ONDON BOROUGH OF WALTHAM FOREST

Committee/Date: Planning 10th September 2013
Application reference: 2013/0554
Applicant: Hollivale Blackhorse Lane LLP
Location: Mandora Site; Comprising Land At 3; 5 and 7 Blackhorse Lane; Land to South of Hookers Road and Sawyers Wharf; Hookers Road; Walthamstow; E17
Proposed development: Retention, refurbishment and extension of Gnome House (no: 7 Blackhorse Lane) to provide 8 residential dwellings (extension) and change of use of ground floor to provide flexible A3/B1/D1 floor space; and demolition of all other buildings for mixed use redevelopment to provide blocks ranging from 3-8 storeys in height and comprising 476 residential dwellings (therefore a total of 484 dwellings) 519 rooms of student accommodation (sui generis) 1080sqm of commercial (A1/A3) floorspace and 305sqm of commercial (B1) floorspace with a linear park and associated landscaping access car and cycle parking and refuse and recycling storage.
Wards affected: William Morris; Higham Hill, High Street.
Appendices: None

1 RECOMMENDATION

1.1 Grant conditional planning permission, subject to the following:
   • no adverse comments being received from the GLA as a result of the Stage 2 referral under the Town & Country Planning (Mayor of London) Order 2008,
   • Completion of a s106 legal agreement as set out in section 13 of this report.

1.2 Members are advised that under the provisions of the Town & Country Planning (Mayor of London) Order 2008, should Members approve the application, it must be referred back to the GLA for further consideration as to whether it should be called in for determination by the Mayor.

1.3 It is recommended that authority be given to the Head of Development Management and Building Control in consultation with the Council’s Legal Services for the negotiation, completion and sealing of the s106 Agreement on the terms outlined under the Recommendation at Section 13 subject only to minor amendments to the terms of the s106 Agreement.
2 REASONS REFERRED TO COMMITTEE
- Major matters of planning policy are involved
- The matter is of such importance that it has been referred to Committee by officers

3 DETAILS OF PROPOSAL AND SURROUNDINGS

The Site

3.1 The area is formerly the southern edge of the Blackhorse Lane Strategic Employment Area (SEA4) as identified in the Waltham Forest Unitary Development Plan (2006). As indentified in the Mayor’s Upper Lee Valley Opportunity Area Planning Framework (Nov 2012), and with the adoption of the Waltham Forest Core Strategy (2012), the area occupied by the proposed development to the south of Hookers Road has since been released from the designation of Strategic Industrial Land for residential-led mixed use development.

3.2 The detail of the Council’s regeneration plans for the area are set out in the Blackhorse Lane Area Action Plan Proposed Submission (March 2013). Although the AAP has not yet been adopted, it remains a significant material consideration. Here the site is indentified in accordance with the London Plan (2011) as an Opportunity Site (BHL1) in which the regeneration aspiration would be for a residential led mixed use development comprising 1000 new homes, 4550 sq.m of commercial space and a new linear park and public open spaces.

3.3 The site occupies an area of approximately 2.76ha located to the southern end of the Blackhorse Lane regeneration area of Walthamstow and represents the southernmost end of the Blackhorse Lane Industrial Area. The site faces onto Hookers Road to the northern and Blackhorse Lane to the eastern aspects. The site is separated from Forest Road to the south by the former Royal Standard pub and other industrial buildings. The Lee Valley Regional Park (comprising the Walthamstow Reservoirs and the High and Low Maynard Reservoirs) lie to the west of the site beyond industrial site at Wickford Way / Ferry Lane. The wetland sites are of national and international conservation importance being designated RAMSAR, Site of Special Scientific Interest (SSSI) and Special Protection Areas (SPA).

3.4 The site is accessed from both Blackhorse Lane on the eastern and Hookers Road to the northern aspect and comprises primarily the four/five storey Waltham Forest Business Centre at its southern end adjacent to the site of the Royal Standard. To the north western and western aspect of the site there are low rise industrial sheds comprising mainly a mannequin factory and a wood finishes company. The northern boundary to Hookers Road is characterised by a three to four storey block running east to west to the rear of residential housing which faces onto Blackhorse Lane.
3.5 Gnome House, a four storey Art Deco building is retained in this proposal and is located to the eastern boundary of the site adjacent to residential housing running to the north eastern boundary of the site. Both Gnome House and the business centre building facing into Blackhorse Lane have been considered ‘Buildings of Merit’ by the Council within the AAP, although it is noted that neither are listed, either locally or nationally.

3.6 The site has historically been in industrial use although like many of the industrial premises in this area has become somewhat underused and derelict.

Surrounding Area

3.7 The surrounding area is mixed in character: to the east the development faces a residential area extending between the western side of Blackhorse Lane to Higham Hilll Road further to the east. This area is characterised by mainly two storey Victorian era housing, a parade of small shops and cafes to Blackhorse Lane and the site of the current Willowfield School towards the western end of Clifton Avenue.

3.8 To the north the proposal faces into Hookers Road which represents the southernmost part of the Forest Trading Estate. This is an area of commercial and industrial uses extending northwards along Billet Road.

3.9 To the south the application site faces the site of the Royal Standard/. At the time of writing the site is closed whilst the owners and the Council are in pre-application discussions on redevelopment proposals.

Accessibility

3.10 The site lies within an area of Level 3-4 PTAL located approximately 100m to the north of Blackhorse Road station which offers access to the Victoria line underground services and overground services via the Gospel Oak – Barking line. The site is close to four bus routes Routes 158, 123, 230 and W15 stopping near either Blackhorse Lane or Forest Road.

3.11 In terms of the main road network, the site is located on the B179 Blackhorse Lane some 80m from the main A503 Forest Road. The nearest part of the TfL Strategic Road network - Chingford Road lies approx 1.5km to the east whilst the A406 North Circular lies approx 2km to the north.

The proposal

3.12 The proposal involves the comprehensive redevelopment of the site including the demolition of all of the buildings with the exception of Gnome House. The site will essentially be divided into two halves: to the north the development will be primarily residential and will comprise the location of the affordable housing and the majority of the residential units together with the employment space, art gallery and café in Gnome House. To the south of the site, the development will be
characterised by the student accommodation block with retail frontage and the remaining three residential blocks.

3.13 **Linear Park**: The site is divided from east to west by the linear park. This feature extends from Blackhorse Lane to the edge of the Wetlands to the west and features a varied landscape from the paved entrance piazza at the eastern end to the landscaped and wildlife park oriented environment to the western end.

**The southern element**

Essentially the southern part of the site comprises Block W – principally the student accommodation and three blocks of residential with some commercial:

3.14 **Block W**: This forms the enclosed courtyard block to the southern edge of the site adjacent to the Royal Standard. This block feature a ground floor retail unit (approx 735 sq.m) to the Blackhorse Lane frontage and will rise from part 3 part 4 storeys from the frontage to 8 storeys to the west and south. The block will provide student accommodation as follows:

<table>
<thead>
<tr>
<th>Level</th>
<th>Studio</th>
<th>Wheelchair units</th>
<th>Single room</th>
<th>Kitchens</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>0</td>
<td>32</td>
<td>7</td>
</tr>
<tr>
<td>2</td>
<td>4</td>
<td>0</td>
<td>56</td>
<td>10</td>
</tr>
<tr>
<td>3</td>
<td>5</td>
<td>0</td>
<td>68</td>
<td>12</td>
</tr>
<tr>
<td>4</td>
<td>7</td>
<td>1</td>
<td>86</td>
<td>15</td>
</tr>
<tr>
<td>5</td>
<td>7</td>
<td>1</td>
<td>86</td>
<td>15</td>
</tr>
<tr>
<td>6</td>
<td>7</td>
<td>0</td>
<td>75</td>
<td>13</td>
</tr>
<tr>
<td>7</td>
<td>5</td>
<td>0</td>
<td>36</td>
<td>6</td>
</tr>
<tr>
<td>8</td>
<td>5</td>
<td>0</td>
<td>36</td>
<td>6</td>
</tr>
<tr>
<td>total</td>
<td>42</td>
<td>2</td>
<td>475</td>
<td>84</td>
</tr>
</tbody>
</table>

| Overall | 519 |

3.15 The student block will feature a courtyard amenity space, management offices and a dedicated reception and café area for the occupiers.

3.16 **Block Q** adjoins Block W to the north facing into the entrance to the linear park. This block provides approximately 345 sq.m of retail commercial space fronting Blackhorse Lane where it presents a part 2, part 4 storey frontage, rising to 6 storeys to the western side adjacent to Block R. The block will accommodate 25 residential units.
3.17 **Block R** is located behind and to the west of Block Q facing north across the linear park to Gnome House. This is a 7 storey block accommodating 38 units of residential accommodation.

3.18 **Block S** is located behind and to the west of Block R facing north across the linear park to Gnome House. This block joins Block W to the west via a 5 storey link section and is otherwise an 8 storey block accommodating 48 units of residential accommodation and 10 car parking spaces at ground floor level under the main building.

**The northern element**

To the north of the linear park are the other main residential elements, both affordable and market housing with business space.

3.19 **Block P** is located to the north of the site across the entrance piazza of the linear park. This is the retained Gnome House which will be extended to include community uses such as an art gallery and café on the ground floor: two floors of B1 studio space above and 8 residential units on the upper floors. An open performance area will lie to the north of the site behind the residential houses on the western side of Blackhorse Lane.

3.20 **Block N** is a part three part four storey block comprising the main affordable rent element of the proposal. This block includes a terrace of 21 units including 7 duplexes and 14 maisonettes. Amenity space is provided in the form of 14 gardens to the rear at ground floor level to the backs of the houses on Blackhorse Lane with 7 roof terraces at upper storey level.

3.21 Two hollow rectangular courtyard blocks are provided to the west of Block N and extending to the northern boundary of the site on Hookers Road. These are summarised here as Blocks GHJKM and ABCD which both form hollow squares around a landscaped communal amenity garden in the centre. Both blocks follow the same general conventions, with the east and west facing elevations rising to 6 storeys over lower north and south facing elevations.

3.22 **Block GHJKM** in this case faces into Hookers Road on the northern boundary, utilising the features of the existing boundary wall. Here provision is made for four B1 type commercial units at ground floor level facing Hookers Road. Above, this elevation rises to part 5 part 6 storeys. At the opposite end of the block facing south, the complementary elevation is lower; rising from 4 to 6 storeys.

3.23 **Block ABCD** to the west of this block also faces into Hookers Road on the northern boundary although the ground floor is residential throughout, with the rear of the northern boundary units facing into the street behind minor amenity space and a boundary wall. The building is similar in form to the neighbouring block ranging from 4 – 6 storeys in height.
3.24 In terms of housing, the scheme will provide 484 units of residential accommodation. The proposed mix and tenure for the scheme is shown in the following table:

<table>
<thead>
<tr>
<th>Unit size</th>
<th>Affordable Element</th>
<th>Private Element</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rented</td>
<td>Social Rent</td>
</tr>
<tr>
<td>studio</td>
<td>Total units in scheme</td>
<td></td>
</tr>
<tr>
<td>1 bedroom</td>
<td>138</td>
<td>2</td>
</tr>
<tr>
<td>2 bedroom</td>
<td>256</td>
<td>1</td>
</tr>
<tr>
<td>3 bedroom</td>
<td>88</td>
<td>16</td>
</tr>
<tr>
<td>4 bedroom</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>5 bedroom</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 bedroom</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>484</td>
<td>19</td>
</tr>
</tbody>
</table>

3.25 59 units will be affordable housing (223 rooms), comprising 12% of the total housing provision by unit or 14.9% by habitable rooms. The remaining 425 units will be in private ownership.

Supporting documentation

3.26 The applicant has submitted a range of supporting documents to accompany the application as follows:

3.27 Acoustical Design Assessment – This report considers noise and vibration impacts upon the site from road noise and noise generated from neighbouring uses including the site the Royal Standard on residential development and amenity areas within the site. The report concludes that the site is acoustically suitable for the proposed development.

3.28 Air Quality Assessment – The report recognises that the whole Borough is an Air Quality Management Area (AQMA) and identifies existing sources of air pollution in the site area including neighbouring industrial uses and road pollution. The report identifies 36 sensitive receptor locations onsite and seeks to assess how best to protect these. The report identifies areas of potential exceedance and concludes that with appropriate identified mitigation measures, the overall air quality impact of the proposal will be insignificant.

3.29 Arboricultural Report: Impact Assessment and Method Statement – The report has been produced in line with the guidance and recommendations within BS587:2012 – Trees in Relation to Construction. The report identifies 4 street trees to the eastern edge of
the site and 1 tree within the site which may be affected by the proposal, recommending the removal of the latter. The report assesses the impacts upon the trees and sets out a schedule and general method statement for how trees should be protected during the development and how adjacent works should be carried out.

3.30 Bat Surveys and Bat Mitigation Strategy - The applicant has submitted a report which identifies evidence of actual and potential roosting by long eared, noctule and pipistrelle bats on the site and which sets out a strategy based on worst case scenarios to ensure that mitigation measures are designed into the scheme. The report identifies what are referred to as exceptional circumstances associated with the application and acknowledges that the works proposed will need to be licensed through a European Protected Species Mitigation (EPSM) license granted by Natural England on grant of planning permission. The Strategy proposes a variety of measures from mitigation during demolition works, compensatory bat roost locations and a lighting strategy to limit upward light spill. The report concludes that with such measures and a regime of review the scheme will have a negligible impact upon bat species.

3.31 Daylight and Sunlight Report - the applicant has submitted a report which deals with the impact of the development on daylight and sunlight levels to surrounding buildings. The report sets out the accepted BRE standard in terms of VSC (Vertical Sky Component) and APSH (Annual Probable Sunlight Hours) as set out in BRE Report 209 ‘Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice’ (2nd edition 2011). The report concludes that the proposal does not significantly reduce sunlight or daylight to existing surrounding properties. The report does not deal with daylight or sunlight within the development and during the assessment of this application a supplementary report – Light Within Report for Proposed Development has been submitted. This report is discussed below.

3.32 Demolition and Construction Noise Assessment – This report has been produced to address Natural England’s objection on the grounds of the noise impacts of the proposal upon the neighbouring Wetlands SPA. The report models both existing noise from traffic and from the site and considers overall noise levels likely to be generated on site by typical machinery likely to be employed during the demolition and construction phases. The report concludes that the noise impact will generally be negligible to the eastern aspect of the High Maynard Reservoir and that where the noise impact would be greatest – demolition of the warehouse – that impacts can be mitigated to minimise the risk to migratory birds.

