

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 3 rd March 2026
Application reference:	252564
Applicant:	Mr Josh Baggott (THE ARCH COMPANY PROPERTIES LIMITED)
Location:	Arch 74 Rosebank Road, Walthamstow, London, E17 8NH
Proposed development:	External refurbishment of existing arch involving removal of the front and rear lean-to structures and repointing of all external masonry walls, new motorised roller shutter and pedestrian access door. Installation of palisade fencing and external lighting to both front and rear yard areas.
Wards affected:	Lea Bridge
Appendices:	None

1 RECOMMENDATION

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

2 REASONS REFERRED TO COMMITTEE

- 2.1 The application is referred to Planning Committee due to being called in by a Councillor.

3 SITE AND SURROUNDINGS

- 3.1 The application site is a railway arch that has been extended by a single storey front extension that covers the plot to the front.
- 3.2 Arch 74 Rosebank Road is not internally accessible by the arch on the other side. The works proposed which form part of this application only relates to external works to Arch 74.
- 3.3 Nos 1 to 31 Rosebank Road (opposite) to the west comprise two storey terrace residential properties which face the front of the application site. The archway also currently hosts a rear open area located on the rear boundary of No. 31 and 33 Boundary Road. Rail lines which serve London Overground are located above the proposed arch in question with these lines connecting Walthamstow Queens Road Station to the north and Leyton Midland Road Station located south of the site.
- 3.4 The immediate surrounding area on Rosebank Road is formed of a mixture of commercial and residential properties/units. The commercial

units are all located beneath the arches on the eastern side of Rosebank Road with the arches all in use as car and MOT garage facilities.

- 3.5 The property is not located within a Conservation Area, is not listed and is not subject to an Article 4 direction other than the Borough-wide change of use from Class C3 to C4.



Site Location



Aerial Image

4 APPLICATION PROPOSAL

- 4.1 The application seeks planning approval for the external refurbishment of the existing arch, involving removal of the front and rear lean-to structures and repointing of all external masonry walls, new motorised roller shutter and pedestrian access door. Installation of palisade fencing and external lighting to both front and rear yard areas.

5 RELEVANT SITE HISTORY

- 5.1 A. Planning

None.

- 5.2 B. Pre-application Advice

None.

- 5.3 C. Enforcement

None at this site.

There are enforcement investigations and notices in relation to the wider arches adjoining the site.

- 5.4 D. Adjacent sites/ neighbouring properties

Arch 78 Rosebank Road, Walthamstow, London, E17

230487 - Construction of a single storey rear extension together with excavation to form a vehicle inspection pit in association with existing commercial MOT use (Use Class B2) - Granted (21/9/2023).

Arch 75 To 78 Rosebank Road, Walthamstow, London, E17 8NH

240282 - Retention of the use of arch 75 for car repair and arch 76 for car services in connection with MOT test centre and car repairs at arches 77 and 78 Rosebank Road. - Refused (15/8/2024).

6 PUBLIC CONSULTATIONS

6.1 Public Consultation

6.2 The Council circulated consultation letters to local residents on the 19/11/2025, as follows:

- 1 - 31 Rosebank Road (Odd)
- Arch 72-73 Rosebank Road
- Arch 75 to 78 Rosebank Road
- Arch 77 Rosebank Road
- Arch 78 Rosebank Road
- Arch 79 - 80 Rosebank Road
- 31 - 39 Boundary Road (Odd)
- 58 Bakers Avenue
- 62 - 64 Bakers Avenue

6.3 The Council received 3 objections as a result of neighbouring consultation.

6.4 The objections from local residents and the reason for the Cllr request for Committee determination are centred on concerns about the potential use of the site, based on their experience of the behaviour of some occupiers of adjoining arches. It is acknowledged that there have been ongoing issues with some occupiers relating to breaches of planning control, highway contraventions, anti-social behaviour etc. These have resulted in concerted multi-disciplinary action by the Council as well as high level engagement with ArchCo, More widely the Council has been working proactively with ArchCo to support potential opportunities for their investment in refurbishment of their arches within the borough, encouraging a diversity of uses, e.g. the new business that have opened along Midland Road and Tilbury Road.

