area) GEA to be used for Shops, food and drink and leisure (Classes A1, A3, D2); Creation of 42 residential units (Use Class C3) up to a maximum height of 49m (Above Ordnance Datum); Redesign of Town Square, including new children's play space, landscaping (hard and soft) and lighting; Re-design of the access arrangements to The Mall; Creation of new entrance and associated works for residential buildings at ground floor level fronting onto the Town Square; Extension to the basement car parking area of The Mall by 318sqm and the creation of 33 car parking spaces; Re-design of the servicing arrangements for The Mall; Provision of new plant and renewable energy equipment; All associated and ancillary engineering works and operations.

Outline Permission:

Provision of residential dwellings (Use Class C3) in a collection of two low buildings and two tall buildings sitting above the podium created by the development the subject of the full planning permission, ranging in height up to 132.5m AOD; Provision of podium hard and soft landscaping areas, including play space (used by the proposed residential dwellings); Provision of associated services, including waste, refuse, cycle storage, and lighting; Creation of new entrance and servicing areas and associated works for residential buildings at ground floor.

The Heads of Terms are as follows:

- 1.1 The applicant will deliver the new Town Square as part of the development and through the planning conditions and clause 1.6 below maintenance and upkeep of the Square would be secured for a period of 5 years.
- 1.2 The application will provide onsite affordable housing provision of 20%, based on habitable rooms. The proposed tenure would be all shared ownership.
- 1.3 Affordable Housing Review Mechanisms - This will take place after 75% sales of the units within the development with an updated build contract, or 12 months following practical completion in the event of Build to Rent development. Furthermore, an initial review would be secured unless the applicant demonstrates substantial implementation of the development within 2 years of grant of planning permission. This would incentivise early delivery of the development.
- 1.4 Air Quality – A sum of £50,000.00 will be paid to monitor air quality within the local area.
- 1.5 A sum of £500,000 will be paid by the applicants to the Council towards the future maintenance of the Town Square.
- 1.6 To progress with a Development Agreement with Transport for London to coordinate TfL's London Underground improvement works with the construction of the development scheme. Where a Development Agreement is agreed, to contribute no more than £1.5m to the costs of the TfL works if the works are to progress at the same time as the development.
- 1.7 In the event of no Development Agreement, or should TfL choose not to progress works at the same time as the development, to implement works that will safeguard the ability for TfL to undertake works into the future,
- 1.8 Employment and Training:
 - The applicant will be required to enter in a Local Labour Agreement for construction and end use. Details of this are outlined below:
 - Throughout the build phase the Owner will make reasonable endeavours to ensure that 15% of all local labour on site is filled by residents from Waltham Forest.
 - Whereby the owner is unable to demonstrate reasonable endeavours to meet the local labour target a default payment of 1.5% of the total build cost [1] will be implemented.

- The Council is committed to working with developers and contractors to ensure that these targets are met.
 - Developers will also be required to work with the Council's Business Growth, Investment and Employment service.
 - A paid apprenticeship programme should combine on the job training and academic instruction for those entering the work force, which lasts a minimum of 40 weeks per apprentice post and includes a salary of at least the London Living Wage.
 - Throughout the build and for five years following the completion of the build, the Owner agrees to provide the Council with access to employment and training opportunities arising from commercial tenants inhabiting the current Mall and the extension.
- 1.9 Further details of the Employment and Training clauses can be found under Appendix A of the Committee Report.
- 1.10 Sustainability:
- 1.11 An estimated sum of £688,000.00 will be paid towards the Carbon Offset Fund with the exact amount to be confirmed and triggered by submission of Reserved Matters for the residential element of the hybrid scheme.
- 1.12 Other requirements:
- The development would reduce carbon emission by 35%.
 - A further Energy Report is submitted when the Reserve Matter applications are discharged.
 - A further Energy Report is submitted prior to the occupation of the commercial element of the development.
 - Energy Centre - To provide an on-site energy centre within the development capable of supporting the whole development, (both commercial and residential) through a site-wide de-centralised energy network, details which are to be agreed by the Council in writing.
 - Prior to commencement of development to submit to the Council for its written approval the proposed details for the on-site energy centre
 - To design and construct the whole development so that it is capable of connecting to the on-site energy centre and any future wider local de-centralised energy network
- 1.13 Further details of the sustainability and energy clauses can be found under Appendix A of the Committee Report.
- 1.14 Section 278 Works Highways:
- Removal of existing accesses in Selborne Road.
 - Provision of new accesses in Selborne Road.

- Changes to bus stop arrangements in Selborne Road, subject to further discussion with, and approval by Transport for London.
 - Relocation of existing crossings in Selborne Road if needed.
 - Renewal of the existing footway on the Selborne Road frontage of the development site.
 - The renewal of the carriageway in Selborne Road on completion of the site.
 - Changes to waiting and loading restrictions, and traffic signs in Selborne Road.
 - Changes to traffic arrangements in High Street E17 including traffic management orders, signs, markings, street furniture etc. to accommodate maintenance access to the Town Square.
 - Changes to signage, street lighting, road markings and traffic management orders in Selborne Road.
- 1.15 Once the works are approved by Highways and Transport for London, the cost of the Section 278 works will be estimated. Enabling works and any temporary traffic management arrangements required during the construction period will be subject to separate processes and approvals.
- 1.16 The site is to be car free except for disabled spaces; residents of the site will not be eligible for permits for any surrounding Controlled Parking Zone (CPZ).
- 1.17 That authority to be given to the Head of Development Management and Building Control in consultation with the Council's Legal Services for the sealing of the Section 106 Agreement and to agree any minor amendments to the conditions or the Section 106 Agreement on the terms set out above.
- 1.18 In the event that the Section 106 Agreement is not completed within sixteen (16) weeks following Planning Committee, the Head of Development Management and Building Control is hereby authorised to refuse the application or to grant a longer period to complete the Section 106 Agreement in conjunction with the Chair of Planning Committee. In the absence of this Section 106 Agreement, the scheme would be unacceptable as its impacts would not be sufficiently mitigated in respect of providing for mixed and balanced communities, safeguarding essential transport infrastructure, provision of public realm and highways improvements, air quality monitoring and securing the economic benefits of the scheme.

92. PUBLIC SPEAKERS

Philip Herlihy
 Adrian Stannard
 Helena Poldervaart
 Penny Wycherley
 Alan Smith
 Nancy Taaffe

David Gardiner
Neil Levis
Helen Studeford
Jean Duggleby
Madeleine Munday
Andy Bush
Killian Herrily
Cllr Saima Mahmud
Cllr Millie Balkan

The meeting closed at 10.23 pm

Chair's Signature _____

Date _____