3.33 Design and access statement - this report gives a broad assessment of the site location and the proposal in terms of the physical, social, economic and policy contexts. The DAS includes an assessment of the proposal in terms of appearance design and layout, scale height and massing and proposed uses. The DAS includes the landscaping and
public realm associated with the proposal and addresses matters that include sustainability and access.

3.34 Energy Statement Report - This statement includes information on the energy efficiency of the development in terms of demand, carbon emissions and the benefits of the renewable sources of energy to be employed. The strategy is structured to address the energy hierarchy set out in London Plan 2011 policy 5.2: Be Lean, Be Clean, Be Green. The statement describes the layout of the heating network on the site and includes consideration of how the site can be future proofed to be incorporated into the Upper Lea Valley District Heating Network. Additional efficiency measures include enhanced insulation, thermal efficiencies, natural and heat recovery ventilation, recycled solar gain heat, low energy lighting, photovoltaics and green roofs.

3.35 Flood Risk Assessment - the site is located on mainly on Level 1 flood plain with a low risk of flooding. Small sections of the west of the site are identified as falling within Level 2 and Level 3 flood plain. The report identifies the principal flood risk within the Level 1 area as surface water runoff and proposes a surface water drainage strategy to incorporate greenrooves and cellular storage in Phase 1 and cellular storage and ponds to attenuate runoff in Phase 2. In line with the FRA a surface water drainage strategy based on draining the site through discharge to Dagenham Brook subject to Flood Defence Consent from the Environment Agency. Overall the report concludes that the proposal will not result in unacceptable or unsafe floodrisk at or near the site.

3.36 Framework Travel Plan - sets out the strategy for the evolution and implementation of a travel plan to limit and manage the number of vehicular movements associated with the site and to promote alternative means of travel. The report refers to the level of car and ccle parking on the site and refers to the highway improvements indicated in the Transport Assessment. The report identifies the development in the contexts of the local highway and public transport network and in relation to local shops and services. The Travel Plan sets out a strategy for promoting and monitoring and reviewing use of sustainable modes of transport through indentified targets.

3.37 Historic Environment Assessment - the applicant has submitted a report produced by Museum of London Archaeology in line with the requirements of the NPPF and to specific standards established by the Institute of Archaeologists, English Heritage and GLAAS. The report states that there are no nationally designated sites such as listed buildings on the site. The report acknowledges that the site may contain prehistoric fluvial deposits ands lies within an Archaeological Priority Zone 700m to the northwest of the heart of Saxon and medieval centre of Walthamstow. The report concludes that as the site is previously developed that the potential for Roman or medieval remains at shallower depths might be lower than might be the case for prehistoric remains. The report concludes that in the event that
permission is granted that an appropriate condition for archaeological evaluation should be attached.

3.38 Light Within Report for Proposed Development – This report deals with the impact of the development on daylight and sunlight levels within the development. The report sets out the accepted BRE standard in terms of ADF (Average Daylight Factors) and APSH (Annual Probable Sunlight Hours) as set out in BRE Report 209 ‘Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice’ (2nd edition 2011), BS8206-2 ‘Lighting for Buildings – Part 2: Code of Practice for Daylighting’ (2008) and additional CIBSE guidance Lighting Guide LG10 ‘Daylight and Window Design’ (1999). The report concludes that the 79% of rooms within the proposal would have an ADF in excess of BRE guidelines. In relation to APSH approximately 35% of main living rooms tested would meet the BRE standard. The report notes the impact on daylighting of balconies and considers the balance between the requirement for useable amenity space and the limitations of the urban context.

3.39 Phase 1 Environmental Risk Assessment – assesses the site for the presence of contamination and other potentially negative environmental issues. The desk based study takes account of historical land use and the use of the existing structures on the land. The report concludes that the site lies in an area considered to be moderate to high environmental sensitivity and that the potential for significant land contamination is considered to exist. The report recommends that a Phase 2 assessment will be required in addition to the detailed flood risk assessment referenced above.

3.40 Planning Statement - this document summarises the context and history of the site and describes the development against relevant national, regional and local policy and material considerations. The document provides a supporting case for the development based on a summary of all the other supporting documents. This document includes an appendix summarising gas monitoring data from the site and concludes that no precautions would need to be undertaken in relation to the redevelopment of the site subject to further monitoring.

3.41 Preliminary Bat Roost Assessment - The applicant has submitted a report which identifies evidence of actual and potential roosting by bats on the site and which sets out a strategy based on worst case scenarios to ensure that mitigation measures are designed into the scheme. The report identifies what are referred to as exceptional circumstances associated with the application and acknowledges that the works proposed will need to be licensed through a European Protected Species Mitigation (EPSM) license granted by Natural England on grant of planning permission. The Strategy proposes a variety of measures from mitigation during demolition works, compensatory bat roost locations and a lighting strategy to limit upward light spill. The report concludes that with such measures and a regime of review the scheme will have a negligible impact upon bat species.
3.42 Preliminary Ecological Appraisal – The report considers the location of the proposal in relation to the designated area of the Walthamstow Wetlands SSSI, RAMSAR and Lee Valley Special Protection Area (SPA) and the impact of the proposed development upon adjacent habitat types. The report concludes that whilst habitats observed on site are of value only in their immediate vicinity, but roosting and bird nesting activities were observed on site. The report makes recommendations for mitigation of the proposed impacts through consultation with Natural England and LBWF in order to work towards Habitat Regulations Assessment Screening in the event that development significantly impacts on the Lee Valley SPA or Ramsar site. The report further includes recommendations in relation to the maintenance of tree habitats, the emplacement of bird and bat boxes, the development of planting schemes of value to wildlife in the linear park and the control of light spillage in the development.

3.43 Report on Ground Investigation and Preliminary Contamination Testing - The report refers to borehole investigation carried out at the site in November 2012 and the testing of ten soil and one water sample from the site. The report concludes with reference to the Phase 1 Environmental Risk Assessment that contamination on site is at a relatively low level and confined primarily to near surface fill material.

3.44 Statement Of Consultation: details pre-application consultation with council officers and the public in the form of exhibitions and mail drops in line with the requirements of the Localism Act 2011.

3.45 Student Accommodation Demand Study - The report reviews the requirements of students studying at universities based in the Greater London area and investigates the existing provision of student accommodation and the pipeline for future development. The report demonstrates that there is a significant under provision of student accommodation in London and that this represents a significant strain on the private rental with particular reference to HMO provision. In addition the report draws attention to the potential benefits of students to the local economy against a low impact on local community infrastructure.

3.46 Sustainability Statement – a comprehensive report which considers issues of sustainability in relation to the site in terms of design and management standards in relation to Code for Sustainable Homes and BREEAM standards, waste, sustainable design and construction biodiversity, transport and flooding and surface water run off. The statement demonstrates how the development will achieve code for sustainable homes level 4 and the commercial buildings will achieve BREEAM “Excellent”. The report includes an Appendix 4 which has been submitted separately to cover a multi residential assessment.

3.47 Transport Assessment – This document has been compiled in accordance with the Department of Transport “Guidance on Transport Assessments” (2007) and TfL’s “Transport Assessment Best Practice Guidance Document” (2010) and assesses the implications of the development in relation to the Standard Junction and neighbouring
highways in relation to vehicular trip generation and issues of access circulation, parking, refuse and delivery to the site. During the assessment of this application, a supplementary report, Response to Highway Authority Comments has been submitted to deal with matters raised in the processing of this application.

3.48 The applicant has submitted an appraisal of financial viability carried out by Strutt & Parker in support of this application. Conducted in line with the precepts of the GLA toolkit, the appraisal concludes that the proposal will provide the maximum reasonable amount of affordable housing. The viability report has been reviewed by the Council’s independent assessor whose comments will be included in an update report.

4 RELEVANT SITE HISTORY

4.1 3-5 Blackhorse Lane:

1949/0426: Extension to store and provision of a first floor to warehouse. Approved 31/12/1949
1950/0076: Construction of an internal additional floor to a warehouse. Approved 25/03/1950
1955/0175: Erection of a store. Approved 05/10/1955
1957/0237: Erection of a new factory building and alteration to existing, means of access and construction of a new access. Approved 02/02/1959
1949/0426: Extension to store and provision of a first floor to warehouse. Approved 31/12/1949
1959/0298: Temp single storey shed. Approved 01/02/1960
1959/0298: Retention of single storey shed. Approved 03/07/1961
1959/0298: Retention of single storey shed. Approved 28/08/1961
1959/0298: Retention of single storey shed. Approved 29/10/1962
1961/0341: Additional means of access. Approved 05/03/1962
1977/0240: Elevational alterations. Approved 14/04/1977
1978/0053: Change of use of 2nd and 3rd floors of front building from industry to offices. Approved 18/04/1978
1979/0200: Change of use of part of first floor light industrial to offices. Approved 25/05/1979
1981/0247: Erection of 3 storey industrial building with car parking at ground floor and storage on 1st and 2nd floors. Refused 30/06/1981
1987/0120: Change of use of part of ground floor and part first floor of front building to offices. Approved 13/05/1987

4.2 3-5 Blackhorse Lane:
2010/1398: Conversion of industrial building at second floor level into mixed use. Use as a (Use Class B1 and Non Residential Institutions Use Class D1). **Approved 13/12/2010**

2010/1403: Conversion of the ground floor of the southern wing of an industrial building into mixed use. Use as a (use class B1 and non-residential institution use class D1). **Approved 16/12/2010**

2011/0436: Conversion of building into mixed use Non Residential Institution/Training Centre (Use Class B1 and D1). **Refused 28/06/2011**

### 7 Blackhorse Lane (Gnome House & Gnome Works)

1970/0227: First floor extension to factory and new lift shaft. **Approved 07/05/1970**

1970/0658: Erection of fire escape staircase and formation of fire escape openings in Hookers Road elevation **Approved 29/10/1970**

1970/0758: Single storey extension to existing kitchen to form new kitchen and canteen. **Approved 08/01/1971**

1970/0758A: Single storey extension to existing kitchen to form new kitchen and canteen. **Approved 11/03/1971**

1971/0024: Erection of fire escape staircase and formation of fire escape openings in Hookers Road elevation. **Approved 21/01/1971**

1987/1006: Change of use from industry to retail warehousing. **Refused 02/12/1987**

1996/1020: Change of use of part of the site from general industrial (use class B2) to indoor go-karting track with provision for car parking. **Refused 06/02/1997**

1997/0210: Change of use of part of the site from general industrial (use class B2) to indoor go-karting track with provision for car parking. **Refused 13/05/1997**

1998/0349: Use of part of the building as a place of worship. **Approved 12/11/1998**

2001/0509: Continuation of use as a place of worship (renewal of temporary permission 98/0349) **Approved 27/02/2002**

2002/1667: Continuation of use as a place of worship (renewal of temporary permission 2001/0509). Use of first floor as youth centre, provision of elderly people’s day centre, provision for parking at 5 Blackhorse Lane and Forest Business Park **Withdrawn 08/09/2005**

2004/0814: Use as MOT test centre (Unit 9) **Approved 09/07/2004**

### 4.4 Sawyers Wharf
1957/0124: Addition to factory. Approved 04/01/1958
1961/0056: Extension to timber store. Approved 01/05/1961
1964/252: Roofing over yard area to provide additional storage space. Approved 01/09/1964
1968/0287: Erection of single storey building for use a spirit store. Approved 10/05/1968

4.5 In December 2012, an Environmental Impact Assessment (EIA) Screening Opinion was requested for development comprising the demolition of existing industrial and commercial units to make way for the development of 495 residential units, 15327 m2 students accommodation, 3640 m2 commercial floor space as well as pedestrian links and landscaping features. It was concluded that the level of development did not require an EIA.

5 PUBLIC CONSULTATIONS

5.1 699 properties in the surrounding area, including all commercial and residential properties in the vicinity of the site were notified directly of the application. These include:

5.2 Blenheim Road: 1-47 (odds), 2-84 (evens).
5.3 Tavistock Avenue: 1-47B (odds); 6-28A (evens)
5.4 Clifton Avenue: 1-35 (odds); 2-36 (evens); 38-40 Willowfield School and house.
5.5 Pembar Avenue: 1-47 (odds); 2-46(evens)
5.6 Uplands Avenue: 1-3 (all)
5.7 Ferry Lane Industrial Estate, Units 1-9
5.8 Forest Road: 1 (Forest Works Units 1-4), 2,4,8,10,26 (Latchingdon Court flats 1-77), 30A (8 flats), 30B (8 flats), 30C (2 flats) 32 (Nicholson Court flats 101-129); 34-82 (evens); 65-147B (odds)
5.9 Hookers Road: Sawyers Wharf (Units A&B), C&S Works, Gnome Works; Units 1-9
5.10 Blackhorse Lane: 6 – 108 (including Units C1 – G Webbs Site), 112 (including Units 1-16 Highams Lodge Business Centre) 116-176 (evens); 63-95B; 101 (units 3&4), 101B, 101C; 103-143, 145 (Curve Court flats 1-5).
5.11 Priestley Way: Forest Trading Estate Units 1, 11-17 (odds) Units 2-12 (evens)
5.12 In addition the application was advertised by press notice and 12 site notices were also displayed in the surrounding area.

5.13 The applicant has previously held public consultation events on 29th - 30th November 2012 and a second event on 1st-2nd February 2013. Both events were held at Blackhorse Lane Studios 114 Blackhorse
Lane. Prior to consultation, a website was set up and these events were advertised by a local leaflet drop to 1750 homes and businesses in the first instance with 2500 leaflets distributed for the second exhibition. Respondents were encouraged to provide their views via phone, email, a Freepost address and by feedback forms at the events.

5.14 Both events were advertised in the Waltham Forest Guardian and Chingford Guardian newspapers.

5.15 In addition the applicant has attended the Higham Hill Community Ward Forum on 29th January 2013 and in February 2013 met with the Blackhorse Action Group and the Waltham Forest Civic Society. Other meetings with stakeholders and local businesses are as recorded in the applicant’s Statement of Consultation.

