

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning 1 st February 2011
Application reference:	2010/0656
Applicant:	London and Quadrant Housing Trust
Location:	Beaumont Road Estate, fronting Capworth Street, E17
Proposed development:	Residential redevelopment. Demolition of existing 14 flats at St Joseph Court and other associated out buildings. Construction of 4 to 9 storey blocks of building to form 100 self contained flats (32 x 1 bed – 58 x 2 bed – 10 x 3 bed) and 17 x 3 to 4 bedroom houses with associated works and landscaping.
Wards affected:	Leyton
Appendices:	None

1 RECOMMENDATION

- 1.1 That planning permission is granted subject to the applicant entering into a legal agreement and subject to conditions.
- 1.2 In the event that the Section 106 Agreement has not been signed/sealed before the expiry of a period of 6 months following the date of the committee meeting and resolution, officers are granted delegated authority to refuse planning permission where appropriate on the failure to complete the necessary S106 Agreement.

2 SUMMARY OF REASONS FOR RECOMMENDATION

- 2.1 This application has been considered in relation to relevant policies in the Waltham Forest Unitary Development Plan (2006), in particular policies SP1, SP2, SP3, SP6, SP13, SP17, SP18, HSG5, HSG6, HSG8, HSG9, HSG10, TSP4, TSP5, TSP7, TSP9, TSP17, BHE1, BHE2, BHE3, BHE4, BHE5, BHE6, BHE7, BHE9, BHE17, WPM5, WPM9, WPM10, WPM11, WPM19, WPM20, WPM21, PSC1, PSC2, and PSC3 and guidance in the Urban Design Supplementary Planning Document (February 2010) and Planning Obligations Supplementary Planning Document (November 2008)
- 2.2 The main issues in considering the application were the principle of a residential development of the site, the level/intensity of the development, the design and appearance of the development and its impact on the street scene, its impact on residential amenity, the standard of accommodation provided and car parking. The proposals are considered to be acceptable in relation to these issues and it is considered that there are no other material planning considerations in this case that would warrant a refusal of planning permission.

3 REASONS REFERRED TO COMMITTEE

- 3.1 This application is being referred to Committee for considerations because:
- The matter is of such importance that it has been referred to Committee by officers.

4 DETAILS OF PROPOSAL AND SURROUNDINGS

- 4.1 The Beaumont Road Estate is an area of housing development bounded by Capworth Street to the north, Clyde Place to the west, Skeltons Lane to the south and to the east by the rear of commercial properties fronting Leyton High Road.
- 4.2 The estate, which was originally developed in the 1960s, has largely been demolished and rebuilt since the approval of a Masterplan (in 2004) and subsequent redevelopment phase applications (see history). This application comprises the final phase (Phase 4) of the estate regeneration.
- 4.3 The Phase 4 site area comprises an area of land approximately 0.8 hectares, bounded by Capworth Street (to the north), High Road Leyton (to the east), Ayerst Court (to the south), and Osborne Court/Flack Court/East Square (to the west).
- 4.4 The application site is surrounded by residential development to the south and west, a Tesco superstore to the north, and a public house and leisure centre to the east. Immediately adjoining the site to the west is Osborne Court, a 6-storey block of flats dating from the 1960's.
- 4.5 A small section of the (north-east corner) site falls within an Archaeological Priority Zone (APZ).
- 4.6 The site is adjacent to the Bakers Arms District Centre. The District Centre focuses around a section of High road Leyton and Lea Bridge Road. The surrounding streets are more residential in character.
- 4.7 The site has been cleared for redevelopment following the (relatively) recent demolition of bungalows on Capworth Street, the 22 storey All Saints Tower, and St. Joseph's Court to be demolished.
- 4.8 The Outline Planning Approval/Masterplan granted in 2004 details Phase 4 of the Beaumont Road Estate redevelopment as 73 dwellings for low-cost home ownership together with the retention of the 14 flats in St. Joseph's Court (87 dwellings in total). The accommodation was to be configured as 19 family houses with the remainder of the development comprising smaller units (1 & 2-beds) included as flats.
- 4.9 This application comprises a new application (rather than a reserved matters application) and seeks to increase the resultant amount of housing in Phase 4 (by 30 units) from 87 to 117 dwellings. The application proposes:
- The demolition of St. Joseph's Court and the erection of a part 7, part 9-storey building along Capworth Street,

- A part 7, part 5-storey building fronting Capworth Street, adjoining Osborne Court and extending south along the west side of estate road,
 - Six 4-storey terrace properties along the eastern side of the estate road and adjoining the leisure centre car park,
 - Six 4-storey terrace properties along the estate road and adjoining the existing properties on the north side of East Square,
 - Five 3-storey terrace houses to complete the existing row on (the east side of) East Square.
- 4.10 The proposed development will comprise 100% affordable housing, which will consist of 34 units for social rent, 24 units for intermediate rent and 59 units for shared ownership. The application is part of a programme (the Forest Homes Stock Reinvestment Project) by London & Quadrant (L&Q) to improve the properties that fall within the Forest Homes Stock transferred from LB of Waltham Forest to L&Q in 2002.
- 4.11 A total of 43 parking spaces will be provided, in the form of on-street spaces within the development and also in rear courtyards. 100 cycle parking spaces for the flats are also included in the development.
- 4.12 The application will also result in the re-opening of the original vehicular access from Capworth Street, and this will form the main entrance to the north of the estate. This road is referred to as 'The Boulevard'.
- 4.13 The development would be designed to minimise energy consumption and environmental impact through a number of features and energy efficient design. The applicant's aim is for all the dwellings to meet Code for Sustainable Homes Level 3 and CO2 savings of 25%, and the method of achieving this is addressed elsewhere in this report.