Objection Received	Response
Issues with the garages / MOT businesses in the arches include chemical and noise pollution, antisocial behaviour, traffic congestion, and severe parking pressure	The proposal within the application seeks only physical changes and does not include the use of the arch.
Existing garage operators routinely misuse residential parking	Officers note that there are ongoing issues with the occupiers of some neighbouring units however this unit is separate from the other units and this application can only assess the proposal. Issues relating to occupiers of other units are not material

Objection Received	Response
	considerations for the determination of this application.
Residents have endured ongoing disruption, loss of amenity, and a deterioration in quality of life.	Officers note that there are ongoing issues with the occupiers of some neighbouring units however this unit is a separate from the other units and this application can only assess the proposal. Issues relating to occupiers of other units are not material considerations for the determination of this application.
Concern to becoming more industrial usage chemical pollution, noise pollution, visual pollution, anti social behaviour, parking and traffic issues	The proposal seeks only physical changes and does not include the use of the arch.
impact of allowing 75-79 to increase their space	The site is a separate unit with a wall retained between the units and under this proposal includes fencing in the front yard to the side.

6.5 Statutory Consultation

Consultees	Response
Highways	The applicant must submit a plan showing the proposed palisade fencing in the surrounding context with the public highway boundary clearly visible for Highways to assess the extents of the proposed gate.
Environmental Health	No comments received.
Waste Management	No comments received.
Nature Conservation Officer	Supported the condition proposed for the street tree.
Street Trees	Supported the condition proposed for the street tree.
Transport for London	No comments received.
Network Rail	No comments received.
London Fire Brigade	No comments received.

7 DEVELOPMENT PLAN

- 7.1 Section 70(2) of the Town and Country Planning Act (1990) (as amended) sets out that in considering and determining applications for planning permission, the Local Planning Authority (LPA) must have regard to considerations including the provisions of the development plan and any local finance considerations, so far as material to the application, and any other material considerations.
- 7.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that “if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.
- 7.3 The Development Plan for the site, at the time of this report, comprises the London Plan (2021), and the Waltham Forest Local Plan - Shaping the Borough – London Borough Waltham Forest Local Plan (2024). Other planning policies are material considerations.

The London Plan (2021)

- 7.4 On Tuesday 2nd March 2021 the Mayor of London published the replacement London Plan. From this date it forms part of the Development Plan for the purpose of determining planning applications. The 2021 London Plan supersedes the 2016 London Plan, which no longer has any effect. The relevant policies within the London Plan 2021 are:
- D4 Delivering good design
 - D5 Inclusive Design
 - D8 Public realm
 - E2 Providing suitable business space
 - HC5 Supporting London’s culture and creative industries
 - HC6 Supporting the night-time economy

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

- 7.5 The draft version of the Local Plan underwent Regulation 18 public consultation between July and September 2019 and consultation on the proposed Submission Version between 26 October and 14 December 2020. It has undergone examination and consultation on proposed modifications, concluding 21 September 2023. The Waltham Forest Local Plan (LP1) was subsequently adopted 29 February 2024 and therefore now forms a key part of the development plan in determining all planning applications. The previous Core Strategy (2012) and Development Management Policies (2013) are superseded by LP1. The relevant policies are:
- Policy 34 Railway Arches
 - Policy 53 Delivering High Quality Design
 - Policy 57 Amenity

- Policy 58 Making Places Safer and Designing Out Crime

8 MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework (2024)

- 8.1 The revised National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. It contains a presumption in favour of sustainable development, described as at the heart of the framework.
- 8.2 For decision-taking the NPPF states that the presumption means "approving development proposals that accord with an up-to-date development plan without delay" and where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless "...any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination".
- 8.3 The NPPF gives a centrality to design policies; homes should be locally led, well-designed, and of a consistent and high-quality standard. Local planning authorities (LPAs) are to make sure that the quality of approved developments does not materially diminish 'between permission and completion, as a result of changes being made to the permitted schemes.
- 8.4 The specific policy areas of the NPPF considered to be most relevant to the assessment of this application are as follows:
- Building a strong, competitive economy
 - Ensuring the vitality of town centres
 - Promoting healthy and safe communities
 - Achieve well-designed places
- 8.5 Other Guidance/Documents
- Supplementary Planning Document Urban Design (2010)
 - December 2025 the Government published an amended NPPF for consultation. However, this is subject to change and has very little weight in this decision.

Local Finance Considerations

- 8.6 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).

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

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

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

9 ASSESSMENT

9.1 The main issues for consideration, in relation to the proposed development are as follows:

A. Urban Design

B. Impact on Neighbouring Amenity

C. Highways, Traffic Management and Parking

D. Trees

E. Biodiversity Net Gain

A. Urban Design

9.2 Policy 53 states that the Council will expect a high standard of urban and architectural design for all the new developments.