6 DEVELOPMENT PLAN

Adopted Waltham Forest Core Strategy 2012

6.1 The Waltham Forest Core Strategy (2012) was adopted on 1st March 2012. The Core Strategy contains 16 policies designed to deliver the Council’s vision for the physical, economic, environmental and social development of the Borough. These policies will be used to direct and manage development and regeneration activity for the next 15 years, up to 2026.

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

CS1: Location and Management Growth
CS2: Improving Housing Quality and Choice
CS3: Providing Infrastructure
CS4: Climate Change
CS5: Enhancing Green Infrastructure and Biodiversity
CS6: Promoting Sustainable Waste Management and Recycling
CS7: Developing Sustainable Transport
CS8: Making Efficient Use of Employment Land
CS9: Promoting Better Education
CS10: Creating More Jobs and Reducing Worklessness
CS12: Protecting and Enhancing Heritage
CS13: Promoting Health and Well Being
CS14: Attractive and Vibrant Town Centres
CS15: Well Designed Buildings, Places and Spaces
CS16: Making Waltham Forest Safer

London Plan 2011
The London Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It was adopted in July 2011. The policies relevant to this application are:

2.3 – Growth Areas and Co-ordination Corridors
2.6 – Outer London: Vision and Strategy
2.7 – Outer London Economy
2.8 – Outer London: Transport
2.13 – Opportunity Areas and Intensification Areas
2.14 – Areas for Regeneration
2.15 – Town Centres
2.17 – Strategic Industrial Locations
2.18 – Green Infrastructure - the Network of Open and Green Spaces
3.1 – Ensuring Equal Life Chances for All
3.2 – Improving Health and Addressing Health Inequalities
3.3 – Increasing Housing Supply
3.4 – Optimising Housing Potential
3.5 – Quality and Design of housing Developments
3.6 – Childrens and Young People’s Play and Informal Recreation Facilities
3.8 – Housing Choice
3.9 – Mixed and Balanced Communities
3.10 – Definition of Affordable Housing
3.11 – Affordable Housing targets
3.12 – Negotiating affordable housing in individual private residential and mixed use schemes
3.13 – Affordable housing target thresholds
3.17 – Health and Social Care facilities
4.1 – Developing London’s economy
4.4 – Managing industrial land and premises
5.1 – Climate change mitigation
5.2 – Minimising carbon dioxide emissions
5.3 – Sustainable design and construction
5.6 – Decentralised energy in development proposals
5.7 – Renewable energy
5.8 – Innovative energy technologies
5.9 – Overheating and cooling
5.10 – Urban greening
5.12 – Flood risk management
5.13 – Sustainable drainage
5.21 – Contaminated land
6.1 – Integrating transport and development
6.3 – Assessing effects of development on transport capacity
6.9 – Cycling
6.10 – Walking
6.13 – Parking
7.2 – An inclusive environment
7.3 – Designing out crime
7.4 – Local character
7.5 – Public realm
7.6 – Architecture
7.7 – Location and design of tall and large buildings
7.14 – Improving air quality
7.15 – Reducing noise and enhancing soundscapes
7.18 – Protecting local open space and addressing local deficiency
8.2 – Planning obligations
8.3 – Community Infrastructure Levy
Annex 1: Opportunity and intensification Areas
Lee Valley Regional Park Plan (2000)

6.4 The Lee Valley Park Plan is a material consideration in the determination of planning applications and should be accorded due weight alongside the Waltham Forest Local Plan Core Strategy (2012) and the London Plan (2011).

6.5 Policy L.1.1 states that the openness of the Park should be protected and enhanced by avoiding development which compromises the purpose of Metropolitan Open Land.

6.6 The Plan is being replaced by the emerging Lee Valley Development Framework 2012. The PDF currently includes the adopted Vision, Strategic Aims and Principles (July 2010), and a series of Thematic Proposals (January 2011) setting out development and management proposals on a broad Park-wide thematic basis.

7 MATERIAL PLANNING CONSIDERATIONS
7.1 The 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 “a golden thread running through both plan-making and decision-taking.”

7.2 For decision taking, the NPPF states that the presumption means “approving development proposals that accord with the development plan without delay” and where the development plan is “absent, silent or relevant policies are out-of-date, granting permission unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole “

7.3 The whole of the NPPF is potentially material to this application, but the specific policy areas considered directly relevant are as follows

7.3.1.1. Building a strong, competitive economy
7.3.1.2. Promoting sustainable transport
7.3.1.3. Supporting high quality communications infrastructure
7.3.1.4. Delivering a wide choice of high quality homes
7.3.1.5. Requiring good design
7.3.1.6. Promoting healthy communities
7.3.1.7. Meeting the challenge of climate change, flooding and coastal change
7.3.1.8. Conserving and enhancing the natural environment
7.3.1.9. Conserving and enhancing the historic environment
7.3.1.10. Facilitating the sustainable use of minerals

7.4 Other policies

Blackhorse Lane Interim Planning Policy Framework (IPPF) 2006

7.5 Together with a new body of emerging policy in this area, the IPPF remains a material consideration. The IPPF identifies the location of the area as a priority investment area within the London –Stansted – Cambridge-Peterborough Corridor which despite the positive factors of its location between Lea Valley Park and Walthamstow Town Centre, currently forms a barrier of underinvested industrial and commercial uses between established residential areas and the transport hub of Blackhorse Road station. Key problems identified are poor transport accessibility and circulation; the poor quality environment and its image and the poor interface between industrial and residential uses. The IPPF develops a vision and strategy for the managed redevelopment of under-used industrial land to other uses and as such has formed part of the policy framework behind nearby developments at Headbourne House, Wigmore Place, Sutherland Gateway and Papermill Place. As such although superceded by more recent emerging policy in the form of the Blackhorse Lane Area Action Plan, it remains a material consideration.
7.6 This document forms a substantial part of the evidence base of the Area Action Plan and is intended as the strategic framework for deliverable regeneration of social, physical, cultural and economic infrastructure of the area and includes a specific design brief for the Station Hub and Waterfront.

Blackhorse Lane Area Action Plan: Proposed Submission (March 2013)

7.7 Along with the Urban Design Framework this document has recently been consulted and representations are currently being considered. This document will ultimately replace the adopted IPPF. This AAP sets out the Council’s long term vision for the area to 2026 and forms part of the Local Plan and supports the creation of a new Neighbourhood Centre and the redevelopment of the area identified as BHL1 – Station Hub and Waterfront to include mixed use development, 1000 new homes, 4550 sq. m of commercial space, a new linear park and public open spaces.

Urban Design Supplementary Planning Document (February 2010)

7.8 This detailed guidance sets out a range of design principles with the objective of raising the quality of design within the Borough and ensuring that all new developments make a positive contribution to local character. The document stresses the contribution of good design in adding economic, social and environmental value, helping to deliver places accessible to all and contributing to delivering sustainable communities.

Planning Obligations Supplementary Planning Document (2008)

7.9 This document sets out broad ranges of obligations that may or will be required in association with proposed developments in order to mitigate the impact of that development on the wider community.

Annexe to Planning Obligations Supplementary Planning Document: Blackhorse Lane Planning Obligations Strategy (2009)

7.10 This document is an annexe to the Planning Obligations Supplementary Planning Document (2008) and is a planning obligations strategy for the Blackhorse Lane growth area. The Annexe sets out the Council’s tariff-based approach to the negotiation of planning obligations for developments within the Blackhorse Lane area.

Sustainable Community Strategy (2008)

7.11 This document sets out the Council’s strategy for change to take advantage of regeneration opportunities in the Borough and wider region in order to deliver sustainable communities. The aims of the strategy are to manage population growth and change by improving housing quality and choice; creating a more economically balanced population; cultivating civic cohesion; responding to climate change
and the creation of wealth and opportunity for residents by providing skills and confidence to work towards full employment.

Waltham Forest Housing Strategy 2008-2028

7.12 The Strategy seeks to address the housing challenges facing the Borough and to deliver the key housing objectives in the SCS. The key priorities are to build new homes providing the right homes in the right places, making the most of the existing housing stock and creating successful communities by enabling housing choice in good quality, safe neighbourhoods.

Inclusive Housing Design Supplementary Planning Document (2011)

7.13 This SPD is based on the core principles of inclusive design and the social model of disability. The Lifetime Homes Standards originated by the Joseph Rowntree Trust / Habinteg are applied across London and incorporated into the London Plan (2011).


7.14 This SPD extends the principles outlined in the Inclusive Housing Design SPD to cover all new buildings and to raise the standard of non-residential development in the Borough.

Shaping Neighbourhoods - Play and Informal Recreation SPG (Mayor Of London 2012)

7.15 This document sets out proposed guidance to supplement the policies in the 2011 London Plan (LP) relating to land for industrial type activities and transport. The SPG provides advice on how to implement these policies, in particular LP Policy 2.17 on Strategic Industrial Locations, Policy 4.4 on Managing Industrial Land and Premises, and Policy 6.2 on Providing Public Transport Capacity and Safeguarding Land for Transport.

7.16 Housing SPG (Mayor of London 2012) states that the density tables in the London Plan should be applied flexibly in light of local circumstances, and the need to secure quality affordable housing and a balanced mix to facilitate sustainable communities.

Emerging Policy

SPG - Land for Industry and Transport Mayor of London (draft 2012)

7.17 This draft document sets out proposed guidance to supplement the policies in the 2011 London Plan (LP) relating to land for industrial type activities and transport. The SPG provides advice on how to implement these policies, in particular LP Policy 2.17 on Strategic Industrial Locations, Policy 4.4 on Managing Industrial Land and Premises, and Policy 6.2 on Providing Public Transport Capacity and Safeguarding Land for Transport.

Upper Lee Valley Opportunity Area Planning Framework Mayor of London (draft 2012)
This document identifies the Upper Lee Valley as an important component of the London – Stansted– Cambridge – Peterborough corridor in which the regeneration of former industrial land is prioritised. The Blackhorse Lane is identified as an area for mixed use development to diversify the range of employment generating uses and the provision of 7000 homes across the area between Tottenham Hale and Blackhorse Lane.


DM policies were published for consultation in 2011 and full Council ratified these policies on 19 July 2012. Public consultation on these policies closed on 17th September 2012 and the Proposed Submission was submitted to the Planning Inspectorate on 10th December 2012. Since the submission of this application the policies have been examined in public (May 2013) and are a significant material consideration. The relevant policies are:

DM1 Sustainable Development and Mixed Use Development
DM2 Meeting Housing Targets
DM3 Affordable Housing Provision
DM5 Housing Mix
DM6 Housing Conversions
DM7 Amenity and Internal Space
DM8 Housing Quality and Accessibility
DM10 Specialised Housing
DM11 Resource Efficiency and High Environmental Standards
DM12 Decentralised and Renewable Energy
DM13 Open Space, Sports and Recreation
DM14 Co-ordinating Land Use and Transport
DM15 Sustainable Transport Network
DM16 Managing Private Motorised Transport
DM17 Parking
DM19 Strategic Industrial Locations
DM22 Improving Job Access and Training
DM23 Tourism Development and Visitor Attractions
DM24 Health and Wellbeing
DM25 Environmental Protection
DM27 New Retail Office and Leisure Developments
DM30 Design Principles Standards and Local Distinctiveness
Local Finance Considerations

7.19 Local Finance Considerations are a material consideration in the determination of all planning applications. Local Finance Considerations can include either a grant that has been or would be given to the Council from central government or money that the council has received or will or could receive in terms of Community Infrastructure Levy (CIL).

7.20 There are no grants which have been or will or could be received from central government in relation to this development.

7.21 The Council has not received and does not expect to receive any income from CIL in relation to this development.

7.22 The Council is expecting to receive a financial contribution for the Mayoral CIL in relation to this development of £627,520. The contribution agreed, once received by the Local Authority, will be transferred directly to the GLA.

8 REPRESENTATIONS

Representations from Statutory Consultees

Greater London Authority:

8.1 The application was referred to the Greater London Authority (GLA) under Categories 1A and 1B of the Town and Country Planning (Mayor of London) Order 2008.

8.2 The GLA’s Stage 1 recommendation states ‘That Waltham Forest be advised that the application, on balance, does not yet fully comply with the London Plan… but that… possible remedies… could address these deficiencies’.

8.3 In relation to the key elements of the scheme, the GLA make the following statements in their Stage 1 response: ‘The provision of residential accommodation on this site is supported by London Plan Policy 3.3, which seeks to increase London’s supply of housing and in doing so sets a London–wide housing delivery target of 32,210 additional homes per year up to 2021… (Waltham Forests borough housing target is 760 additional homes per year between 2011 and 2021… The development proposals… include 483 residential units and
1,385 sq.m. of commercial floor space and... will help achieve the delivery targets for jobs and homes expected in this Opportunity Area and will contribute towards meeting Waltham Forest’s housing target. The proposed development is supported in this regard.’

8.4 In relation to the provision of student accommodation the GLA state: ‘With regard to student housing, the London Plan recognises that the provision of purpose-built student housing may reduce pressure on other elements of the housing stock currently occupied by students, especially the private rented sector...London Plan policy 3.8 seeks to ensure that strategic and local requirements for student housing meet a demonstrable need and do not compromise capacity for conventional homes, especially affordable family homes, or undermine policy to secure mixed and balanced communities.....The provision for student accommodation is accepted in strategic terms. It should be noted, however, that before the scheme is referred back to the Mayor at stage two, the Council will need to secure the student accommodation by planning agreement relating to the use of the land or to its occupation by members of specified educational institutions.’

8.5 In relation to employment and commercial uses, the GLA state: ‘The scheme is not located in a Strategic Industrial Land (SIL) Area as identified in the London Plan or the draft (Lee Valley Opportunity Area Planning Framework), which identifies the site as suitable for residential uses. As part of Waltham Forest’s LDF the site has been identified as a site suitable for mixed use residential led regeneration through the Core Strategy and the Council’s Blackhorse Lane Area Action Plan, which identifies the area as suitable for mixed-use development in line with the planning objectives to deliver a neighbourhood centre in the Blackhorse Lane area. In addition, the adopted Blackhorse Lane interim planning Policy Framework (2006) also seeks to promote mixed development in this location. The proposal includes 2836 sq. m of commercial floorspace, which is proposed to be a mix of retail and office uses; the employment/commercial uses as proposed are strategically acceptable in this regard.’

8.6 The applicant has revised the scheme, in consideration of the Mayor of London’s Stage 1 Report and has provided detailed responses to the Greater London Authority to addresses the matters raised.

