

PLANNING STATEMENT

SEPTEMBER 2025

562 - 564 High Road, Leytonstone, E11 3DH

1055.PS01A

Prepared by Clements & Porter Architects

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1 INTRODUCTION

1.1 General

This planning statement has been prepared by Clements & Porter Architects (CPA) to demonstrate how the revised submission addresses the comments arising from the Pre Application submission (PRE_22_0071), from the reasons for refusal of the two Planning Applications (230473 and 240081) and the further mini PPA comments including the final comments dated 10th June 2025.

Clements and Porter are a well established RIBA Chartered Practice who have successfully worked over the years in most London Boroughs. The practice specialises in housing and mixed use developments, particularly difficult inner urban and backland sites. This scheme follows the profile of much previous work.

The description of the scheme currently being submitted is "Demolition of the existing and erection of a new building to provide 7 x residential flats with commercial Use Class E at ground floor with new basement at 562 – 564 High Road, Leytonstone, E11 3DH".

In response to feedback on previous submissions, numerous design changes have been made which address the issues raised. The Council have now stated that "no substantive reasons for refusal remain" and have recommended the scheme is submitted for planning, as confirmed in a CPA email 4th August addressed Kelvin Blaine. Updated and additional reports and information have been included with this submission to support the proposals.

This Planning Statement is structured around the feedback from the Councils as set down in the first paragraph. Read in conjunction with the other application documents, this statement confirms how the current submission is fully compliant with previous advice and thus policy. As a result, and as confirmed, there should be no further reasons for approval.

1.2 Description of the Site

The existing site is located on the corner of High Road and Davies Lane. The existing premises consist of the following accommodation:

- A two-storey corner building with an amalgamation of rear extensions. This building is comprised of a ground commercial unit with powder coated aluminium shopfront and a single storey of residential above.
- A small basement below the shop element.
- A rear service yard accessed via a large gate from Davies Lane with a further two-story storage building with a gabled front facing Davies Lane.

1.3 Planning History of the Site

While it is clear that a number of significant piecemeal alterations have been made to the existing building, there is no previous planning history that predates the current development proposals.

A Pre Application submission was initially made (ref: PRE_22_0071) for 9 flats, this was followed by a full planning application for 8 flats and a further submission for 7 flats. A mini PPA was held for 7 flats. This will be the third planning application following a Pre App and mini PPA. Further details of these applications are given below.

2 HISTORY OF APPLICATIONS

2.1 Pre Application Submission PRE_22_0071

A submission for Pre application advice for a “New building to provide 9x residential flats with continued use Class E Proposal: ground floor with new basement at 562-564 High Road, Leytonstone, E11 3DH” was validated on 25th April 2022. Following what was considered a positive Pre App meeting, the Pre App report, issued on 29th September 2022, concluded that, whilst the principle of a contemporary design accommodating a mixed-use development was acceptable in principle, certain issues would need to be addressed before an application could be supported.

The issues to be addressed were:

1. Significant concerns in relation to the overall size, scale and bulk of the proposed building and its visual impact particularly along Davies Lane.
2. Unacceptable impact on the living conditions of the neighbouring properties by virtue of overlooking, loss of light, overshadowing and increased sense of enclosure.
3. Elements of the residential accommodation not meeting the minimum internal and external space requirements.
4. Specifications and details as to that of the proposed materials to be provided with a future application so to understand how the proposed building relates with that of the surrounding area and to negate possible future conditions with regards to materials, detailed material information would be recommended to be provided.
5. A Basement Impact Assessment should be considered, exploring how natural light could penetrate to the basement along with the ability for disabled access considering the use of the basement as that for commercial.
6. The minimum floor-to-ceiling height must be 2.5m for at least 75% of the GIA of each dwelling and information to be provided to confirm if the proposal complies with the standard.
7. Additional reports including CLP, cycle parking, waste management and energy would be required

2.2 Planning Application 1 230473

On the basis of the Pre Application comments a full planning application was made for “Demolition of existing buildings and construction of part two and part four storey building with basement and communal roof terrace to create a mixed-use development of 8 residential units (3 x 1-bedroom and 3 x 2-bedroom and 2 x 3bedroom flats) and Class E-commercial unit at ground and basement floors, with associated refuse/ recycle and bicycle storage”.

The applicants and their agents felt this addressed the comments raised in the Pre Application report including the reduction on the building height to 2 storeys adjacent to 1 Davies Lane achieved by a reduction in the number of units from nine to eight. Reports, as requested in the Pre App were included in the submission.