5 RELEVANT SITE HISTORY

- 5.1 **2002/0647/OUT** Master Plan for the redevelopment of estate involving the demolition of 426 dwellings (including the tower blocks, garage courts, bungalows and other blocks of flats) and the erection of 379 new dwellings in 4 phases. Redevelopment to include the refurbishment and alterations to elevations of remaining blocks, provision of new access roads, car parking areas, public open space, shop and community facilities. Approved 05.03.2004
- 5.2 **2002/0648** Phase One of redevelopment of estate involving the demolition of garages and pram sheds and the erection of 95 new dwellings comprising 17 x 4-bed houses, 19 x 3-bed houses, 16 x 2-bed houses, 8 x 2-bed flats, and 35 x 1-bed flats, a shop and a community/cyber centre. Redevelopment to include the refurbishment and alterations to elevations of remaining blocks and the provision of new gardens and access roads. Approved 05.03.2004
- 5.3 **2005/0670** Phases 2 and 3 of the redevelopment of the Estate involving the demolition of St Catherines Tower, St Pauls Tower, St Marks Court, Kings Close, shops with maisonettes above at 3-19

Capworth Street, bungalows at 3-15 Beaumont Road, St Edwards Court, Dare Court and Muriel Court. Erection of 211 new dwellings comprising 16 x 4-bed houses, 65 x 3-bed houses, 2 x 2-bed houses, 8 x 2-bed flats and 120 x 1-bed flats. Redevelopment to include the laying out of 2 new squares, the provision of new gardens and access roads and the refurbishment of stair towers and the removal of the projecting bin chutes to St Lukes Court, St Elizabeths Court, Russell Court, Shelley Court and Ayerst Court. Approved 11.07.2005

6 PUBLIC CONSULTATIONS

- 6.1 The occupiers of (1-36 Flack Court) 33 Beaumont Road, 51, (Flats 1-6) 53, 55-69, (Flats 1-8) 81 Beaumont Road, (1-8 Begonia Court) 88 Beaumont Road, 90-120 & 142-150 (evens) Beaumont Road, (1-44 Ayerst Court) 162 Beaumont Road, (1-8 Marigold Court) 3 Keats Road, (1-8 Bellis Court) 4 Keats Road, 66-74 Bromley Road, (1-36 Osborne Court) 23 Capworth Street, 32-64 Capworth Street, (1-14 St. Joseph's Court) 21 Capworth Street, 743, 743a, 745, 763, 773, 773a, 775, 777, 777a, 787, 801, (Flats 1-9) 803, 805, 805a, 807, 811, 811a 813, 813a, 815, 815a, 817, 825, 766-788 (evens) High Road Leyton, were consulted about the application.
- 6.2 In response, one letter of objection was received, the points of which can be summarised as:
- (i.) Ayerst Court has already lost its parking area at the front and Keat's Road is always blocked with cars parked on both pavements. Where are people in the new development going to park?
 - (ii.) Demolishing existing tower blocks only to build more.

7 PLANNING POLICY CONSIDERATIONS

7.1 Waltham Forest Unitary Development Plan (2006)

The site is located adjacent to the Bakers Arms District Centre. The following policies are relevant to this application and are appended to this agenda: SP1, SP2, SP3, SP6, SP13, SP17, SP18, HSG5, HSG6, HSG8, HSG9, HSG10, TSP4, TSP5, TSP7, TSP9, TSP17, BHE1, BHE2, BHE3, BHE4, BHE5, BHE6, BHE7, BHE9, BHE17, WPM5, WPM9, WPM10, WPM11, WPM19, WPM20, WPM21, PSC1, PSC2, and PSC3.

7.2 Urban Design Supplementary Planning Document (February 2010)

This document replaces Supplementary Planning Guidance Note 1 and has the aim of raising the quality of design in the Borough and to improve local character in all new developments.

7.3 Planning Obligations Supplementary Planning Document (November 2008)

This document seeks to provide a transparent, clear and consistent basis for the negotiation of planning contributions.

7.4 Waltham Forest Sustainable Community Strategy

Various priorities and commitments are identified including improving housing quality and choice with the right kind of homes in the right places.

7.5 London Borough of Waltham Forest Access Guidelines and Lifetime Homes Standards

The Lifetime Homes standards of the Joseph Rowntree Trust are applied across London and are incorporated in the London Plan.