8.7 The Mayor of London will consider the revised proposal to his Stage 1 Report when this application is referred back to him under Article 5(2) of the Town and Country Planning (Mayor of London) Order 2008 for his Stage 2 Report.

Environment Agency

8.8 The EA note the indication in the proposal in relation to the footbridge over the Flood Relief Channel, noting that it does not form part of this application. As such the proposals are considered acceptable subject to conditions relating to surface water treatment; prevention of surface
water infiltration; contamination remediation and piling and penetrative methods.

**Lee Valley Regional Park Authority**

8.9 The proposals are considered to be acceptable subject to s106 obligations in relation to the proposed linear park and access improvements to the Wetlands to include a bridge over the Flood relief Channel into the Walthamstow Wetlands area of the Regional Park, and provision of a section of pathway adjacent to the High Maynard Reservoir.

**London Fire and Emergency Planning Authority** –

8.10 The Brigade is satisfied with the fire access arrangements, subject to the installation of an additional hydrant on site.

**Metropolitan Police Crime Prevention Design Advisor** –

8.11 The CPDA has made recommendations in relation to planning conditions and raises no objections.

**National Grid**

8.12 National Grid raise no objection but highlight the proximity to the proposal of a gas pipeline

8.13 **Natural England** - Natural England initially objected to the proposal on the grounds that the proposal as originally submitted contained inadequate information on the potential direct and indirect effects of the proposal on the Lee Valley SPA and RAMSAR sites and on the Walthamstow Reservoirs Site of Special Scientific Interest. As submitted, the proposal contained insufficient information on the potential effects of the proposal on bats. The applicant has worked with Natural England to address the grounds of objection and Natural England has confirmed the removal of their objection subject to appropriate conditioning.

**Thames Water**

8.14 Thames Water raise no objection to the proposal and include standard informatives regarding water connection and sewerage services.

**Transport for London**

8.15 TfL have commented on the scheme in relation to its transport and highways impacts. In terms of traffic, TfL are generally satisfied with vehicle and pedestrian access and the level of car and cycle parking on the site and welcome the servicing of the site from within the site boundary. TfL are of the view that the proposal would not be likely to adversely affect public highways and welcome the highway improvement proposals which include bus stop alterations to the Blackhorse Lane aspect of the site and support the Council in seeking contributions for the upgrade of the Standard Junction. TfL welcome the linear park and the opportunity to provide a future bridge link to the Wetlands.
8.16 In terms of public transport impacts, TfL are satisfied that the impact on underground and overground rail services is acceptable. However the proposal will result in capacity issues for both the 123 and 158 bus routes for which a contribution will be sought. However whilst welcoming the applicants methodology for calculating the trip rate from the proposal and supporting their method for calculating the impact on each mode of travel, TfL require most robust analysis in relation to the student accommodation and offices and greater detail in relation to direction of travel on the bus network.

8.17 TfL go on to make recommendations in relation to s106 requirements in relation to highway infrastructure and bus network, the Wetlands bridge and the provision of car club and electric vehicle charging spaces. Delivery and Service and Construction Logistics Plans will also be required.

**Representations from Residents**

8.18 10 objections have been received in response to consultation. These include 8 from neighbouring residents, 1 from Gu Foods to the rear of the application site and one from the Blackhorse Lane Action Group who include comments on the scheme.

8.19 The grounds of objection are summarised below:

8.20 The size and density of the development. COMMENT: This will be considered in the main body of the report.

8.21 Disturbance in the form of noise, litter, crime and anti-social behaviour arising from the activities of students. COMMENT: This will be dealt with in the main body of this report.

8.22 The impact of the development on the public transport network with particular reference to underground services from Blackhorse Road station and the bus network. COMMENT: This will be considered in the main body of this report.

8.23 The impact of the proposal upon car parking in the area. COMMENT: This will be dealt with in the main body of this report.

8.24 The impact of the proposal on the local road network and upon highway safety: COMMENT: This will be dealt with in the main body of this report.

8.25 The impact of the proposal in relation to pollution in the area. COMMENT: This will be dealt with in the main body of this report.

8.26 The impact of the proposal on wildlife in the area and the Wetlands. COMMENT: This will be dealt with in the main body of this report.

8.27 The impact on public safety on the opening up of the Wetlands. COMMENT: This will be considered in the main body of this report.

8.28 The impact on schools and local infrastructure of the proposed development: COMMENT: this will be considered in the main body of this report.
8.29 The scale and height of the development with particular reference to the eight storey elements. COMMENTS: this will be dealt with in the main body of the report.

8.30 The impact of the proposal in relation to loss of employment. COMMENT: This will be dealt with in the main body of this report.

8.31 The impact of the proposal on existing businesses in the area. COMMENT: this will be dealt with in the main body of this report.

8.32 The impact of the proposal upon residential amenity in terms of
  • Noise from residential use and from traffic arising
  • Disturbance
  • Loss of daylight and sunlight
  • Loss of outlook
  • Loss of privacy and overlooking.
COMMENT: These grounds of objection will be dealt with in the main body of this report.

8.33 The inclusion of student accommodation in the proposal. COMMENT: this will be dealt with in the main body of this report.

8.34 The inclusion of residential accommodation in the proposal in relation to Gnome House. COMMENT: this will be dealt with in the main body of this report.

8.35 The subordination of the linear park to other uses. COMMENT: this will be dealt with in the main body of this report.

8.36 Other comments include concerns over the identity of the developer COMMENT: This is not considered to be a ground of objection but this issue is addressed in the submitted Planning Statement

8.37 Objectors have commented on difficulties in gaining access to the consultation material and have suggested that the consultation was flawed as a result. COMMENT: In addition to the consultation letters sent out, the application was advertised by site notices posted in twelve locations in the vicinity of the site and by notices in the local press. In addition the application plans and design and access statement were uploaded to the Council’s website and accessed from the main planning page. The level of consultation considerably exceeds the statutory requirements.

8.38 Impact on existing residents in terms of privacy and security. Comment: This will be dealt with under the main issues section of this report.

8.39 Impact of the proposal on parking in the area. Comment: This will be dealt with under the main issues section of this report.

8.40 Blackhorse Action Group: This local residents organisation have made a representation including comments and objections in relation to the scheme. Comments include the conduct of public consultation, noting
difficulties in accessing the plans online and suggesting that the application was hidden. COMMENT: See comment above.

8.41 The link to the wetlands is welcomed but is inadequate as public greenspace COMMENT: this will be considered in the main body of this report.

8.42 The brick facades and detailing are welcomed but would require strict control to ensure that the appropriate level of detail and design is delivered. COMMENT: This will be dealt with in the main body of the report and it should be noted that materials and finishes are typically a matter of condition.

8.43 Concern that the inclusion of 1000 sq.m of retail might be too large a unit to let in the current economic climate. COMMENT: this is dealt with in the main body of this report.

8.44 The student block should be capable of adaptation for alternative uses in the event that it is not let to capacity COMMENT: This would be expected to result in material change of use which would require the submission of a separate planning application.

8.45 Housing in Gnome House will displace the community gain in creative space. COMMENT: this is dealt with in the main report. However the comment appears to contain the misapprehension that the upper floors of the existing building will be residential and the creative uses and employment space limited to the ground floor. This is not the case.

8.46 Impacts arising from the inclusion in the proposal of a one way traffic scheme. COMMENT: this will be dealt with in the main body of this report.

8.47 Gu Desserts: The redevelopment of the site to include residential uses will adversely impact on the operations of the company by changing the character of the area COMMENT: This will be dealt with in the main body of the report.

8.48 The Council have received 21 responses in support of the application from individuals and from organisations including Inky Cuttlefish (a company currently located on the site) Waltham Forest Arts in Education and Mbilla Arts. The reasons are summarised below:

8.49 Respondents refer to the dilapidated state of the existing site, located adjacent to one of the key gateways to the Borough and refer positively to the sustainable design and materials of the proposal and its overall contribution to urban design and through the provision of the linear park to the opening up of the Wetlands. The provision of community creative space, café, retail and residential uses are referred to as positive aspects which will help create a new cultural hub and an area identity. In the responses received the retention and reprovision of Gnome House as a community creative centre is especially welcomed in view of the proposed gallery and B1 start up space within the building.
9 ASSESSMENT

9.1 The main planning considerations are: the principle of the mixed use development, its contribution to the regeneration of the area, the principles of design scale massing height and appearance of the proposal, density and housing, the standard of accommodation, amenity space, parking and servicing, access and highways, impact on surrounding properties, climate change and sustainability considerations, accessibility and inclusive design and s106 considerations.

Principle of the Mixed Use Development

9.2 The site falls within an Opportunity Area (27) as designated on map 2.4 of the London Plan 2011. In relation to such areas, policy 2.13 seeks to optimise residential and non-residential output and densities... and where appropriate contain a mix of uses.” The policy sets out a series of tests at Annex 1 to include the area of Blackhorse Lane. This area is considered “suitable for higher density development” and states that “(development ) in the Opportunity Area should provide stimulus for regeneration in existing communities including.... Blackhorse Lane”. Whilst seeking to avoid cumulative impacts on sites of national and European sites of nature conservation importance (SPA, SAC RAMSAR etc) “(o)pening up the reservoirs to the public would enhance connections east to west across the valley and increase the use of (Lee Valley Regional Park) and its water spaces.” Policy aspirations as such are elaborated in the Mayor’s draft Upper Lee Valley Opportunity Area Planning Framework (November 2012) which identifies this site as falling within a growth area providing “opportunity for a new mixed use development with 1000 homes, a creative business hub for small and medium enterprises and a neighbourhood centre. A new linear park (will connect) to the waterfront”.

9.3 Accordingly the former designation of the site as Strategic Industrial Land has been removed in the adoption the Local Plan Core Strategy (2012) and the area in which the proposal is located is redesignated as a Neighbourhood Centre (NC5) in the draft Policies Map. In addition the site falls within the area covered by the emerging Blackhorse Lane Area Action Plan (Proposed Submission 2013) where it is designated as BHL1:Station Hub and Waterfront. In terms of the aspirations of the masterplan embodied in the emerging AAP, the following is noted in relation to the mixed use nature of the development:

9.4 Retail: This is in conformity with the Blackhorse Lane frontage, and key to the delivery of the Neighbourhood Centre under policy BHL7:Neighbourhood Centre and local Retail Parades and is as such supported although the provision marginally exceeds the 1000m2 cited in that policy.

9.5 Linear Park: This element is key to the delivery of the aspirations of London Plan policy and the AAP in terms of connectivity to the Wetlands. Delivery of this element of the scheme is welcomed under
AAP policies BHL9 Open Space and Nature Conservation and BHL10 Walthamstow Wetlands and Lee Valley Regional Park.

9.6 **Employment:** The proposal is welcomed in terms of its reprovision and refurbishment of Gnome House (Block P) and its inclusion at the centre of the scheme is consistent with AAP policies BHL6: Employment and BHL8: Design and Local Character. Following on from the conclusion of the Employment Land Study that the site should be redeveloped for regeneration purposes, the SIL designation has been removed from the site per Core Strategy Policy CS8. Against this background it is noted that the proposal effectively reprovides approximately 2836m² of A1/B1/D1 against approximately 20000m² of B2/B8 space on the site. Whilst in policy terms the principle as considered here is acceptable, the GLA have drawn attention to the wider impact of the proposal in terms of the loss of employment space and the need to relocate existing businesses from the site. These matters will be considered further elsewhere in this report.

9.7 **Student housing:**

A significant aspect of the scheme in terms of number and potential impact. This element is considered below in more detail.

9.1 **Housing and Affordable Housing:** Housing will be dealt more comprehensively elsewhere in this report. Notwithstanding, the proposal in this regard is in keeping with the requirements of policy BHL2 of the Area Action plan and is as such considered to be overall acceptable noting the policy aspiration or the delivery of 2300 homes in the Blackhorse Lane area by 2026.

9.2 Overall, in terms of principle the proposal is considered to be acceptable noting the particular concerns in relation to employment and to the provision of student housing.

**Regeneration Benefits of the Proposal**

9.3 The planning framework and delivery strategy for this site and those which neighbour it are set out in the AAP and detailed in the Draft BHL Urban Design Framework and the Draft Station Hub Planning and Design Brief. The UDF and the Brief have been the subject of public consultation and have been incorporated into the Mayor’s Draft Upper Lee Valley Planning Area Framework which envisage a new accessible and mixed use series of neighbourhoods running north to south along the spine of the A1010. The area is defined as a Key Growth Area at policy CS14 of the adopted Core Strategy (2012) and Policy DM1 of the emerging Development Management Policies (2012) which identifies the locality as the location for the new neighbourhood centre proposed in Blackhorse Lane. This development will provide the range of shops and services in the area to meet the needs of local residents and businesses and to encourage passers by to spend more time the area in the manner envisaged in the above policy. In this regard the inclusion of the art gallery and community creative space, a café, retail space and the linear park are seen as providing positive benefits to the overall regeneration of the area through their
contribution to the neighbourhood centre and the wider context of arts in Waltham Forest as a wider area.

9.4 In addition to the above, the proposal provides a new permeable streetscape and road network which will enable connections with other proposed development sites in the area (e.g. Ferry Lane) which will provide further urban design benefits in terms of legibility and the opening up of the Wetlands and access to the Lee Valley Park.

Employment

9.5 The proposal involves the comprehensive redevelopment of site currently in employment use. Whilst the loss of the employment space is not a strategic concern (noting the de-designation of the site as SIL), the GLA have raised the issue of the impact in relation to the Council’s regeneration objectives noting that the proposal results in the loss of approximately 20043 sq m of current employment space against a re-provision of approximately 2836 sq. m of mixed commercial and retail floor space. The proposed commercial and retail uses are considered to be acceptable in this location and consonant with objectives of the AAP and ULV PF.

9.6 The applicant has identified that the site currently provides 192 jobs through enterprises on site including the Mandora and Hoffman Thornwood factories, and has made a projection of 224 jobs being provided within the new development across A1, B1 and D1 uses. In this regard it is noted that the B2/B8 uses currently on site do not fall within the range of employment types envisaged for the Opportunity Area as set out in AAP Policy BHL6B which refers to “directing general industrial...storage, manufacturing and distribution uses to land designated as SIL” subject to it being demonstrated that the “existing space is no longer fit for purpose” (BHL6C).