A Refusal Notice was issued on 8th June 2023 which listed the following reasons for refusal:

1. Inconsistency between plans and elevations showing solar panels.
2. The proposed development by reason of its design and overall bulk and massing would harm the form, proportion and appearance of the surrounding area while prejudicing possible future development towards neighbouring no.560 and 558 High Road Leytonstone.
3. Adverse impact on 560 High Road and 1 Davies Lane.
4. Insufficient number of cycle storage spaces.
5. Requirement for an arboriculturist report due to proximity to street trees along High Road.
6. Inadequate outline CLMP.
7. Failure to enter into s106 agreement.

The applicant and their agents were dismayed by this refusal as they felt this application had addressed all the concerns raised in the Pre App including a reduction in the massing achieved by the loss of a unit. It was felt that the refusal notice raised new points, including requests for further reports such as the arboricultural report, not identified in the Pre App. It was also felt that that the massing at 4 storeys was acceptable as it was subservient to the new 5 storey buildings opposite the application site.

However, although the client felt that an appeal could be successful, he felt a further application again addressing the reasons for refusal was the best step forward.

2.3 Planning Application 2 240081

A further application was made on 22nd December 2023 with the following description:

“Demolition of existing buildings and construction of a building rising from two to four storeys including a basement, with roof terraces at second and third floors, roof-top PV Panels and amenity balconies to the front and side elevations to facilitate provision of a mixed use development comprising seven residential units (3 x 1-bed, 2 x 2-bed and 2 x 3-bed) (Use Class C3) and commercial unit at ground and basement floors (Use Class E), with associated refuse/recycle and bicycle storage.”

This scheme addressed the points raised above with a further reduction in massing achieved by reducing the number of units from eight to seven.

Based on the detailed reasons given and the further information outlined in the officers report it was considered that this proposal would be acceptable in all other policy areas. However, a further refusal was received 19th March 2025.

1. Insufficient internal storage across all flats, insufficient gross internal floor area of second floor flat 5 and the unacceptable provision of two single aspect north facing dwellings.
2. The proposed external roof terraces, would

create direct overlooking to the detriment, well-being and impact on privacy of the existing neighbouring occupiers.

3. The external communal roof terraces, due to overall scale and intensification would have a detrimental impact upon the amenity of adjoining.
4. The proposed building by reason of its excessive depth, height and close proximity to existing neighbouring windows would have a detrimental impact on the residential amenity of the occupiers at No. 560 High Road.
5. Due to the close proximity of street trees along the northern elevation (Davies Lane) and insufficient information submitted as part of this application, an adequate assessment could not be made to consider the potential harm of the development on the maturing trees.
6. An absence of a satisfactory Outline Construction Logistic Plan.
7. The applicant failed to enter into a s106 agreement.
 - Car Free Development - the development is to be classified as car-free and residents will not be eligible for parking permits.
 - A condition survey of the carriageway and footways fronting the site prior to the commencement of any works.
 - Financial contribution of £4,389.00 towards the Epping Forest SAMM.
 - S106 contribution of £750 is requested toward CLP monitoring.
 - S278 agreement to, Works will include but are not limited to:
 - Renewal of the footway on both frontages of the site on High Road Leytonstone and Davies Lane.

- Removal of the redundant crossover on Davies Lane.
- Removal of the existing double yellow line on Davies Lane and extension of the CPZ parking bays including a traffic management order.
- Installation of a dropped kerb within 15 metres of the bin store to facilitate bin collection.
- Financial contribution of 5% for s106 monitoring fees.

2.4 Mini PPA Submission A

After a Pre Application and two refusals, it was felt a further Pre App or Planning Application was not going to result in a satisfactory outcome. The client was advised to engage with the Council and arrange for a mini PPA which aims to secure collaborative working between the Applicant, the Local Planning Authority (LPA) and other parties on the proposals for the development of this site. A mini Pre App was submitted and given reference PRE240395.

Revised drawings showing 7 flats were submitted on 10th January 2025, dealing with the refusal in application no 240081.

The main issues covered were:

1. Accessing all third floor units from the second floor and removing a lift, thus reducing the depth of the block and dealing with the problems with no. 560 High Road,
2. Reduced external roof terraces in line with revised Waltham Forest requirements, thus removing amenity and overlooking issues
3. Ensuring all flat areas including storage complied with London Plan space standards

A Teams meeting was held between Waltham Forest Officers, CPA and the applicants on 27th February 2025.

Waltham Forest's main issues were a request to remove the third floor bay closest to 1 Davies Road and to revert to the grid system of elevational treatment. The

new scheme was still for 7 units and the applicant confirmed that this was the absolute minimum number of units to render the scheme viable. It was agreed that CPA would produce something "innovative" to deal with this.