7.6 London Plan

The Plan recognises that there is a pressing need for more housing, particularly affordable housing. Various policies are relevant to this case including: 3A.1, 3A.2, 3A.3, 3A.4, 3A.5, 3A.6, 3A.8, 3A.9, 3C.1, 3C.2, 3C.3, 3C.21, 3C.22, 3C.23, 3D.8, 4A.1, 4A.3, 4A.4, 4A.7, 4A.14, 4A.19, 4A.20, 4B.1, 4B.3, 4B.5, 4B.6, 4B.8, 4B.9, 4B.10, 4B.15, 6A.4 and, 6A.5. Supplementary Planning Guidance (Housing) was issued by the Mayor in November 2005.

7.7 National Policies

PPS1 – Delivering Sustainable Development

PPS3 – Housing

PPG13 – Transport

PPS22 – Renewable Energy

PPG24 – Planning & Noise

8 KEY PLANNING CONSIDERATIONS

8.1 The key planning considerations arising from this scheme are the principle and level of residential development of the site, the design and appearance of the development and its impact on the street scene, its impact on residential amenity, the standard of accommodation provided and car parking.

1. The principle of residential development of the site

8.2 The general thrust of national, regional and local policies is to secure sustainable patterns of development and the reuse of previously developed land.

8.3 The principle of residential development on this site has been long established. The Beaumont Road Estate dates back to the 1960's and a revised Masterplan scheme (for residential development) was approved in 2004 (and is still extant). Given the principle of residential development is supported by policy and already approved for this site, the use is therefore appropriate and in accordance with local, regional and national policies and guidance.

2. Affordable Housing, Tenure, Dwelling Size & Mix

- 8.4 The Council's Housing Strategy sets out the need for additional homes to meet the needs of the Borough and contribute towards the needs of London.
- 8.5 The London Plan seeks to achieve a minimum of 50% affordable housing within any new housing development, and within this, a Londonwide objective of 70% social housing and 30% intermediate.
- 8.6 The proposal comprises 100% affordable housing, which will comprise 34 units for social rent, 24 units for intermediate rent and 59 units for shared ownership. The full unit size and tenure mix for the proposed development is set out in Fig.1 below.

Fig.1 Beaumont Road Estate Phase 4 – Unit Size & Tenure

	Type	Size (Beds / Persons)	Number Of standard units	Wheelchair Accessible units	Total
SOCIAL RENT	Houses	4/7	12		12
		3/5	4	1	5
	Flats	3/5	5		5
		2/4	7	1	8
		2/3	2		2
		1/2	1	1	2
				Sub Total	34
INTERMEDIATE	Interme diate Rent	3/5	5		5
		2/4	7	1	8
		2/3	8		8
		1/2	2	1	3
	Shared owner- ship	2/4	20		20
		2/3	10	2	12
		1/2	24	3	27
				Sub Total	83
		Totals	107	11	117

- 8.7 The application proposes 29% social (rented) housing and 71% intermediate. However, the proportion of social rented accommodation increases when expressed in terms of habitable rooms – the balance of the scheme being 41% social (rented) housing and 59% intermediate.
- 8.8 There is a particular need in Waltham Forest for family housing in the social rented sector. 65% of the proposed social rented accommodation comprises large family-sized units (3 & 4-bed properties), and it is considered that this proportion of this family-sized

social rented accommodation represents a significant benefit of the scheme.

- 8.9 A significant change from the approved Phase 4 outline consent is the increase in large family-sized housing (see Fig.2). The consented scheme only contained two 4-bed houses and the proposed scheme contains twelve, which will all be available for social rent.

Fig.2 Comparative analysis of unit sizes

	1 bed	2 bed	3 bed	4 bed	Total
Phase 4 (if submitted in accordance with outline consent)	24	30	17	2	73
Phase 4 as proposed	32	58	15	12	117

- 8.10 Overall it is considered that the proposed scheme contains a balanced mix of units. The Council's Strategic Housing dept. have assessed the proposed housing mix and tenure and are supportive of the scheme as the Beaumont Estate traditionally only provided social rented units, and the inclusion of shared ownership units will help to create a more balanced community. .
- 8.11 It is considered that the development would provide an appropriate mix of unit sizes, improve the housing stock and contribute towards the Borough's housing targets in a sustainable way. The proposal results in an additional 30 affordable dwellings on the estate and therefore considerable support can be afforded to the proposed affordable housing provision.
- 8.12 Notwithstanding the above, due to very recent announcements regarding the Government's new affordable rent regime for providing grant funding for the provision of affordable housing, and the fact that bidding guidance for the 2011-15 affordable housing programme has not yet been published, the Registered Provider of Social Housing (RP) partner in the development is currently unable to confirm the level of grant support that may be available. The existing grant funding regime only applies to developments that can guarantee completion by March 2012, and this scheme will not be completed within that timescale. It is not possible, therefore, for grant certainty to be provided. As a result, the exact nature of the social rent and intermediate housing will have to be reviewed in the light of grant availability and the bidding round guidance. Final control over this decision will be retained by the Council through the section 106 agreement proposed in the officer's recommendation.