9.7 Whist there is a 15% increase in the number of jobs projected on the site there is also the need relocate existing businesses. The applicant has referred to work done by the applicant with the Council and local commercial landlords in relation to relocation of existing businesses within the borough. This work is on-going between the applicant and the Council’s Business, Employment and Skills Division.

9.8 Policy DM22 of the emerging Waltham Forest Local Plan Development Management Policies (2012) refers to mitigation for the loss of employment land and Policy DM37 refers primarily to the offsetting of loss of employment land through s106 obligations. It is considered in this case that via a range of measures including work done by the applicant with the Council in relation to relocations of existing businesses, and the agreement of an appropriate s106 agreement to include construction phase training places, that the proposal fulfils the requirements of Waltham Forest Local Plan Core Strategy Policy CS10, DM policies DM22 and DM37, and Policy BHL6 of the emerging Area Action Plan (2013) and the Council’s Sustainable Community Strategy (2008).
Student accommodation

9.9 This is one of the more commented aspects of the scheme, as it proposes 519 rooms. The applicant has submitted a Student Accommodation Demand Study demonstrating the imbalance in supply and demand in the provision of student accommodation across London.

London Plan and GLA position:

9.10 It is noted that the GLA accept the provision of the student housing in strategic terms. There is support for this scheme in terms of the London Plan 2011 at Policy 3.8 which notes that 18000 - 27000 student bed spaces will be required in London in the decade between 2011 – 2021. The policy also articulates the mayor’s aspiration to spread the provision of student housing to the outer boroughs to avoid over-concentration in inner London, an aspiration delivered by this development proposal. In addition the provisions of the above policy 3.8 are noted in relation to the requirement for a scheme to show a demonstrable need without compromising capacity for conventional homes (especially affordable provision) or undermining policy objectives in relation to the creation and maintenance of mixed and balanced communities.

9.11 Furthermore, the policy at paragraphs 3.52 – 3.53 distinguish between student accommodation and that which may otherwise be regarded as affordable housing provision through the use of appropriate clauses within a S106 legal agreement. In this case any grant of planning permission will be subject to clauses relating to specific institutions within the London area.

9.12 In addition it should be noted that where the student accommodation is provided and secured by planning obligation to specific institutions, the accommodation provided is considered not to fall within C3. It is considered ‘sui generis’ (without class) and as such is exempt from standard housing provisions in relation of space standards and the provision of affordable housing.

9.13 Thus, the proposed student accommodation within the Mandora scheme should be considered as contributing towards the overall provision for student accommodation within the London Plan period (2011-2026) and is London Plan Policy compliant.

Core Strategy and Development Management Policy:

9.14 The Core Strategy at Policy CS2 recognises the need to provide student accommodation but looks at this accommodation provision as part of the wider strategic delivery of a mixed and balanced community and 11,400 homes over the plan period 2011-2026. The policy looks at minimum yearly provisions for conventional homes, the reuse of empty properties and the supply of non self contained units which include student accommodation.

9.15 In relation to Development Management Policy DM6 mentions student accommodation but is not regarded as applicable in this instance. It
plainly refers to student housing in terms of HMO and conversions of residential housing and not to large purpose built accommodation.

9.16 Policy DM10 refers to the provision of specialised housing. The aim of this policy to ensure “a continuous supply of land and homes to meet a range of housing needs including affordable housing, family housing and the accommodation needs of specific groups within the community…” which would include student housing. In this regard the proposal supports this policy and its aims of providing mixed and balanced communities.

9.17 It is also stated at Para 11.12 of the supporting text to the DM10 that proposals for student housing “need to show that they are supporting a higher educational institution located within the borough.” In this regard members are referred to the applicant’s agreement to include bursaries for local students within the S106 agreement.

Student Accommodation Demand Study:

9.18 The applicant has submitted a Student Accommodation Demand Study (Jones Lang LaSalle 2013). This report justifies the provision of off-campus student accommodation in terms of the pressure on grant and capital funding to provide academic buildings on campus and noting the rise in student fees resulting in an increased need for affordable student accommodation. Typically this will be located in outer London sites where rents are expected to be lower than Central London sites.

9.19 The report cites the following examples:

- Olympic Park (Unite): 400+ student rooms at rents of c. £150 pw
- Tottenham Hale (Unite): 800 beds originally. The site has proved so popular that an additional 500 beds on the same site.
- The Costume Store in Acton (Berkeley First) 750 beds fully occupied at rents of £150 pw.

9.20 The report notes the regeneration benefits of student housing, stating that “it is estimated that students in the city are worth over £2.5bn per year.” The consultants however identify that the schemes currently under construction and in the planning pipeline represent only 5.7% of the potential demand for accommodation for full time students in London.

9.21 In terms of the economic benefits attendant upon a student population the report notes students spending typically averages between £6-8k per student per year. In addition the report highlights the impact of a student population on animating the area; enhanced community engagement through volunteering activities and the propensity for students to put down roots and stay close to where they graduated, thereby building Borough benefits in a skilled local work force.
9.22 The applicant's Student Demand Study would also appear to make the case that it is more likely that there would be a decrease in the student population in HMO accommodation.

9.23 In any case, noting that the Development Plan provisions in the form of London Plan policy 3.8 and Waltham Forest Local Plan Core Strategy policy CS2, it is noted that the student accommodation would be acceptable within the requirements of adopted policy.

9.24 As such there would appear to be strong positive benefits to the inclusion of student accommodation within the scheme. In addition the scheme broadly complies with the policy aims and objectives within the London Plan, and the Council's Core Strategy and Development Management Policies.

9.25 It is noted that there are concerns regarding the student accommodation be used for other purposes (such as a hostel for temporary workers for example), thus having an adverse impact on the wider residential area and indeed compromising the overall regeneration benefits of the scheme.

9.26 As part of any approved scheme, clauses within the S106 legal agreement would seek to bring about positive benefits from the student accommodation and appropriate restrictions as follows:

A. The accommodation will operated by a specialist provider with appropriate ANUK (Accreditation Network UK) accreditation.

B. The accommodation will be provided in line with an appropriate management plan which will limit occupation to current students only/staff members only.

C. Units will be single occupancy with no multiple occupation

D. Occupation will be limited to students of specified institutions in a list of Greater London Universities for inclusion in the Agreement.

E. Bursaries totalling £100,000 for local young people to access higher education, (£5,000 per annum to be administered by Walthamstow College, funding up to 50% of the course fee for students over 18, for five students a year)

10 Housing Provision

10.1 Policy CS2 of the adopted Core Strategy (2012) relates to Improving Housing Quality and Choice. This will facilitate sustainable housing growth by maximising the number of quality homes in the Borough by prioritising development on previously developed land, focussing the delivery of new homes in Waltham Forest's key growth areas and other key sites in the Borough (such as the application site, which is designated as such) to meet or exceed a housing target of 10,320 new
homes over the Plan period and make effective and efficient use of land by seeking to optimise housing densities.

10.2 It is considered that the proposal would bring forward an identified site for residential redevelopment in an appropriate location and contribute towards the Council's five year supply of delivering housing sites. This is reinforced by the London Plan (2011) and the NPPF (2012). The provision of housing contributes to both economic and social aspects of sustainable development.

Housing Density

10.3 The site comprises a gross area of approximately 2.76 hectares. Stripping out the areas occupied by the linear park and non residential uses, the effective site area connected with residential uses falls to approximately 1.78ha. The site is located within an area defined in the London Plan (2011) as urban. At 1494 habitable rooms across the scheme, this would yield 835 habitable rooms per hectare. This exceeds the London Plan (2011) density range of between 200-700 hrph.

However guidance set out in the Mayor’s Housing SPG (November 2012) states that the density thresholds (Table 3.2) are not intended to be prescriptive and is dependent upon other factors such as townscape and quality of design. In addition Policy BHL3 of the draft AAP is noted in which “higher density residential development should be concentrated on sites surrounding Blackhorse Road station “ and where in addition to PTAL, the key considerations should include “any planned improvements” in the provision of shops and services in the area and “the need to provide a high quality of design” to include generous room sizes, storage space and communal gardens meeting or exceeding emerging Development Management Policy (2012) standards at Policy DM7.

10.4 Noting the above, the GLA and officers are generally supportive of the scheme, noting the architectural and residential quality and the contribution to private and public amenity space in the form of the linear park that the site will provide. For these reasons, the density of the scheme is considered to be appropriate to its location and acceptable as such subject to consideration of other planning issues.

Affordable Housing and Housing Mix

Level of Affordable Housing

10.5 Policy CS2 of the adopted Core Strategy (2012) seeks to maximise the number of quality affordable homes by aiming to provide at least 50% of homes as affordable over the Plan period and a balance of tenures is sought. In order to deliver the maximum amount of affordable housing, developments proposing less than 50% will need to demonstrate a viability case in the form of an assessment. Where a viability case is used to justify an affordable housing offer below policy requirements, the Council will require the shortfall to be treated as a deferred contribution. Policy DM3 of the Development Management
Policies Proposed Submission (2012) is the relevant policy relating to affordable housing provision.

This proposal comprises 484 residential units, 59 units of which would be affordable, which equates to 12% or 16% on a habitable room basis.

The table below shows the proposed tenure mix:

<table>
<thead>
<tr>
<th>Tenure</th>
<th>No. of Units</th>
<th>% by unit number</th>
<th>No. of Habitable Rooms</th>
<th>% by hab room</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affordable Rent</td>
<td>19</td>
<td>4%</td>
<td>79</td>
<td>6%</td>
</tr>
<tr>
<td>Shared Ownership</td>
<td>40</td>
<td>8%</td>
<td>148</td>
<td>10%</td>
</tr>
<tr>
<td>Private</td>
<td>425</td>
<td>88%</td>
<td>1207</td>
<td>84%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>484</strong></td>
<td><strong>100%</strong></td>
<td><strong>1434</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

10.6 The applicant has proposed 12% affordable, on a per unit basis, on this site and has been subject to a Viability Assessment undertaken by an Independent Advisor which has confirmed that the viability of the scheme does not support any more than the 12% affordable housing proposed. Strategic Housing have negotiated with the applicant to ensure that the 12% affordable housing provided is the most appropriate to suit the Council’s housing need. A total of 59 units are proposed and this includes a total of 26 units which are 3 bed or larger, which include the only houses provided on the site in Block N and a number of wheelchair units in Block K. In view of the unit sizes involved Strategic Housing can confirm the 12% affordable housing units to be provided on the site are the most appropriate.

10.7 As Members are aware from other schemes, the Council has standard s106 terms in place and in accordance with Policy CS2 Improving Housing Quality and Choice of the Core Strategy (2012), scheme viability will be re-assessed when the scheme is largely complete and, should viability have improved, the Council will seek further affordable housing provision up to the maximum policy shortfall.

10.8 The Council’s viability consultant has reported expressed concerns over the cost basis for the viability assessment and future reassessment. Discussions are on-going on this matter between the Council and Applicants Quantity Surveyors in relation to the amount of deficit or otherwise on this scheme. Whist the issue of a viability reassessment is not in question the way in which it is carried out will be somewhat different on this site than that on other sites (with costs fixed rather than reassessed at a future date). However, it is considered that this site is rather unique, both in terms of its overall size and its quantum of student accommodation. Thus, any process for viability assessment or reassessment in this case would not, it will be argued, set a precedent for other much smaller sites in the Borough.
Affordable element of the scheme

10.9 Schedule of affordable accommodation

<table>
<thead>
<tr>
<th>Unit size</th>
<th>Affordable Rent</th>
<th>Shared Ownership</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bedroom</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>2 bedroom</td>
<td>1</td>
<td>26</td>
</tr>
<tr>
<td>3 bedroom</td>
<td>16</td>
<td>8</td>
</tr>
<tr>
<td>4 bedroom</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>TOTAL</td>
<td>19</td>
<td>40</td>
</tr>
</tbody>
</table>

10.10 Policy 3.11 Affordable housing targets of the London Plan (2011) and policy DM3 of the Council’s emerging Development Management Policies (2012): Affordable Housing Provision recommends a 60:40 split, where 60% of the affordable housing provision should be for social/affordable rent and 40% for intermediate housing, with priority for affordable family housing. In this instance the affordable rent is 32% and the intermediate is a total of 68%. Whilst this is not in line with Council policy, Strategic Housing support this mix as the applicant has advised any increase in affordable rented units would in turn reduce the overall number of affordable units provided due to them being less financially viable.

10.11 The applicant has confirmed that the affordable rents charged will be in line with the Council’s Affordable Rent guidance and the shared ownership sales values are affordable to low earners.

Housing Mix

10.12 Policy DM5 Housing Mix of the emerging Development Management Policies (2012) states ‘The Council will seek all housing developments to provide a range of dwelling sizes and tenures… in line with the Council’s preferred housing mix table. The following table has been determined by Policy DM3 of the Development Management Policies Proposed Submission (2012) and is the relevant policy relating to housing provision. This sets out the Council’s preferred dwelling mix. The Council seeks to ensure that 50% of all new units built in the private and intermediate sector are family sized and that 50% of units built in the affordable rented sector are also family sized.”
10.13 The table above shows that the proposed mix is not in line with the Council’s preferred mix. Most of the family sized units (equating to just over 18% of the housing offer) are underprovided in both the private sale and shared ownership elements of the scheme with the main provision falling within affordable rent. There is a predominance of smaller 1 and 2 bed units in the private sale element and 2 bed units in the shared ownership element. However the applicant has submitted a viability assessment indicating that the scheme is not capable of supporting provision above the current level. As such Strategic Housing has worked with the applicant to optimise the offer and to prioritise the need for larger homes (three bedrooms or more). This proposal provides a total of 90 family homes; 88 x 3 bed homes and 2 x 4 bed homes.

Wheelchair Accessible Housing

10.14 In respect of specialised housing 48 wheelchair units are proposed which is considered to meet the Council’s requirement of 10% of the site. The Borough has a particular need for such sized accommodation to comply with policies CS2 of the Core Strategy (2012) and Policy
DM10 of the emerging Development Management Policies (2012). In addition all units will comply with Lifetime Homes standards and all units meet the relevant space standards in the London Plan.