2.5 Mini PPA Submission B

Revised drawings and a confirmatory email dealing with issues raised at the meeting were sent by CPA to Kelvin Bathie on 26th March. The email confirmed the following:

1. The main constraint on the redesign is to maintain 7 units as required by the client without any single aspect dwellings.
2. The reduced third floor is now a single unit rather than 2 smaller units.
3. This results in problems retaining 7 units whilst maintaining dual aspect flats.
4. To get around this, it was proposed to access first floor Flat 2 direct from the street.
5. CPA felt the request to remove one bay from the third floor, was unreasonable bearing in mind the 5 storey height of the buildings on the other side of the Davis and High Road. Waltham Forest felt this could only be tested through Appeal. CPA felt to resort to appeal on the basis of one bay would only further extend the already lengthy planning period with this scheme so agreed to remove one bay.
6. The elevation treatment reverted to the former grid option, as agreed with the Design Officer with additional articulation to the grid elements.
7. Waltham Forest confirmed there were no issues with the rear elevation except for minor alterations on the fenestration.
8. Following the alterations, the accommodation provided was:

- Flat 1: 2B 4P (accessible)
- Flat 2: 1B 2P
- Flat 3: 2B 3P
- Flat 4: 1B 2P
- Flat 5: 1B 2P
- Flat 6: 3B 4P
- Flat 7: 3B 5P
- Commercial: 104m2

CPA felt that with these alterations the scheme was now fully compliant with officer's requirements, the London Plan and Waltham Forest's Local Plan and requested confirmation that the scheme would now be acceptable.

2.6 Mini PPA Submission C

In response to the revised drawings, an email was sent by the case officer Kurt Henry on 16th April requiring 7 further changes to the drawings. This was sent as an informal response to allow for the issues to be addressed prior to a formal report. These were:

1. The articulation of the design and massing of the building was almost acceptable but requesting the removal of the rear part of the bay nearest 1 Davies Road. There would be no objection to a 2-bed dwelling at roof level.
2. Bedrooms that front the street (at ground floor level) are generally not supported. As such, the arrangement of Ground floor flat 1 is not supported in its current form.
3. The access to flat 2 at first floor constituted a second vertical core which was unacceptable. This flat was also deemed under area for a one bed flat.
4. The storage of flat 2 was considered excessive.
5. The external terrace to first floor flat 4 now introduced privacy implications due to the proximity of the terrace in relation to the bedroom window of first floor flat 2.
6. Further thought should go into the arrangement of the refuse and recycling area.
7. Lack of demarcation between the residential external materials and ground floor commercial materials. Also, due to the proportions of the shopfront glazing, the entrance to the commercial area appears as if its accessed from Davies Lane as opposed to High Road Leytonstone.

2.7 Mini PPA Submission D

In response to the 16th April email, CPA sent on 27th April, revised drawings to Kevin Bathie. A covering email confirmed the following points:

1. Removal of the rear living room bay on third floor as requested.
2. Rearrangement of Flat 1 so the living room faced the street. As this was the first time in the lengthy planning process so far that this had been raised as an issue, they felt there was an adequate 1.75m defensible space and screening in front of this window. However, in order to facilitate the planning process the layout was altered.
3. Access to flat 2 was provided from the common stair thus removing "the double core" whilst retaining dual aspect for all flats.
4. Over provision of storage in flat 2 removed.
5. Overlooking between Flats 2 and 3 resolved by removal of one window. This, as point 2 above was the first time this had been raised as an issue.
6. Rearranged cycle and refuse storage with separate access direct from the street as requested.
7. Commercial frontage – CPA confused by this as this is an escape door from the commercial unit and been in this location and had not previously been raised as an issue.

Waltham Forest replied with a formal letter to the resubmitted report PRE240395 on 18th June 2025. This

referred to the points raised in the informal response of 16th April. CPA replied to this on 10th July confirming all points had been addressed except for 2 points. These were point 3 and point 6, concerning an undersized flat 2 due to the inclusion of the stair within the area calculation, and requiring that the cycle store opening off front entrance corridor.

A phone call to discuss these last 2 points with Kelvin Bathie was held on 1st August 2025. It was agreed that flat 2 could be categorised as a 1 person, 1 bedroomed flat and as such was of sufficient area. CPA pointed out that a cycle store opening off the means of escape was a contravention of Part B of the Building Regulations. It was agreed the shown location adjacent to the flat entrance location was satisfactory.

On the basis of this it was confirmed that there were no “substantive reason to refuse the scheme”, and that an application should now be made. CPA confirmed this in an email to Waltham Forest 4th August 2025.

3 COMPLIANCE WITH POLICY

3.1 General

During the processing of this application since 2022, a new Local Plan has been adopted (Local Plan 2024) and it is this which takes precedence over earlier policy comments. For clarity, all policies quoted in refusal documents have been included. It is confirmed all Local and London Plan policies have been complied with as below.

3.2 Space Standards

- Policy 56 of the adopted Local Plan Part 1 (2024), (Residential Space Standards).
- Policy D6 of The London Plan (2021).
- Housing Design Standards (June 2023 London Plan Guidance).