3. Wheelchair Units

- 8.13 UDP Policy HSG 10 seeks to achieve inclusive design and accessibility in all new housing developments. Policy HSG10 seeks to ensure that all new housing is built to 'Lifetime Homes' standards, and that 10% of all new housing is designed to be wheel chair accessible.
- 8.14 All of the new housing is to be designed to Lifetime Homes Standards. The scheme provides 11 wheelchair units (out of a total of 117), which equates to 9.4% of all units. Ten of the wheelchair units comprise 1 & 2-bed flats, and the remaining wheelchair unit is a 3-bedroom house (for social rent). The Council's Occupational Therapist in Housing has stated that they are satisfied with the wheelchair provision in this development.
- 8.15 The majority of the wheelchair flats are at ground floor level but four of the shared ownership wheelchair flats are on the upper floors of the taller end of the block on Capworth Street This arrangement is considered acceptable due to the provision of two wheelchair accessible lifts and has the agreement of the Council's Accessibility Officer.
- 8.16 The wheelchair flats have patio gardens when at ground floor or a large balcony when on upper floors. Each flat features tall patio windows offering ease of access to outdoor space and full views out to the communal garden (or to the street) from a sitting position. This is particularly beneficial for older wheelchair users who may be at home for extended periods during the day.
- 8.17 There are dedicated off-street car parking spaces (wider easy access bays) for each of the wheelchair units. In addition each of the ground floor wheelchair flats has its own private entrance so avoiding the need for residents to negotiate the common entrance areas and multiple sets of doors.

4. Intensity of Development Proposed

- 8.18 UDP Policy HSG5 seeks to maximise the amount of housing in the Borough, particularly on previously developed land. The availability of adequate infrastructure to meet the needs of the development, (including schools and open space) or the potential of the development to rectify any shortfalls will be taken into account when determining planning applications. PPS3 states that density levels should reflect, inter alia, the level of housing demand and need, public transport accessibility, the availability of infrastructure, and the desirability of achieving high quality, well designed housing.
- 8.19 Taking into account the demolition of the 14 units in St. Joseph's Court, the net increase in housing (as compared to the Phase 4 outline consent) is 30 additional units on the site.
- 8.20 The proposed development comprises 117 units providing 329 habitable rooms, which equates to a density of 481 habitable rooms per hectare (HRPH).

- 8.21 This density fits comfortably within the appropriate range of the density matrix within the London Plan, an urban location of this nature with medium-high PTAL (4) would be expected to be developed within the range of 200 – 700 HRP. As such it is considered that the proposals comply with the Density Matrix and Policy 3A.3 of the London Plan, which is the relevant policy for the Council to apply in this case. As ever, density is merely an indicator of development, and the adequacy of the development is set out in detail below.
- 8.22 In addition to the above, the site is located on the edge of the Bakers Arms District Centre and this town centre location is considered an appropriate location for a development of this scale. It is considered that the current proposal represents a more efficient use of a town centre site than the outline consent for Phase 4.

5. Layout, Form and Design

a) Flats - Blocks A, B&C

- 8.23 A significant element of the proposed development comprises two blocks of flats with frontages on Capworth Street, positioned on either side of The Boulevard. Block A, a part 6, part 7-storey building (on this frontage), is located to the west of The Boulevard and Block B/C, a part 7, part 9-storey building, to the east. Both Blocks A & B 'turn the corner' into The Boulevard.
- 8.24 The flats (Blocks A-C) are set back from the Capworth Street frontage so as to create a wide landscape buffer. This will provide a defensible space to the development, and ensuring that the proposal respects the existing building line along the street frontage (in particular the adjoining development at Osborne Court), but it will also provide a green edge to what is currently a hard landscape.
- 8.25 The bin stores that were originally located along this frontage (designed as small pavilions) have, at the request of Officers, been relocated to the rear of Block B/C.
- 8.26 Block B/C is arranged around an internal courtyard providing semi private amenity space for residents, together with car and cycle parking.
- 8.27 Blocks A, B & C have a unified contemporary design concept. The design is considered to be of a high quality, and will provide a significant building with a strong identity on Capworth Street. Similarly, this part of the development will provide an important gateway into the Beaumont Road Estate.
- 8.28 The Capworth Street component of Blocks B & C is seven-storeys along the majority of Capworth Street, culminating in a nine-storey tower directly overlooking the car park of the Tesco superstore opposite, and close to the junction with the High Road. The respective seventh and ninth floors are both recessed.
- 8.29 It is considered that the nine-storey element of Block B&C is acceptable in this location. Contextually, the tallest element of the proposed development will be located on the opposite side of the High

Road to the eleven-storey Leyton Green Towers. Furthermore, the tower is located on the portion of the site close to the High Road and the Bakers Arms District Centre, and this is considered a suitable location for increased building height.