**Standard of accommodation/Internal Amenity**

10.15 The development will offer a high quality of residential accommodation throughout with units generally exceeding the unit size requirements of the Waltham Forest Local Plan Development Management Policies (2012) Policy DM7 in terms of the minimum unit sizes and living dining and kitchen areas. Bedrooms mainly meet or exceed the standards set out in the Council’s Urban Design SPD acceptable in relation to the standards contained in London Plan (2011) and the Council’s adopted Urban Design SPD. Circulation within the units is considered to be generally good, with most corridors measuring approximately 1.2m in width.

10.16 In relation to design, the GLA commented positively upon the high number of cores which results in a limited number of households sharing the same landing, although concern has been expressed regarding the orientation of entrances to the ground floor units in Blocks ABCDF and GHJKM. The applicant has addressed these concerns by reorientating the entrances of five units across the two blocks in order to increase interaction with and surveillance opportunities across the public realm, and to improve scheme legibility and overall quality and public realm animation.

10.17 The scheme has been designed to avoid single aspect north facing units and many of the units are dual aspect. The applicant has submitted a BRE/CIBSE compliant Daylight Assessment in regard to the above. The report notes that within the courtyard blocks that there are inevitable pressures on sunlight and daylight as a result of balcony stacking and other factors such as height, thereby placing some pressure on the light available to ground floor windows. Within these areas of the proposal 79% of windows tested would meet or exceed the recommendations of the BRE standard for Average Daylight Factor (ADF). In relation to APSH (Annual Probable Sunlight Hours) the report notes the balance between the need to provide the private amenity space required by policy and access to daylight and sunlight. In this regard the urban context is noted.

10.18 In addition to the applicant’s commitment to achieve Code for Sustainable Homes Level 4, the proposal includes a commitment on the part of the applicant to Lifetime Homes standards in relation to the residential accommodation. Although in this dimension further details will be required, it is considered that these can be secured by condition.

10.19 In relation to the student accommodation, the provisions of the London Plan 2011 and Housing SPG are noted. Accordingly, whilst student accommodation as in this case is considered as sui generis and not susceptible to the accommodation standards applied to residential accommodation, it is considered that Policy DM10 of the Waltham
Forest Local Plan Development Management Policies (2012) - Specialised Housing is relevant. This policy provides standards for student accommodation. The individual units generally exceed the requirements for one person units, as do the kitchen and living areas serving between 4 and 6 units. Reference is made to the inclusion of studio units although as they fall within sui generis student accommodation it is not considered appropriate to regard these units as C3 residential.

10.20 Comment has been made on the adaptability of Block W in the event that the student accommodation is not viable. In this event it is not considered that there is any evidence that purpose built student accommodation in this area would fail to have a market. It is noted in the case of Hale Village that the student accommodation offer was expanded and more accommodation built after the initial applications. Use tenure and management will be secured in the S106 agreement.

10.21 Overall the proposal is considered to offer a good general level of accommodation satisfies the standards of London Plan (2011) Policy 3.5. Waltham Forest Local Plan Core Strategy (2012) Core Strategy Policy CS2 and emerging Development Management Policies (2012) DM7 in addition to the requirements of the Council's Urban Design SPD.

Accessibility and Inclusive design

10.22 The Design and Access Statement submitted by the applicant sets out details of inclusive design within the scheme, including the applicant’s commitment to Lifetime Homes Standards across the scheme. 48 units (9.9% of the scheme) are designed to be wheelchair accessible or adaptable across the scheme in compliance with the 10% threshold set out in the London Plan and Housing SPG (2012). Officers have worked extensively with the applicant across the provision of these units across a variety of unit sizes and tenures and are satisfied that the proposal meets the requirements set out in London Plan policy 3.8 and reflected in Policy CS2 of the adopted Waltham Forest Core Strategy (2012) and Policy DM8 of the emerging Development Management Policies. The applicant has demonstrated that 10% of the overall number of units in the residential accommodation are either dedicated wheelchair provision or are capable of wheelchair adaptation. Consideration of how this may be achieved can be dealt with by condition.

10.23 Wheelchair provision in the student units is noted as above. Noting that the Mayor’s Housing SPG (2012) states at para 1.3.47 that “the floorspace of proposed student housing … should be counted as non-residential space” although at policy 3.8 it is considered “as part of overall housing provision”. As such it is not clear that there are specific standards for accommodation. As this accommodation is treated as sui generis, the guidance of the Council’s Inclusive Design for Non Residential Buildings (2011) is considered to offer appropriate standards. Here again officers have worked extensively with the applicant in this regard and are satisfied with the level of provision.
10.24 Generally in relation to wider issues of inclusive design, the applicants commitment to Lifetime Homes standards is noted. Accordingly entrance widths are noted at 900mm clear opening with 1500mm width lobby space behind. The applicant refers here to compliance with part M of the 2004 Building Regulations throughout the residential elements of the scheme. All main entrances will have level thresholds and lift access to upper floors, with the exception of the Block N maisonettes which will be accessed by ambulant stairs. Generally, at a wider site level, the topography of the site with a sharp westward slope is noted and details of how ramps and level access will be achieved here will need to be secured by condition.

**Design, scale, height and appearance**

10.25 The design of the proposal has evolved through a comprehensive and long running pre application process involving LBWF and the GLA. The current application is supported by a comprehensive design and access statement which includes and informal Building for Life (CABE) assessment of the residential element of the scheme.

**Scheme Layout**

10.26 The scheme layout is in broad accordance with the principles set out in the AAP at Policy BHL8 in which the buildings are arranged in perimeter blocks around a permeable and legible network of streets, including the east-west linear park which is considered in more detail elsewhere in this report. Generally there is a good distinction between public and private space, with active frontages at both ground and upper floor levels. With the retention and reprovision of the Art Deco Block P, this is welcomed broadly by both Council officers and the GLA.

10.27 The GLA have raised issues in relation to the northern and southern edges of the development in relation to integration with existing development. In the case of the southern aspect of block W, the nature of the ground floor and the service access have raised some concerns which are reflected in the GLAs comments on this application. In the event that this access forms a public route the applicant has clarified the service use of this access at ground floor level in connection with the student accommodation: the route will be private access and unlike other roadways within the scheme will not be adopted by the Council.

10.28 The integration of the residential accommodation on the northern boundary facing Strategic Industrial Land to the north is another area which has been considered by the GLA. Here the residential quality to the northern aspect may be compromised at ground floor level in Block ABCDF, noting that the solution adopted at the north facing ground floor at Block GHJKM has been to locate 4 small B1 units to face north across Hookers Road at ground floor level. In this case, the issue was considered extensively in the pre-application stage and it was not felt that this approach would have been successful or sustainable. This was in view of the southern setback of the Block ABCDF and noted the
presence of a restrictive covenant preventing the construction of buildings within 10 feet of the streetwall. Bearing this in mind, the proposal is considered on its wider merits.

Buildings of Merit

10.29 The development incorporates the existing Gnome House, an identified 'Building of Merit' within the proposal. Two other identified buildings are proposed for demolition and redevelopment, although taking into account the general design contribution of the scheme to the locality and the generally robust contextual response to architecture and design, this approach is felt on balance to be acceptable.

Student Block (Block W)

10.30 Block W sits at the southern aspect of the site adjacent to the former Royal Standard pub and associated music venue. Sitting to the south of residential blocks Q, R and S it forms a perimeter type block with elevations on three sides with an enclosed cloister type amenity space in the centre at ground floor level. Building heights here range from 4-8 storeys and it is noted that the topography here is such that the land falls sharply to the west which mitigates the appearance the proposal in terms of its overall height and scale.

10.31 Whilst the architecture and proposed finishes of the student block provides some echo of and contrast to the industrial typology employed in some of the other residential buildings, the massing of the building is more challenging, especially on the western and southern elevations. The applicant has recently revised these elevations to include an echo of the saw tooth roof profiling employed in the main residential blocks ABCDF and GHJKM to the northern aspect of the site, and it is noted that the relationship along this boundary with the emerging proposals on the Standard site (still in pre-application stage) in terms of separation distances could be quite tight.

10.32 In design terms the submitted Design and Access Statement refers to the architectural detailing incorporating a higher level of articulation with 'numerous integrated vent openings’ brick bonding and patterned facades. It is notable from consultation responses that approval for the brick finishes from respondents formed something of a theme.

Residential Blocks

10.33 The two northern most blocks (ABCDF and GHJKM) comprising of mainly residential use are between 4-6 storeys in height, forming two hollow rectangular blocks enclosing communal/private amenity space to the centre. Internal east-west separation distances between the 6 storey elements is effectively 20m.

10.34 Block N (which forms most of the affordable element of the scheme) lies to the rear of the 2 storey houses fronting Blackhorse Lane effectively completes the perimeter block arrangement and is considered to be an appropriate solution in urban design terms. These units are smaller in scale than other blocks on the site and are part 3 part 4 storeys in height and generally respond well to the immediate
residential context. Some of the northernmost units have smaller gardens owing to the existing block layout, although the units have access to roof gardens which will to some extent compensate for any shortfall.

10.34 **Block P** is the reprovided Kings Family Network Building/Gnome House which is retained as part of the scheme with two floors of residential accommodation added above the existing building which will itself contain the café and art gallery and community creative space within the scheme. The retention of this building is one of the more widely welcomed aspects of the scheme in retaining a distinctive building fallen into major disrepair and dereliction. The addition to the building is appropriately set back above the existing roofline and picked out in a black fibre cement cladding which results in a pleasing visual contrast with the white render and painted brick work of the existing building and which has the effect of drawing attention away from the raised element.

10.35 **Blocks Q, R and S** sit fronting the new linear park with the proposed student block behind. Heights here gradually increase from 4-8 storeys with the lower heights locate appropriately to the eastern boundary along Blackhorse Lane. Whilst the 7 and 8 storey elements are higher than the 3-6 storey guidance contained in the AAP, this is not seen as inappropriate given the location of these taller elements towards the centre of the site, taken together with the high standard of the architectural approach and the topography which falls westwards which effectively mitigates significant impact on the surrounding context.

10.36 The ground floor treatment between the blocks, is according to the Design and Access Statement - ‘activated by residential entrances...which provide a visual connection to the semi private communal courtyards’ and characterised by secure decorative screens which provide views into the courtyards. As such the approach would appear to be sound in relation to achieving interest and activity at ground floor level and a condition to secure this would be appropriate in relation to its location adjacent to the main public route of the linear park.

10.37 **Linear park** The linear park forms the spine of the street network of the development, providing the main vehicular access to the site as well as the park space sought in the AAP. As such the proposal involves a staged series of increasingly softening surfaces and landscaping as the development progresses westwards from the vehicular hammerhead on Blackhorse Lane to the wilder landscaped park element abutting the wetlands. The park is intended to fulfil a variety of uses in addition to providing access - communal space and children’s playspace and as a gateway to the wetlands. Importantly, the proposal will have positive impacts outside the site boundaries in relation to other schemes key to the delivery of the objectives of the AAP, such as the Ferry Lane site subject of application 2013/1004/OUT. This application which is yet to be decided seeks a mixed use development including residential to the south of the linear park and taken together
will deliver the Council’s wider objective of increasing public access to the Wetlands.

10.38 It is considered that the success of the park will depend primarily upon the quality of the landscaping and surface materials as it progresses through the site, and as such this would be subject to conditioning. Concern has been expressed that the linear park in opening up the wetlands would result in safety issues for the public around the water spaces. However objection on this ground is capable of being addressed by the imposition of an adequate boundary treatment condition.

10.39 Overall the design and architectural approach to the residential elements of the scheme is considered to be appropriate and grounded in a sound historical understanding of the heritage of the site in the use of the new ‘wharf’ type vernacular proposed with saw tooth roofs, glazed balustrades and projecting balconies and extensive use of brick. As such the proposal is considered to meet the requirements of the Council’s adopted Local Plan Core Strategy (2012) Policies CS12 and CS15, emerging Development Management Policies (2012) DM29 and DM30 and policy BHL8 of the Council’s emerging AAP (2013). Subject to appropriate conditioning to ensure the quality of the materials, the overall level of design is considered to be acceptable.

Energy / Climate Change / Sustainability considerations –

10.40 The applicant has submitted a suite of reports aimed at addressing energy generation and use, carbon reduction and renewables and sustainable design across a range of criteria which include surface water run off and flood risk, waste management and pollution through to the health and wellbeing of future occupants.


10.42 In terms of demand reduction (Be lean), the proposal includes measures to improve the fabric efficiency of the scheme to incorporate passive thermal improvement measures to minimise the need for heating cooling and artificial lighting through building orientation and management of heat gain and ventilation. The submitted Energy Statement Report goes on to consider efficient energy supply within the scheme (Be clean). In this regard the report concludes that the most sustainable level of carbon savings will be generated from combined CHP: five central boiler plant rooms (Blocks D, G, Q, R and W) which will provide the principal source of power for the residential and student accommodation, whilst a fifth plant room in Block Q will primarily serve the commercial units. Renewables (Be green) are considered in the form of 3929 m2 of roof mounted photovoltaic panels. Overall the scheme is shown as delivering total base case
savings of 28% (52% based on Building Regulations Part L regulated energy use).

10.43 The applicant has identified the planned Upper Lee Valley District heating network is within the vicinity of the site and that the heat main is planned to pass through the site. Lee Valley Heat Network has been set up and a business plan produced which indicates that once the first phase of the scheme has been completed 2015-16, the network will be extended eastwards to include Ponders End and Waltham Forest.

10.44 Accordingly the applicant has provided a commitment to ensuring that the site is designed to allow for the future connection of the site to the network when it comes forward and is as such viable. However whilst the GLA have welcomed this aspect of the proposal, they have indicated that to achieve compliance with the requirements of the London Plan (2011) a single plant room serving a site wide heating network would need to be considered: a measure which the applicant has maintained is not viable in terms of the risk to air quality noting the AQMA status of the borough; high energy output cost and the potential loss of up to 30 units in the development thereby adversely impacting on scheme viability.

10.45 The Council is satisfied that the proposal delivers energy savings which appear to exceed the 2010-2013 thresholds set out in Policy DM11 of the emerging Development Management Policies (2012). In relation to the issue of onsite generation, the applicant’s case in relation to scheme viability, loss of units and adverse air quality impacts are noted. The applicant’s commitment to ensuring that the proposal is connection ready is noted and will be secured by condition: as such the proposal is considered to be consonant with the requirements of policy CS4 of the adopted Core Strategy (2012) policy DM12 of the emerging Development Management Policies (2012) and Policy BHL13 of the emerging Blackhorse Lane AAP (2013).