9.3 Policy 34 Railway Arches seeks to promote improvements to the appearance of railway arches through upgrades, active frontages and improvements to access and the public realm.

9.4 The proposal under consideration seeks to remove the current extension that sits in front of the railway arch and improve the original archway appearance including the repair and repointing of the brick work and installation of a new roller shutter door 2.68m height and a width of 3.38m along with installation of new metal pedestrian entrance door to both the front and rear of the unit.

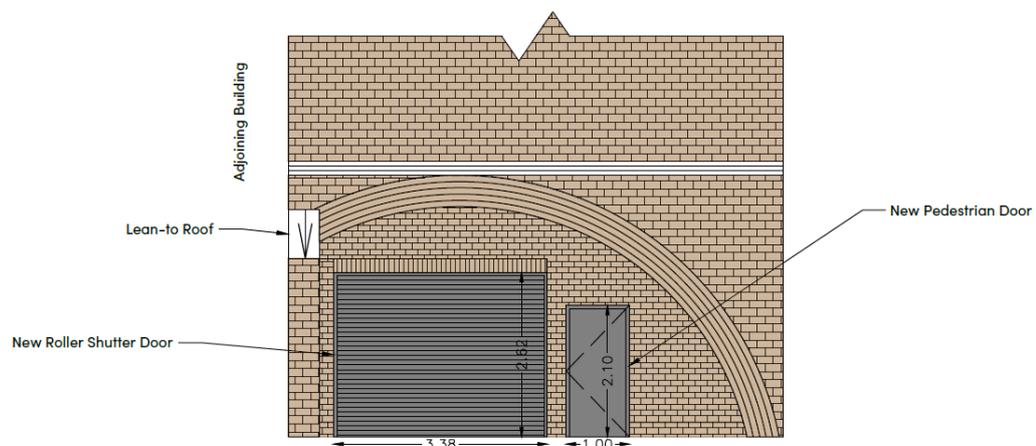
9.5 The planning statement sets out the material palette, hot dipped galvanised and then powder coated anthracite grey / RAL 5016 for the shutter door, the pedestrian door Dulux Trade Metal shield Satin paint; colour to be RAL 5013 Blue and Arch Co facing brickwork to outer skin of new infills to be Imperial Bricks – conservation yellow stock. The proposed appearance would be similar to the adjacent units and considered to improve the overall quality of appearance, both the shutters and pedestrian doors are appropriately located and considered acceptable in respect to design and size in this case

(Item 4.3)

- 9.6 Within the arch an accessible WC will be created improving accessibility and be in line with inclusive design principles.
- 9.7 The proposal in terms of design would be consistent with the existing arches and would result in improving the overall appearance of the area in line with the existing character.
- 9.8 Overall, the scheme complies with the aims and objectives of Policy 53.

B. Residential amenity

- 9.9 The National Planning Policy Framework requires new development to be appropriate for its location having regard to the likely effects (including cumulative) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Where necessary, developments will be expected to mitigate and reduce to a minimum any potentially adverse noise impacts and avoid giving rise to 'significant adverse' impacts on health and quality of life.
- 9.10 Policy 57 seeks to maintain the amenity of current and future occupiers in terms of overlooking, noise, enclosure and/or the loss of daylight, sunlight, outlook and privacy.
- 9.11 There are no proposed extensions or significant alterations proposed to the development site, with the proposal seeking to return to the original arch design. Many of the proposed features are visual changes that would not have an amenity impact with respect to outlook, increase the sense of enclosure and access to sunlight/daylight. Officers note that the proposal does not include an aspect on its use as such there are no proposed alterations to the use class.



Proposed Elevation 1

- 9.12 The proposal is therefore considered to be acceptable in line with Policy 57.

C. Highways, Traffic Management and Parking

- 9.13 The proposed development would create a new front yard, however the existing retained access through the front extension would not result in any significant change to parking and vehicular movement within the frontage of the arch, and as such, no objections are raised by the Council's highway team or the planning department.
- 9.14 Officers note that highways had requested a plan showing the public highway and proposed boundary. The boundary would sit along where the existing extension is located, and as such is not considered to interfere with the public highway. However, there is no detail on the height of the boundary fencing to be provided which could be controlled by condition, including that to the rear.