- 8.30 In addition, the open aspect over the Tesco car park opposite provides the potential for taller development at this end of the site, and for the creation of a prominent frontage along Capworth Street.
- 8.31 The flank wall of Block B & C will adjoin the site of the Shoe Laces public house, a two-storey Victorian building. The proposed juxtaposition of a large modern building and a modest period building will be similar to the Tower Mews development in central Walthamstow, which adjoins the part 2, part 3-storey Goose Public House.
- 8.32 The Capworth Street component of Block A, which adjoins the existing six-storey Osborne Court residential building, is seven storeys (with the seventh floor being recessed). It is considered that Block A respects the height and form of the adjoining Osborne Court, and is acceptable in this regard.
- 8.33 The Capworth Street elevation of Block A has a similar impact on the two-storey terrace properties on the opposite side of Capworth Street as the existing six-storey Osborne Court.

6. Houses

- 8.34 The remainder of the proposal comprises 12 four-storey terrace houses arranged on either side of The Boulevard and, five three-storey terrace houses to complete the unfinished terrace on East Square, which was constructed as part of Phase 3. Each of the terrace houses has a private rear garden.
- 8.35 The 12 four-storey terrace houses are arranged to create a strong frontage along The Boulevard, set back behind small front gardens. The inclusion of balconies and the choice of materials replicate key design elements of the proposed flats. The curved roof form, which permits roof terraces to be constructed, represents an interesting feature of these properties. The design, layout and form of the proposed four-bed terrace properties are considered acceptable.
- 8.36 The five three-storey terrace properties mirror the design of the existing terrace to which they will adjoin, and are considered acceptable for this reason.
- 8.37 The height of the proposed houses, ranging from between three and four-storeys, are such that these buildings will complement the building heights to both the new and retained buildings forming earlier phases of the development.

7. Amenity Space

- 8.38 In terms of guidance, amenity space will normally comprise a mix of private and/or communal space for larger residential development such as this.

a) Amenity Space - Flats

- 8.39 In terms of the Council's Urban Design SPD, the 100 flats within the proposed development require a total communal amenity space provision of 1050m².
- 8.40 The total communal amenity space provided in the development is (approximately) 590m². The communal amenity space within the development is made up from the amenity space to the rear of Flat Blocks B&C, consisting of 138m² for general communal amenity space and 121m² for a children's play-space. In addition to this is the landscaped amenity space to the front of both blocks. This area provides (approximately) 331m² of communal amenity space.
- 8.41 Despite the shortfall in communal amenity space the scheme has the significant benefit of including private amenity space for each flat. Each flat has either a private balcony or ground floor garden space.
- 8.42 It is recognised that - taking into account the urban location of the development, on the edge of the Bakers Arms District Centre - it is difficult to meet the full communal amenity space provision requirement. However, the provision of private balconies and ground floor garden space for each flat is considered a significant benefit and, that on balance, the proposal is acceptable in terms of amenity space provision.
- 8.43 Furthermore, there is also a communal amenity space at East Square adjoining Phase 4, and within this there is a 201m² play-space.

b) Private Amenity Space - Houses

- 8.44 For family housing the SPD requires a minimum 50m² of private garden space for 1 and 2 bedroom dwellings, and an additional 10m² per bedroom for larger units.
- 8.45 Ten of the twelve 4-bed houses on The Boulevard meet the minimum private amenity requirement for dwellings of this size (70m²) through a combination of garden space (63m²) and roof terraces (13m²). The remaining two houses provide (approximately) 46m² private amenity space. Due to the existing parking provision to the rear of these properties, it is not possible to achieve the same garden depth as the other 4-bed terrace properties.
- 8.46 The five 3-bed houses on East Square also broadly comply with the minimum requirements. Four of the properties have at least 60m² of rear garden space. The end of terrace property, which is the wheelchair house, has a larger ground floor area to meet the requirements of the occupants, which subsequently impacts on garden space.
- 8.47 It is considered that on balance, the private amenity space provision for the terrace houses is acceptable.

c) Residential Amenity

- 8.48 It is considered that the positioning, scale and height of the proposed buildings are such that they will not have a significant adverse effect

on the amenities of adjoining residents in terms of overlooking and sense of privacy. Also, the positioning of the proposed buildings is such that they will allow adequate sunlight, daylight and open aspects to all parts of the development.

- 8.49 A daylight and sunlight assessment was submitted with the application. The report demonstrates that in terms of the surrounding buildings, the vast majority of properties will not be affected and the scheme complies with the BRE guidelines for both daylight and sunlight. In many instances the proposal performs favourably in comparison to the bulk of the 22 storey All Saint's Tower which has historically dominated the site.
- 8.50 Where potential for overlooking between properties exists, windows have been reduced to small widths to address this concern. The layout of the accommodation is also arranged, wherever possible, such that the nearest windows are to common parts (e.g. staircases) or to non-habitable rooms.
- 8.51 Having regard to the properties in Ayerst Court, the side elevation of the nearest proposed house (on the east side of The Boulevard) is over 12 metres away. There is no opportunity for overlooking to either the rear elevation of the properties in Ayerst Court or their rear gardens and the layout of the new accommodation is such that the building will cast no appreciable shadow on the adjoining properties. The roof terrace to the nearest proposed house will be appropriately screened to prevent overlooking or loss of privacy.
- 8.52 Similarly, there will be no loss of privacy to the new rotunda building that sits adjacent to Ayerst Court; the flank elevation of the end terraced house is designed to present only a plain façade.
- 8.53 Along Capworth Street the extent of overshadowing from Blocks A, B & C to the properties on the north side will be minimal - front to front separation distances of over 25 metres are achieved. Only Block A directly faces these properties and its height mimics that of the existing Osborne Curt (as its seventh floor is recessed). Blocks B & C directly overlook Tesco car park.
- 8.54 Where Block A extends to the rear of Osborne Court, the layout of the accommodation is designed such that the sections of the building that sit closest to the adjoining property contain no windows to habitable rooms. As such the proposal will result in no material loss of privacy or overlooking.