All flats now comply with the above policies in terms of space standards, floor to ceiling heights and storage provision.

3.3 Impact on Amenity of Neighbours

- Policy 57 (Amenity) of the adopted Local Plan Part 1 (2024).
- Policies CS13 and CS15 of the Waltham Forest Local Plan – Core Strategy (2012).
- Policies DM4, and DM32 of the Waltham Forest Local Plan.
- Development Management Policies (2013) and Supplementary Planning Document 'Urban Design' (2010).

The external terraces have been designed to avoid overlooking and nuisance. The reduced massing on the block has resolved issues of a sense of enclosure, loss of outlook and daylighting to no. 560 High Road.

3.4 Impact on Maturing Trees

- Policy 80 (Trees) of the adopted Local Plan Part 1 (2024).
- Policy CS5 of the Waltham Forest Local Plan - Core Strategy (2012).
- Policy DM35 of the Waltham Forest Local Plan – Development Management Policies (2013).

As summarised in the Arboricultural Impact Assessment Addendum, the maintenance of street trees is the local authorities' responsibility and maturing trees shouldn't restrict the rights of enjoyment and development on adjoining land. As the building is set back from the boundary line there is no reason that adequately maintained trees should be in conflict with the proposed development.

3.5 Outline Construction and Logistics Management Plan

- Policy 65 (Construction Logistics Plans) of the adopted Local Plan Part 1 (2024).
- Policies T7 of the London Plan (2021).
- Policy DM13 and DM32 of the Waltham Forest Local Plan Development Management Policies (2013).

An Outline CLMP has been submitted with the applications and incorporates all comments from the previous refusal and additional comments from the PPA in relation to safe streets.

3.6 Section 106 Agreement

- Policy 94 (Infrastructure and Developer Contributions) of the Adopted Local Plan (2024).

Draft S106 Heads of terms based on LBWF Planning Obligations SPD have been submitted with this application. The legal drafting of an agreement would be undertaken once an approval in principle has been agreed.

3.7 Proposed Solar Panels

- CS13 and CS15 of the Waltham Local Forest Plan, Core Strategy (2012).
- Policies DM7, DM29 and DM32 of the Waltham Forest Local Plan – Development Management Policies (2013).

Correct and coordinated information now shown on all drawings.

3.8 Design, Bulk and Massing

- Policies CS2, CS15 of Waltham Forest Local Plan Core Strategy (2012).
- Policies DM4, DM29 of the Waltham Forest Local Plan, and the Supplementary Planning Document 'Urban Design 2010'.

The massing has been considerably reduced with the omission of two flats. The elevational design has reverted to the grid configuration as requested. Both are now confirmed as satisfactory by the Design and Case Officers.

3.9 Cycle Storage

- CS7 and CS13 of the Waltham Forest Local Plan - Core Strategy (2012).
- Policies DM14, DM16, DM32 of the Waltham Forest Local Plan - Development Management Policies (2013).

This is now confirmed as compliant.

4 SUBMISSION SUMMARY

4.1 Supporting Documents

The following drawings, documents and reports are included within the resubmission to provide further in-depth information.

The following documents are supplied by CPA:

- 1055_000 Site Location Plan
- 1055_001B-002B-003A Existing Plans
- 1055_011A-012A-013A Existing Elevations
- 1055_100B Proposed Block Plan
- 1055_101F-102F-103F-104E-105F-106D Proposed Plans
- 1055_111D-112F-113E-114E Proposed Elevations
- 1055_115D-116C Proposed Sections
- 1055_PS01A Planning Statement
- 1055_DA01C Design & Access Statement
- Community Infrastructure Levy Form
- Habitat Regulation Assessment
- Planning Obligations Statement

The following documents are supplementary reports by competent third parties:

- Planning Fire Safety Strategy
- Daylight, Sunlight and Overshadowing Assessment
- Energy Strategy Statement
- Outline Construction Logistic Plan
- Arboricultural Impact Assessment
- Basement Impact Assessment

4.2 Conditions

Conditions are mentioned in the case officer's report as listed below. These are all acceptable to our client and will be submitted for discharge and complied with in due course.

Detail of material to be used

Climate change and sustainability

- Energy Standards
- Water use
- SuDs Drainage

Highways, traffic management and parking

- Car free agreements S106
- Adequate cycle parking

5 SUMMARY

Based on the above it is considered that the revised scheme now addresses all the reasons for refusal while retaining the elements of the proposal that were acceptable. This has been confirmed and the revised scheme provide the following benefits:

- Delivering 7 high quality residential dwellings with a suitable mix of 1,2, and 3 bedrooms.
- Providing compliant high quality amenity space for new residents.
- Providing upgraded commercial space.
- Delivering a high quality design in-keeping with the scale, form and style of historic and recent developments.
- Mitigating impact on neighbouring amenity to ensure development integrates with existing context.