D. Trees

- 9.15 Policy 80 Trees seeks to ensure development proposals must retain and protect significant existing trees.
- 9.16 A street tree is set off to the side of the front of the site on the public highway, whilst the works would not entail foundations within the root protection area, given the demolition would be in close proximity to the tree, it is considered that a tree protection plan is necessary, secured by condition, to ensure the health of the mature tree is not detrimentally impacted by the development.

E. Biodiversity Net Gain

- 9.17 Policy 79 of the Local Plan sets out that proposals should seek to protect and enhance biodiversity and geodiversity resources in the borough and achieve biodiversity net gain.
- 9.18 Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ([as inserted by Schedule 14 of the Environment Act 2021](#)) specifies that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (“the biodiversity gain condition”) that development may not begin unless:
- 9.19 A Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the plan.
- 9.20 All planning permissions granted in England have to deliver at least 10% biodiversity net gain, effective from 12 February 2024.

- 9.21 Of relevance in this case, the biodiversity gain condition does not apply to some types of development, including developments below the threshold of impacting less than 25 square metres (5m by 5m) of on-site habitat. The site is demolition existing structures and not creating any new footprint as such it is considered it would fall below the threshold for BNG requirements.

10 ADDITIONAL CONSIDERATIONS

Public Sector Equality Duty

- 10.1 In making your decision you must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
- A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
 - C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 10.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 10.3 The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 is only one factor that needs to be considered and may be balance against other relevant factors.
- 10.4 It is not considered that the recommendation to grant permission in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

- 10.5 In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as the London Borough of Waltham Forest to act in a manner that is incompatible with the European Convention on Human Rights.

- 10.6 You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

11 CONCLUSION

- 11.1 Following the above assessment, it is considered that the design of the development would not result in harmful impact on the character and appearance of the host property and wider locality. In addition, the development would not result in a detrimental impact upon neighbouring amenity. The proposal would also be acceptable in regards to highways and tree considerations Taking into account the consistency of the scheme with the Local Plan and considering all material planning considerations, the proposal is considered acceptable and is therefore recommended for approval subject to conditions and informatives.

12 RECOMMENDATION

- 12.1 The Planning Committee is recommended to grant planning permission subject to the conditions and informatives below.

12.2 Conditions and Reasons

1. The development hereby permitted shall begin not later than the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents and thereafter maintained as such for the lifetime of the development:

- 10291 Rev C03 dated 10th June 2025
- 11000 dated 9th December 2022
- 0151 Rev P01 dated 16th May 2025
- 10200 Rev C01 Existing Plan showing plan, sections and elevations dated 19th May 2025
- 0150 Rev P01 dated 16th May 2025

(Item 4.3)

- 10200 Rev C02 Existing plans showing ground floor and roof plan
- 10200 Rev C02 Existing Elevations & Sections
- 10920 Rev C04 Proposed Plans dated 23rd October 2025
- 10920 Rev C04 Proposed Elevations and Sections dated 23rd October 2025
- 10291 Rev C03 dated 10th June 2025
- 74 Rosebank Road – D12A Fire Statement (undated)
- 11001 dated 13th November 2025

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby permitted shall be constructed entirely of the materials details outlined on Planning Statement dated 20th May 2025 section 2.4.1 and in accordance unless otherwise agreed in writing by the Local Planning Authority and shall thereafter be retained as such for the lifetime of the development.

Reason: In the interest of general visual amenity, in accordance with Policy 53 the adopted Waltham Forest Local Plan Part 1 (2024).

4. Prior to the installation of the boundary treatment, details relating to the new boundary treatment including material and dimensions, which will not exceed the boundary height of those at the adjacent Arches, must be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out solely in accordance with the approved details and thereafter shall be fully retained and maintained accordingly for the lifetime of the development.

Reason: In the interest of general visual amenity, in accordance with Policy 53 the adopted Waltham Forest Local Plan Part 1 (2024).

5. No development whatsoever shall take place in relation to the development hereby approved including demolition, site clearance and investigations as well as preparatory work, until a scheme for the protection of the street tree (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been agreed in writing by the local planning authority. The approved measures shall be implemented prior to any demolition, site clearance, preparatory work and development and shall be retained for the entirety of the construction period.

Reason: To ensure the well-being of the trees, in accordance with Policy 80 of the adopted Waltham Forest Local Plan Part 1 (2024).

12.3 Informatives:

1. To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which have been followed in this instance.
2. The applicant is reminded that this permission relates to planning permission only and does not constitute approval under any other legislation including Building Regulations. Works should not commence until any appropriate building regulation applications have been submitted and where necessary approved.
3. This notice is without prejudice to your responsibilities under any other legislation.