8. Transport

- 8.55 The site is of 'medium' public transport accessibility and has a PTAL of 4, although the PTAL 5 boundary is only a 3 minute walk from the site.
- 8.56 The site is well served by train and bus services. There are links via Leyton High Road and Beaumont Road to the mainline railway station at Leyton Midland Road, 530 metres from the site. Walthamstow Central Station is also within a 15 minute walk (or short bus journey).

Nearby bus stops are located on Leyton High Road, 150 metres from the site, and these serve over 15 different bus routes.

9. Car Parking

- 8.57 The scheme proposals include an amount of associated car parking (both on and off-street). Overall 43 car parking spaces are proposed for the 117 new dwellings (a ratio of 37%). 32 spaces are on-street either as regular roadside car parking bays or as small blocks of end on car parking at intervals along the Boulevard home-zone.
- 8.58 Originally the scheme provided 54 car parking spaces, however, the moving of the two bin stores from the Capworth Street elevation (for reasons of crime prevention, as well as aesthetic concerns), resulted in the loss of 11 spaces.
- 8.59 11 car parking bays are allocated for wheelchair users and are sized accordingly with additional space for access and manoeuvring. Each of these disabled spaces is closely associated and relate naturally and conveniently to wheelchair accessible dwellings within the development.
- 8.60 All car parking is well overlooked and is relatively close to the new buildings and so is likely to be secure and convenient for residents.
- 8.61 The lower level of car parking (37%) that is proposed is justified by reference to local and national policy seeking to discourage car use where appropriate. The development is in close proximity to the Bakers Arms District Centre and public transport connections are good, particularly in terms of bus movements along the High Road.
- 8.62 In addition, as the scheme comprises 100% affordable housing (of a variety of tenures) it is anticipated that levels of car ownership will be lower than the average. Furthermore, the applicant has also proposed a Travel Plan, which includes measures to reduce car reliance. The Travel Plan will be secured by S.106 Agreement.

10. Cycle Parking

- 8.63 The Council's Cycle Parking Standards require 1 space per unit for flatted developments. Covered and secure cycle storage is provided for all new flats in shelters in the areas in or off the rear courtyards, and the proposal is considered acceptable in this regard.
- 8.64 Access to the cycle sheds will be via the access drives off the central Boulevard. The sheds themselves will be compartmented and fitted with robust locking arrangements to each area. The detailed design of the cycle stores can be controlled via condition.

11. Energy

- 8.65 The submitted Energy Statement includes a commitment to build properties to a Code for Sustainable Homes Level 3 (CSHL 3). In meeting CSHL 3 an overall reduction in CO2 emissions of 25% is sought.

- 8.66 The development will be designed to minimise energy consumption and environmental impact through a number of features and energy efficient design.
- 8.67 Flats will be designed to principles of low energy in use and construction. Passive solar gain and high standards of insulation will be employed. It is proposed that energy-efficiency measures are implemented to ensure at least an average reduction of 12% of the carbon dioxide emissions compared to the Building Regulations Target Emission Rate prior to the implementation of renewable energy technologies.
- 8.68 This leaves low or zero carbon energy technologies to provide at least a further 13% reduction of carbon dioxide emissions compared to the Building Regulations Target Emission Rate to meet the Code for Sustainable Homes Level 3* requirements.
- 8.69 It is proposed that the renewable energy technology to achieve the desired level of carbon dioxide reductions should be exhaust air heat pumps, supplemented by roof mounted photovoltaic panels for the blocks. The geometry of the main roofs has been partly designed with solar energy in mind and it is proposed that 25 photovoltaic panels are laid out in two arrays between the roofs of Block A, B and C.
- 8.70 The Council's Energy Officer is satisfied that the proposed energy/C02 savings will meet the Council's target and this element will be controlled by condition as more details become available during the development process.

12. Archaeology

- 8.71 Part of the site (a small section of the (north-east corner), falls within an Archaeological Priority Zone (APZ). However, archaeological investigations have been carried out for earlier phases of the development, revealing no evidence for any heritage assets of archaeological interest in this part of the site. Subsequently, English Heritage have confirmed that archaeology need no longer be a consideration for this application.