10.46 In relation to wider sustainability issues, the proposal demonstrates a commitment to the provision of the residential accommodation to the standards of Code for Sustainable Homes Level 4 in relation to the residential components of the scheme. The applicant has submitted a Sustainability Statement Report in which the rating assessment has been conducted against the 9 categories of environmental sustainability which comprise the Code standard. In addition to energy use and CO2 reduction, the proposal involves commitments to minimising water consumption, the use of responsibly sourced materials and the development of SUDS to avoid the risk of increasing local flooding—a commitment developed further in the submitted flood Risk Assessment in a phased arrangement relying on green roofs and cellular storage in phase 1 (student and commercial elements) with cellular storage and underground ponding occurring in phase 2 (residential). The Environment Agency are satisfied with the scheme and conditions will be attached to secure the SUDS. A Waste management strategy is also proposed (to secured by condition) as are pollution reducing measures. Notably one ground of objection has
been the polluting effect of the proposal. In this case the Code 4 commitment is noted. Other measures of lesser weight are additionally proposed.

10.47 In relation to the student accommodation and non-residential elements of the scheme, the report contains a commitment to BREEAM Excellent standards. Essentially this requires a scheme of management ensuring thermal efficiency and best practice in services commissioning together with a system for monitoring energy and resource consumption in the framework of building life cycle analysis. This is the appropriate standard in relation to the student accommodation and the commercial space throughout the development and will be secured by condition.

10.48 Pollution arising from the development has been referred to by objectors. Noting the commitment to the standards of CSH and BREEAM, measures will be put in place to control pollutants and emissions from the development. Future heating network connection could be expected to reduce the air quality impact of the proposal in time once the network is established. Drainage water impacts arising from the proposal are considered to be acceptable. Pollution arising from vehicular movements are considered to be limited: the road network through the site does not form rat-running through roads to Blackhorse Lane or Forest Road, and the level of parking at 0.27 spaces per unit (131 spaces) is considered not to represent levels of significance noting the presence of existing parking at the site.

10.49 Overall, the proposal in relation to energy and sustainability is considered to satisfy the requirements of policy CS4 of the adopted Local Plan Core Strategy (2012) and policies DM11 and DM12 of the emerging Development Management Policies (2012).

Linear Park, Amenity Space and Children’s Play Space

10.50 The scheme will provide communal gardens and a new green linear park leading to the Wetlands. Units throughout the scheme will feature dedicated private amenity space in the form of balconies or roof gardens. Communal gardens are proposed for Blocks ABDCDF and GHJKM and the student accommodation in Block W.

10.51 Excluding the latter, the provision of amenity space is shown in the following table:
### Table 4.1

<table>
<thead>
<tr>
<th></th>
<th>Block ABCDF</th>
<th>Block GHJKM</th>
<th>Block N</th>
<th>Block P</th>
<th>Block QRS</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Units</td>
<td>169</td>
<td>175</td>
<td>21</td>
<td>8</td>
<td>111</td>
<td>484</td>
</tr>
<tr>
<td>bedrooms</td>
<td>323</td>
<td>324</td>
<td>65</td>
<td>18</td>
<td>189</td>
<td>919</td>
</tr>
<tr>
<td>Balconies sqm</td>
<td>1321.48</td>
<td>1340.16</td>
<td>915.67</td>
<td>154.2</td>
<td>754.6</td>
<td>4486.11</td>
</tr>
<tr>
<td>Total courtyard</td>
<td>1032</td>
<td>1024</td>
<td></td>
<td></td>
<td>1304.44</td>
<td>3360.44</td>
</tr>
<tr>
<td>Total communal linear</td>
<td>2418</td>
<td></td>
<td></td>
<td></td>
<td>2418</td>
<td>2418</td>
</tr>
<tr>
<td>Total amenity</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10264.55</td>
</tr>
<tr>
<td>DM7 total</td>
<td>3230</td>
<td>3240</td>
<td>650</td>
<td>180</td>
<td>1890</td>
<td>9190</td>
</tr>
<tr>
<td>Variance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1074.55</td>
</tr>
</tbody>
</table>

10.52 Balconies throughout are considered to meet or exceed the standards set out in the Mayor’s Housing SPG (Nov 2012) Standards 4.10.1 and 4.10.3 in relation to depth and width, so all balconies exceed 1500mm in depth and are a minimum of 5sq.m for 1-2 occupants and an extra 1 sq.m for each additional occupant. In relation to the ground floor units of blocks ABCDF and GHJKM provision is necessarily made both within the boundary of the communal courtyards where privacy is to some extent enforced, noting the gated nature of these enclosures and around the outer perimeter. In these cases it is generally noted that these areas are screened by planting around the edge of the central communal areas.

10.53 Both blocks also feature amenity space facing the public realm at ground floor level – all the way around the perimeter in the case of Block ABCDF and primarily at the northern and southern ends in the case of Block GHJKM. This is considered to be an effect of the constraints of the site which does affect the privacy and useability of the space provided. In the case of the units facing Hookers Road this may to some extent be secured through an appropriate boundary treatment by condition, it is a concern in relation to the ground floor units, though to some extent mitigated by the relatively small number of units involved across the whole scheme. Conversely when taken into account with the function of the piazza at the southern end of the blocks facing the linear park, it admittedly has the effect of opening the scheme up and activating the public realm.

10.54 Block N features both roof terraces and private rear gardens in separate use split between the duplexes and the remaining units. Owing to the topography and the constraints of the site, the dimensions of the rear gardens are highly variable – ranging from approximately 27 to 72 sq.m although it is considered that this is compensated by the general privacy useability and quality of the space offered. In relation to the terrace spaces at roof level these are considered acceptable at approximately 37 sq.m again given the quality of the space provided and the constraints of the site.

10.55 Block P features 8 stacked balconies which are considered to be appropriate as these are at upper level with communal amenity space accessible at ground floor to the west of the building and in the communal space around Blocks QRS.
10.56 Occupants of Block QRS will access the same communal space and will have access to balcony spaces on all floors. In relation to ground floor private space Blocks Q and R feature private round floor space facing into communal areas whilst Block S features two units looking into the public realm.

10.57 Falling outside the table above is the Block W amenity and recreational cloister space for the use of students amounting to approximately 760sq.m. In relation to the standards at policy DM10 of the emerging Development Management Policies (2012) there is no standard for amenity space in relation to non self-contained specialised housing and it is not considered that the standards offered in DM7 would be appropriate. Accordingly it is concluded that the space would be appropriate in terms of its function, which would enable student recreation and thereby minimise the potential for noise and disturbance for surrounding occupiers.

10.58 In summary the provision of amenity space for throughout the development taken as a whole is considered to be acceptable, noting the particular contribution of the linear park and the public space leading to the Blackhorse Road entrance. As such the proposal is considered to be acceptable in the light of Policy CS15 of the adopted Waltham Forest Local Plan Core Strategy (2012) and Policy DM7 of the emerging local Plan Development Management Policies (2012).

Children's Play Space.

10.59 The GLA child yield calculator (Shaping Neighbourhoods - Play and Informal Recreation SPG (Mayor Of London 2012) indicates that the scheme will need to provide approximately 856m2 of dedicated child play space at 10 m2 per child. Within this calculation, 49% (416.5m2) of the space will need to be provided for under 5s; 32% (272m2) for 5-11s and 19% (161.5m2) for children of 12 upwards.

10.60 The applicant has indicated that the proposal will provide doorstep playspace for under 5s in the communal garden areas of blocks ABCDF and GHJKN where some play equipment is shown. The total space in the combined gardens equates to approximately 1169m2 of external soft landscaped amenity space in which approximately 293m2 is grassed lawn capable of accommodating play equipment.

10.61 Play space for 5-11 year olds is located to the southern edge of the courtyard blocks and would provide approximately 514m2 of playspace as indicated on the submitted plans. Excluding the requirements of over 12s, the space identified as playspace exceeds the requirements of the relevant standard contained in the Shaping Neighbourhoods SPG and policy DM7 of the Waltham Forest Local Plan Development Management Policies (2012).

10.62 In relation to over -12s, the SPG makes provision for offsite playspace within 800m of the development and the applicant in this regard refers to the facilities available at the Higham Hill Recreation Ground.

10.63 There is still some lack of clarity in relation to play space and how it relates to the overall provision of amenity space in the development.
However as the proposal appears to suggest that there will be an exceedance to standards, it is considered that the proposal is acceptable in this regard subject to an appropriate condition in relation to landscaping.

**Parking and Servicing**

10.64 As indicated the scheme includes 131 parking spaces located within the site. To the northern aspect of the linear park, this includes 87 spaces: 24 lower groundfloor parking spaces located under Block ABCDF and the remaining 63 in the form of street parking located primarily around the main residential blocks. To the south of the linear park, the proposal includes 44 parking spaces; 10 in the undercroft below block S, 29 spaces to the western boundary and the remaining 5 spaces to adjacent to the linear park to the north. In addition the proposal includes further 14 spaces: three related to the servicing of the retail units on Blackhorse Lane; 4 spaces (including the Car Club bay) to the front of Gnome House fronting Blackhorse Lane and 7 spaces plus one loading bay to the front of the commercial units on Hookers Road to the north of the scheme. Including these latter spaces, the total provision would amount to 145 spaces.

10.65 Setting aside the commercial spaces, the parking ratio for the residential element of the proposal equates to 0.27 spaces per unit which is in accordance with the standards of policy 6.13 of the London Plan (2011) and the Council’s current standards as set out in Appendix 4 of the emerging Development Management Policies (2012).

10.66 In relation to the provision of parking for the wheelchair accessible units, it is noted that within the scheme 27 spaces are shown as blue badge bays. This would equate to 20% of the spaces available, noting that the applicants Transport Assessment reserves one such bay for the student accommodation. In addition the bays are noted located in close proximity to the blocks in which most of the wheelchair accommodation is provided. As such the level of parking would exceed the London Plan standard of 10% of parking to be allocated to disabled users which is the basis of the applicable standard at Appendix 4 of the emerging Development Management Policies (2013). The bays as shown generally appear to meet the requisite 2.4m width and transfer zones where shown appear to meet the 1.2m required depth. However where onstreet type bays are shown, whilst they meet the length requirement set out in the Council’s Inclusive Design for Non Residential Buildings SPD (2011) it is not clear that they are of sufficient depth from the kerb. It is additionally noted that a number of spaces show no indication of transfer zones. It is considered appropriate that further details in this regard are secured by condition.

10.67 In addition the scheme includes provision for electric vehicle (EV) charging points although there is a discrepancy between the plan and the commentary in which the applicant has confirmed a provision at the level of 24 charging points serving 48 spaces. At the level of 36% by spaces the scheme is considered to be acceptable and this
provision could be secured by condition. Similarly the scheme involves the provision of one Car Club bay. The s106 will secure 27 years developer funded membership per unit in line with policy DM14 of the emerging Development Management Policies in line with policy objective at Policy CS8 of the adopted Core Strategy of reducing reliance on the private car and to build some capacity within the development to ensure sufficient transport capacity to meet additional travel demand generated by the development.

10.68 Objectors have referred to the potential for overspill parking from the development. In this regard it is noted that the Blackhorse Lane is largely yellow line controlled with the nearest streets (Clifton Tavistock and Blenheim) falling within CPZ. There are additional permit spaces on the street currently to the north of Hookers Road. Noting that the development will be car capped and taking the CPZ and local parking controls into account, the Council will seek a contribution towards local consultation in advance of any extension of the CPZ. Accordingly, it is not considered that the proposal will in further unacceptable parking stress in the area, noting the level of parking provided on the site.

10.69 Cycle parking is provided in secure locations across the scheme providing capacity for a total of 787 cycles. TfL have welcomed the proposal in this regard noting that the provision meet or exceeds the requirements for all land uses set out in London Plan Policy 6.9. Details of secure storage will be secured by condition.

Access and Highways

10.70 The development retains the existing access to the southern edge as the exit for the servicing route. Otherwise the proposal involves the formation of a new priority access adjacent to Gnome House as the vehicular entrance to the site serving the street network adjacent to the main residential blocks, and two additional accesses onto Hookers Road to the north of the site. These accesses will also facilitate pedestrian access to the site. Most of the servicing associated with the site in terms of major retail and deliveries to the student accommodation will take place within the site and the proposal in this regard is welcomed by TfL, as is the proposal that all roads within the development with the exception of the service access will be offered for adoption by the Local Highway Authority.

10.71 Following consultation and extensive work with Council officers, the proposal involves changes to the public highway to Blackhorse Lane, involving the creation of a 20mph zone featuring a speed table at the entrance to the linear park, a new pedestrian crossing and the relocation of a bus stop to a position north of the site. In addition the proposal involves the adjustment of priorities such that delivery vehicles leaving the site from the service access will only be able to turn left into Blackhorse Lane thereby avoiding congestion at the main Blackhorse Lane junction with Forest Road.

10.72 The application has been accompanied by a Transport Statement which has been reviewed by officers and TfL. TfL note the remoteness
of the proposal from strategic road network and consider that the proposed levels of trip generation will not adversely affect the wider road network. Taking the speed management and highways alterations referred to above together with the planning obligations as described in to account, the proposal in this regard is considered to be acceptable.

11 Impacts Arising from the Proposed Development

Impact on wildlife and the Wetlands

11.01 Prior to the submission of this application, the applicant submitted an EIA opinion screening request, in which it was concluded that an Environmental Impact Assessment was not required.

11.02 As part of this application the applicant has submitted a suite of reports referred to above, addressing the ecological impacts of the scheme and proposing measures to mitigate such impacts with particular reference to bird migration around the Wetlands and bat activity native to the site and its environs.

11.03 Natural England have removed their initial objection to the proposal and are now satisfied that the applicant has provided adequate information on the impact of the proposal upon bats and other protected species and on the Walthamstow Wetlands SSSI, Ramsar and SPA sites.

11.04 The applicant has provided an additional series of reports including an assessment of construction noise and proposed mitigation measures and a Habitat Regulations Screening Assessment which have been provided to Natural England. Natural England’s concerns regarding noise from the demolition of the narrow warehouse to the western aspect of the site abutting the Wetlands and the provision of a permanent bat roost are reflected in appropriate conditioning.