13. Crime and 'secure by design'

- 8.72 The overall layout provides direct access for all ground floor units to animate the street and the communal spaces. Balconies and terraces are provided to the fronts and backs of all blocks offering natural surveillance. The position of the living and bedrooms in each property have been arranged to ensure adequate surveillance of the adjacent spaces.
- 8.73 At the request of the Council's Metropolitan Police Crime Prevention & Design Adviser (CPDA), the two pavilion style bin stores that were originally located along the Capworth Street frontage have been relocated to the rear of Block B/C due to concerns over potential ambush and loitering.
- 8.74 The existing footpath connecting the High Road and the Beaumont Estate cannot be effectively overlooked and only benefits from

sporadic pedestrian traffic largely unseen from the public highway. For this reason it is proposed that the footpath be closed for the increased security of residents on the Estate and for casual pedestrians in the area. The Metropolitan Police are supportive of the closure of this alley.

14. Planning Obligations

- 8.75 The application will be accompanied by a section 106 agreement to mitigate the wider impact of the development. This currently includes provision for affordable housing, wheelchair housing, car club and travel plan, highway improvement works' (to include works as shown on highways drawing outside of the site would to be included as part of S278 Agreement or other suitable legal agreement).
- 8.76 In addition to the above, the applicant has proposed financial contributions toward school places and tree planting. Negotiations between Officers and the applicant are still ongoing and Members will be updated.

9 HUMAN RIGHTS

- 9.1 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.

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.

10 RECOMMENDATION

SUBJECT TO THE APPLICANT ENTERING INTO A LEGAL AGREEMENT WITH THE COUNCIL TO ENSURE THE FOLLOWING:

- a. **The developer to make a contribution of £101, 816 towards the costs of providing additional primary and secondary school places in the area.**
- b. **The developer to make a contribution of £15,210 towards the provision of street trees.**
- c. **Commitment of the developer to the promotion of Sustainable Transport measures allied to a Green Travel Plan with the measures contained in the submitted Travel Plan (April 2010),**

- d. The developer to pay an additional fee of 5% of the total monetary contributions for the monitoring of the agreement.**

The Planning Committee is requested to resolve that planning permission be granted subject to the following conditions:

10.1 Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development shall be carried out in accordance with the submitted drawings.
3. The development shall be designed and constructed so to achieve the following noise levels:

For habitable rooms, mitigation should include a scheme of acoustic protection sufficient to ensure internal noise levels of 40 dB(A) during the daytime (living rooms, LAeq, 16hr) and 30 dB(A) during the night-time (bedrooms, LAeq, 8hr).

The sound insulation provided shall include the installation of acoustically treated ventilator units.

4. The standard for all main entrance door sets to individual dwellings and communal entrance door sets throughout the development hereby allowed shall as a minimum be made secure to standards, independently certified, set out in BS PAS 24-1:2007 'Security standard for domestic door sets'.
5. The standard for all window sets on the ground floor of the development shall as a minimum be made secure to standards, independently certified, set out in BS.7950 'Security standard for domestic window sets'.
6. No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
7. Prior to the commencement of the development a sustainability statement, in accordance with the principles contained in the sustainability statement, the code for sustainable homes statement and the energy statement all dated April 2010 detailing (i) an energy strategy to achieve maximum use of energy from renewable sources to a target of 20% of energy provision from renewable sources and (ii) measures to be incorporated within the new development to improve energy efficiency and to meet code for sustainable homes level 3 shall be submitted to and approved in

writing by the Local Planning Authority. The approved measures shall be incorporated into the development and a report from a recognised Code Assessor shall be submitted confirming that the development achieves the said Level 3 prior to first occupation of any of the dwellings. Thereafter the measures taken shall be maintained fully in accordance with the approved details.

8. Samples and a schedule of materials to be used in the elevations of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. This condition shall apply notwithstanding any indications to these matters that have been given in the application. The development shall thereafter be constructed in accordance with the approved details.
9. Details of the siting and design of all walls, fences, gates and other means of enclosure shall be submitted to and approved by the Local Planning Authority in writing before any work is commenced on the site. Such walls, fences and gates as may be approved shall be erected before the initial occupation of any of the flats hereby permitted unless the prior written approval of the Local Planning Authority has been obtained to any variation.
10. Prior to the commencement of the development hereby permitted samples and/or a specification of all finishing materials to be used in any hard surfacing of the application site shall be submitted to and approved in writing by the Local Planning Authority. The hard surfacing shall thereafter be carried out solely in accordance with the approved details prior to the initial occupation of any of the flats hereby permitted.
11. Notwithstanding any indications on the submitted drawings, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping for the site. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from planting die, are removed or become seriously damaged or diseased shall be replaced with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
12. Prior to the commencement of the development, full details of facilities for refuse and recycling storage shall be submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be provided in accordance with the approved details prior to the initial occupation of any of the dwellings or flats hereby permitted and thereafter permanently so maintained.