11.05 Council officers are of the view that whilst demolition to facilitate the western most projection of the linear park will require strict conditioning to limit noise impacts and to ensure appropriate programming to take place outside of nesting season that the proposal will not result in direct unacceptable impacts on the wetlands noting the previously developed nature of the land. Generally it is considered that impacts on birds and migratory birds in particular are capable of mitigation through appropriate lighting and bird boxes. The same is true for bats.

Impact on Residential Amenity

11.07 The redevelopment of the site will result in a complex variety of impacts which are specific to both the site and the surrounding area. Along its eastern frontage the site faces towards a small parade of seven shops and cafes with residential flats above leading north from the Standard junction. The entrance to the linear park and Blocks W, Q and P will face two and three storey residential housing to the eastern side of Blackhorse Lane to either side of the junction with Clifton Road on the eastern side of Blackhorse Lane. The southern
aspect of Block W will face over the site of the Royal Standard pub where active pre-application discussions have been taking place involving the mixed use development of the site to include residential flats.

11.08 Beyond Gnome House, there is no street frontage to the development as this side of road is occupied by two terraces comprising 17 two storey houses leading north to the junction with Hookers Road. Block N and the two courtyard blocks will be located to the rear of the houses, to the west. To the northern and western aspects, the development will face land in commercial use leading on the western aspect to the Wetlands.

11.09 It is considered that the houses between 63-95 Blackhorse Lane are those which will be the most likely to be impacted by the proposed development noting that Block N and the creative space associated with Block P lie to the rear of these houses.

11.10 In relation to separation distances. In addition the conclusions of the applicants submitted Daylight and Sunlight report are noted in relation to sunlight and daylight. The report concludes in relation to these properties that all rooms tested would have access to sunlight well in excess of the relevant BRE target noting however that in some of the same properties that daylight distribution to the ground floors may result in some minor transgression of the relevant DD standard. However taking the two relevant measures together it is not considered that the proposal will result in any significant degree of overshadowing.

11.11 Regarding privacy, the offset nature of the development of blocks N and P in relation to the existing houses is noted, as is the provision of roof terraces to Block N. The submitted plans indicate a trellis screen formed to follow the distinctive roofline of the proposal to form a visual barrier between the development and the rear of the houses. Noting the presence of some dormer windows to the rear of the Blackhorse Lane houses, this is considered to be an appropriate design solution to the issue of privacy and acceptable as such.

11.12 Impacts arising from the residential addition to Block P are considered to be relatively limited in view of the offset nature of the proposal to the houses in question.

11.13 Objectors have additionally referred to the impacts of the development in this regard in terms of loss of outlook. It is undoubtedly the case that the development will have a transformative impact on the area, currently characterised as poorly maintained and semi derelict industrial buildings. Noting previous comments on design and on the use of quality materials and landscaping, whilst it is the case that the development will break westward views across the roofs of existing industrial buildings, it is not considered the case that the development will result in significant loss of outlook to occupiers on Blackhorse Lane.
11.15 The proposal will result in a general increase in occupation of the site and increased levels of activity over and above those which currently exist. In the case of Block N and the courtyard blocks lying to the west, it is considered that outside the construction phase that most activity will be associated with the residential occupation of the land and as such not excessive. One possible concern may lie with the creative space to the northern edge of Block P to the rear of the houses at 63-75 Blackhorse Lane. In this case a condition to limit the hours of operation and to control noise (such as in the form of recorded music) would be appropriate to limit the potential for disturbance to neighbouring occupiers.

11.16 To the eastern frontage of the site along Blackhorse Lane, the general activation of the site with reference to the operation of the Block P café, the linear park entrance and piazza and the retail operations towards the Standard junction, it is not considered that these in themselves will generate exceptional levels of disturbance noting the consonance of the proposal with the designation of the area as a neighbourhood centre.

11.17 The proximity of the proposal to the site of the Royal Standard is noted. As indicated the Council is in discussion with the owners concerning a mixed use development at the site which will include residential accommodation. At present the design is still emerging, and whilst it is likely that the proposal will result in residential accommodation to the northern flank of the site facing the rear of Block W (student block) no clear assessment can be made at this time, although noting the north/south relationship of the two buildings and the front to back east/west traverse of the sun via the south, the potential for light loss to future development is considered be relatively low.

**Impact of the Student Accommodation**

11.18 Reference has been made by objectors to the impact of the student accommodation on the area and this is acknowledged as an area of significant concern. In summary, objections can be considered in terms of the ‘studentification’ of the area in which large numbers of incoming students may have an adverse impact on the character and function of an area and upon the Council’s aspirations in the creation and maintenance of a sustainable and mixed and balanced communities.

11.19 The applicant has submitted a Student Accommodation Demand Study produced by Jones Lang LaSalle. This report links the issue of studentification with rented HMO properties in which large numbers of HMO hollow out existing residential neighbourhoods and replace them with transient occupiers during term time only. The proposal in this regard would be likely to result in less demand for HMO in the wider area and would through the provisions of the legal agreement create a managed environment in a single location. Given the nature of the proposal where students are housing in a single block and concerns expressed by objectors regarding litter crime and antisocial behaviour
arising from this group, the potential for noise and disturbance is considered to be limited as accredited operators under the National Code impose contractual terms on occupiers and it is believed that there are strict rules regarding behaviour and an enforceable code of sanctions in relation to antisocial behaviour.

11.20 As such it is noted that the proposal involves a positive control in a managed environment of students who to some extent would otherwise select accommodation in the HMO market where such regulation would not exist. It is therefore concluded on balance that the proposal in terms of its impacts on the area and upon the amenity of residential occupiers that there is no clear case that the impact would be adverse bearing in mind the balancing case for the positive effect that such a population may have in regeneration terms.

12 Crime prevention issues

12.1 The Metropolitan Police Crime Prevention Design Adviser has commented on the scheme and has raised no objection in principle. The key areas of concern are essentially to ensure that the scheme complies with Secured by Design principles, that benches in the linear park are designed to prevent occupancy by sleepers and to ensure that the western part of the linear park leading towards the Wetlands is not opened until the blocks to the south (Blocks W Q R and S) are developed.

12.2 The layout of the scheme is considered to result in a generally good level of natural surveillance both of activity in the public realm areas of the linear park pedestrian route and in the street network within the development. No exterior lighting is indicated as such in the plans (CCTV with the potential to link to wider systems ?) although these details would in the normal course of events be secured by condition.

12.3 Overall, the proposal is considered to satisfy the requirements of policy CS16 of the adopted Local Plan Core Strategy (2012) with particular reference to the applicants commitment to the principles of Secured By Design. Officers are satisfied that the issues raised in the consultation response by the Metropolitan Police Prevention Advisor can be addressed by appropriate conditions.

13 Planning obligations

13.1 The Council is negotiating a legal agreement against the following heads of terms:

13.2 Financial Contributions towards:

Housing £550,000
Student housing: £149,000
Improvements to the Standard Junction £250,000
CPZ Consultation £10,000
Improvements to the Bus stop/routing £132,000
Way finding/ Business signage £20,000
The replacement of a street tree. £15,000
Traffic Lane CCTV to enforce the left turn only exit. £15,000
SUDS Inspection £2,000
Local Shopfront improvement £150,000
Funding of a Wetlands Bridge £60,000

A monitoring fee of £31,000 to include travel plan monitoring for residential and student accommodation travel plans

Extended terms include:

13.3 **Student Accommodation**

The student accommodation will be provided and managed by a recognised institution holding ANUK accreditation or similar.

A Student accommodation management plan will be secured to include limitation of use to current students only and to ensure specifics of occupancy both in semester periods and during out of term holiday periods.

Occupation will by students of Greater London Universities specified in the Agreement.

A travel plan for student accommodation will be secured

Bursaries totalling £100,000 for local young people to access higher education, (£5,000 per annum to be administered by Walthamstow College, funding up to 50% of the course fee for students over 18, for five students a year);

13.4 **Affordable housing**

The level of affordable housing will be secured subject to appropriate review mechanisms
Family housing to be secured in line with the submitted Accommodation Schedule
In relation to private development the mechanism to limit the likelihood of buy to let investors buying blocks of private housing will be secured.

13.5 **Phasing**

A Phasing plan of the overall development, the delivery of the creative space, linear park delivery and management plan will be secured to ensure that the wider scheme is delivered alongside the student element.

13.6 **Employment**

Employment to include construction apprenticeships and relocation assistance for existing businesses
13.7 **Transport:**

The development will be permit free and future residents will not be entitled to parking permits (with the exception of Blue Badge holders).

The provision of the Car Club parking space: 2 years’ car club membership for each occupier of the residential units;

Provision of electric car charging points to provide electric vehicle charging and passive charging facilities

13.8 **S278 works:** An appropriate agreement to meet the cost of alterations and improvements to the footway, and related works to the public highway including an additional pedestrian crossing on Blackhorse Lane and loading bay and other works as required by the Council as Highway Authority.

14 **CONCLUSION**

14.1 The detailed assessment in the previous sections of this report demonstrate that the proposals generally comply with the Council’s development plan policies together with other guidance and strategies. The proposal is considered to represent a good example of high quality mixed use sustainable development that will fulfil the Council’s aspirations as set out in the Blackhorse Lane AAP as one of the principal regeneration sites in the area. The benefits of the proposal have been considered in the foregoing report and taking into account the regeneration benefits offered by the development and its contribution to the wider area, it is considered that the scheme can be accepted.

15 **ADDITIONAL CONSIDERATIONS**

**Public Sector Equality Duty**

15.1 In making your decision you must have regard to the public sector equality duty (PSED) under s149 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.

15.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

15.3 The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s149 is only one factor that needs to be considered, and may be balance against other relevant factors.

15.4 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 Act (1998)

15.5 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.

15.6 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.

16 RECOMMENDATION

16.1 Committee is requested to Grant planning permission, subject to the following:

16.2 No adverse comments being received from the GLA as a result of the Stage 2 referral under the Town & Country Planning (Mayor of London) Order 2008,)

16.3 The completion of a s106 legal agreement as set out in section 13 of this report.

16.4 Appropriate conditions as set out below

16.5 Conditions:
A comprehensive set of conditions and reasons will be reported in an update report.

16.7 Informatives:
A legal agreement has been entered into with the London Borough of Waltham Forest in conjunction with the grant of planning permission in respect of contributions of

16.8 Under the Community Infrastructure Levy Act 2012, this development will be subject to a Mayoral Community Infrastructure Levy of £627,520 under this grant of planning permission.

16.9 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council’s website and which offers a pre planning application advice service.

The scheme was not submitted in accordance with guidance following pre application discussions The Local Planning Authority’s suggested improvements were adopted by the applicant. The decision was delivered in a timely manner.

16.10 The applicant is advised of the following comments from The Environment Agency to be reading conjunction with Condition 6: “In order to discharge the surface water condition, the following information must be provided based on the agreed drainage strategy: a) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe ‘node numbers’ that have been referred to in network calculations and it should show invert and cover level of manholes.

b.) Confirmation of critical storm duration.

c.) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE Digest 365.

d.) Where on site attenuation is achieved through attenuation ponds or tanks, calculations showing the volume of these is also required.

e.) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plans with the rate of discharge stated.

f.) Calculations should demonstrate how the system operates during a 1in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. If an overland flooding occurs in this
event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.

Surface Water Drainage

Appropriate pollution prevention methods should be used to prevent hydrocarbons draining to surface water sewers or ground from roads, hard standings and car parks. There should be no discharge to ground in or allowed to discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to ground water.

Foul Drainage

Any foul drainage should be directed to a mains foul sewer.

Advice to applicant on Groundwater Protection

The ground investigation report by KF Geotechnical referenced G/111218/001 dated December 2012 has revealed some elevated concentrations of some contaminants of concern. We also note from the report that some USTs and ASTs may still be present on site and will be removed from site as part of the redevelopment process. We concur with the need for further investigation on site to effectively characterise the site. Any contamination should be established and dealt with accordingly after the tanks and associated infrastructure have been removed. We would request consultation regarding tank removal at the site and also confirmation regarding the timeframe for removal of tanks and associated infrastructure. The CSM should be refined and risk assessment needs to consider future drainage proposals as the contamination issues may impact on the design options.

Other advice to applicant

Under the terms of the Water Resources Act 1991, and the Thames Land Drainage Byelaws 1981, the prior consent of the Environment Agency is required for any works or structures in, under, over or within 8 metres of the top of the bank of the Dagenham Brook designated a ‘main river’.

16.11 The applicant is advised of the following comments from Thames Water:

Waste Comments

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.

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 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

A Trade Effluent Consent will be required for any Effluent discharge other than a ‘Domestic Discharge’. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at http://www.thameswater.co.uk/business/9993.htm or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

Water Comments
The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend the following condition be imposed: Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point. Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

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 infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water 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.

Supplementary Comments

Our preferred option would be for all surface water to be disposed of on site using SUDs as per policy 5.13 of the London plan.

16.12 The applicant is advised that on commencement of the works the developer is liable to be served with a Notice under the Control of Pollution Act, Section 60, which will limit the hours of working; may specify noise levels at the nearest residential accommodation and will require all equipment to be silenced and maintained in such a condition as to minimise excess noise.

16.13 The applicant is advised that the potential for historic unexploded ordnance may exist on the site. The applicant is therefore advised that the recommendations given in the submitted Desk Study for Potential Historic Unexploded Ordnance (UXO) Contamination should be followed. Namely all personnel working on site should attend an Explosives Safety & Awareness Briefing to recognise the possible risks of UXO during future intrusive works.

16.14 Prior to the commencement of development hereby approved a Code of Construction Conduct should be submitted to and approved in writing by the Local Planning Authority. Construction shall only take place in accordance with the agreed code of conduct, which shall include:

a. A demolition method statement.
b. Hours of working.
c. Dust mitigation and suppression measures to control the spread of dust from demolition, disposal and construction.
d. Measures to minimise the impact of construction activities.
e. Details of construction lighting together with measures to minimise light pollution.
f. Method of access and parking of construction vehicles.
g. Measures to prevent deposition of mud on the highway.
h. Identification of areas intended for the placing of contractor's
accommodation, open storage and employee vehicle parking.

i. Agreement to avoid any burning or bonfires on site

17 BACKGROUND DOCUMENTS

a. Application files and accompanying documents