13. Wheel washing facilities for vehicles leaving the site during construction works shall be installed on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The facilities shall be installed prior to the commencement of any construction work on site and shall be maintained for the duration of the construction works.
14. The development shall comply in all respects with the Council's adopted access guidelines 'Access For All' and the dwellings shall be built to Lifetime Homes standards. The entrance doors to the dwellings shall have a minimum clear opening width of 900mm. Wet floor gullies are required under the baths in all flat accommodation.
15. Notwithstanding the provisions of Article 3 and Classes A, B, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order), no enlargement, improvement or other alteration of, or to, any dwellinghouse the subject of this permission shall be carried out without planning permission having first been obtained via the submission of a planning application to the Local Planning Authority; nor shall any building or enclosure required for a purpose incidental to the enjoyment of any said dwellinghouse, other than the gardens sheds shown on the approved drawings, be constructed or placed on any part of the land covered by this permission without such planning permission having been obtained.
16. No development shall be carried out prior to the carrying out of a suitable and sufficient site investigation to determine the presence of contaminants, including ground-exhaled gases. The full methodology and full results of the investigation and details of remedial measures proposed for the treatment of the contamination on the site shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The submitted information shall include measures to mitigate the presence of any contaminants, to protect structures and services, and to protect future maintenance personnel, and prevent pollution of groundwater and surface water (including the provision of monitoring thereof).
17. Details of the remedial measures proposed for the treatment of the contamination of the site shall be submitted to and approved by the Local Planning Authority. The contamination shall be fully treated in accordance with the approved measures before development is commenced on the site.
18. During the course of the construction and carrying out of the development approved, access shall be provided to Council officers and their agents to ensure that any unforeseen contamination problems are recognised and any such contamination shall be

treated by remedial action specified by the Council or their agent or as agreed in writing.

19. Certification should be provided on completion of remediation works from the appointed specialist contractor that the works by virtue of conditions 2-4 above, were completed wholly in accordance with the agreed details.

10.2 Reasons

1. To comply with the provisions of Section 91 of the Town and Country planning Act 1990) as amended).
2. To ensure that the development is completed in accordance with the approved details.
3. To safeguard the amenity and living condition of future occupiers of the development and to comply with policies BHE3 and WPM10 of the Adopted Waltham Forest Unitary Development Plan (2006).
4. In the interest of creating safer, sustainable communities and residential amenity, in accordance with policy BHE7 of the adopted Waltham Forest Unitary Development Plan (2006).
5. In the interest of creating safer, sustainable communities and residential amenity, in accordance with policy BHE7 of the adopted Waltham Forest Unitary Development Plan (2006).
6. The proposed works will be in close proximity to underground water and sewerage utility infrastructure. Piling has the potential to impact on local underground water and sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.
7. To ensure the development meets targets for use of renewable energy and accords with the principles of energy efficiency and to comply with policies WPM20 and WPM21 of the adopted Waltham Forest Unitary Development Plan (2006).
8. To ensure a satisfactory appearance in the interest of character and visual amenities in the area, in accordance with policy BHE1 of the adopted Waltham Forest Unitary Development Plan (2006).
9. To ensure a satisfactory resultant appearance and standard of amenity of the site, and to protect the amenities of the occupiers of neighbouring properties, in accordance with policy BHE1 of the adopted Waltham Forest Unitary Development Plan (2006).
10. To ensure that the appearance of the development is satisfactory in the interests of the character and amenities of the area, in accordance with policy BHE1 of the adopted Waltham Forest Unitary Development Plan (2006).

11. To ensure that the site is appropriately landscaped in the interest of the character and amenity of the area, and to comply with policy BHE1 of the adopted Waltham Forest Unitary Development Plan (2006).
12. To ensure that adequate arrangements are made for the storage of refuse and recycling materials in the interests of the character and amenities of the area, in accordance with policies BHE1 and BHE3 of the adopted Waltham Forest Unitary Development Plan (2006).
13. In the interests of pedestrian and highway safety, in accordance with policies TSP4 and TSP14 of the adopted Waltham Forest Unitary Development Plan (2006).
14. In order to comply with the Joseph Rowntree Foundation 'Lifetime Homes' standards, and Policy BHE5 of the adopted Waltham Forest Unitary Development Plan (2006).
15. In the opinion of the Local Planning Authority, the layout of the development and the proximity of neighbouring properties requires strict control over the form of any additional development that may be proposed in the interests of maintaining a satisfactory residential environment, in accordance with policies BHE1 and BHE3 of the adopted Waltham Forest Unitary Development Plan (2006).
16. In the interests of the future health of occupiers of the development and to prevent pollution of groundwater, in accordance with Policy WPM7 of the adopted Waltham Forest Unitary Development Plan 2006.
17. In the interests of the future health of occupiers of the development and to prevent pollution of groundwater, in accordance with Policy WPM7 of the adopted Waltham Forest Unitary Development Plan 2006.
18. In the interests of the future health of occupiers of the development and to prevent pollution of groundwater, in accordance with Policy WPM7 of the adopted Waltham Forest Unitary Development Plan 2006.
19. In the interests of the future health of occupiers of the development and to prevent pollution of groundwater, in accordance with Policy WPM7 of the adopted Waltham Forest Unitary Development Plan 2006.

10.3 Informatives:

1. Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of

backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

2. Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 277.
3. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
4. There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.
5. 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.

11 BACKGROUND DOCUMENTS

11.1 None.