



Appeal Decision

Site visit made on 19 August 2025

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 18th September 2025

Appeal Ref: APP/U5930/W/25/3366607

839 High Road, Leytonstone, London E11 1HH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Tony Manconi (Conti Ltd) against the decision of Waltham Forest London Borough Council.
 - The application Ref is 242640.
 - The development proposed is the erection of single storey infill building for use as a commercial shop unit
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The host property (No. 839 High Road) is a former Barclays bank, occupying a relatively prominent position within Leytonstone town centre. It is a large, 3 storey building located at the corner of High Road and Kirkdale Road. Following the bank's closure, the appellant undertook substantial refurbishment works. These works include the conversion of the ground floor into a restaurant and the first floor into a 6 bedroom House in Multiple Occupation. The second floor retains a pre-existing 4-bedroom flat, which benefits from separate rear access.

Main Issues

3. The main issues are:
 - the effect of the proposed development upon the character and appearance of the surrounding area, including a non-designated heritage asset, known as No. 839 High Road; and
 - the effect of the proposed development on highway safety, in respect of construction.

Reasons

Character and Appearance

4. The appeal site is a vacant strip of land measuring approximately 2.2m in width and 8.5m in length, located between the host property and the adjoining building at No. 841. It is positioned within a primary shopping area of Leytonstone Town Centre, where the surrounding street scene is characterised by a mix of retail and commercial buildings. Due to the varied architectural styles and building ages, the high street features a diverse range of building heights, forms, and designs.

Although the frontage of buildings along the high street are generally continuous and unbroken, older structures, such as the host building, introduce small open spaces, such as alleyways and gaps between buildings. There is no evidence before me to suggest that these spaces are unsightly or poorly conceived; rather, they contribute positively to the variety of the townscape by maintaining a balanced relationship between built form and open space. This spatial rhythm is further reinforced by a similar gap in the frontage of another former bank branch located directly opposite the appeal site, which mirrors the host building's configuration and supports the historic character and architectural coherence of the area.

5. The appellant confirms that the host building is a Locally Listed Building which is recognised as a distinguished former bank building, with strong architectural interest. Key features include the use of warm yellow stone and classical detailing, such as granite pilasters at ground floor level, particularly around the corner entrance and between window bays. Located directly opposite is another former bank building, also designed in a classical style. Together, these buildings form a visually coherent group, each maintaining small gaps between themselves and adjacent buildings.
6. While the host building does not meet the standards for inclusion on the national list, I agree that its local importance justifies its recognition and protection as a non-designated heritage asset. Paragraph 216 of the National Planning Policy Framework (the 'Framework') establishes that the effect on the significance of a non-designated heritage asset should be taken into account in determining an application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
7. The proposed development involves the construction of a small, single-storey infill kiosk building for retail use (Class E) on the appeal site. The existing galvanised steel palisade fence would be removed and replaced with a lightweight retail unit measuring approximately 18m², featuring a timber shopfront and glazed windows. However, despite its modest scale, the proposed development would bear little visual or architectural relationship with the host building. It would eliminate the existing gap between the host and adjacent buildings, thereby eroding the historic character and spatial rhythm of the streetscape. This disruption would result in an asymmetrical composition between the host building and the former bank branch directly opposite, which together currently form a balanced architectural grouping. Moreover, it would also obscure key architectural features of the host building's side elevation, including the high-quality yellow stone and classical detailing, such as the arched window headers. Furthermore, as a distinctly modern addition, the infill building would create a discordant visual contrast, undermining the aesthetic significance of the host building. Collectively, these elements are integral to the building's character and heritage value. As such, it is considered that the proposal would cause considerable harm to the significance of this non-designated heritage asset and diminish the continuity and character of the surrounding streetscape.
8. In reaching this view, consideration has been given to the fact that the kiosk has been deliberately designed to be low-profile, simple, and lightweight, with minimal reliance on the flanking buildings for structural support. Nonetheless, the proposed unit would sit below the existing signage line of the adjacent building, further emphasising its visual incongruity within the streetscape. This stepped pattern would disrupt the generally coherent signage line along the High Road, making the

kiosk appear anomalous. Although the front façade has been slightly set back to avoid interfering with the existing stonework, the unit would nonetheless remain clearly visible and discordant, detracting from the architectural presence of the host building. While the proposal would remove the galvanised steel palisade fencing and address an area which currently accumulates litter, these benefits do not outweigh the harm caused by introducing a visually intrusive and discordant element into the streetscape.

9. In summary, the proposed development would result in considerable harm to the heritage significance of the host building, both through obscuring key architectural features of the side elevation and the introduction of incongruous design elements. It would also have a harmful effect on the general character and appearance of the surrounding area, due to the loss of the existing gap between the host and adjacent buildings, which would be visually at odds with the established street scene.
10. In conclusion, the proposed development would have a harmful effect upon the character and appearance of the surrounding area, including the non-designated heritage asset, known as No. 839 High Road. It would not enhance local character and distinctiveness, taking into account existing patterns of development, contrary to Policy 53 of the Waltham Forest Local Plan LP1 2024 ('WFLP'). It would also fail to protect the setting of a non-designated heritage asset, contrary to Policies 74 and 75 of the WFLP.

Highways Safety

11. Policy 65 of the WFLP requires that all new commercial development in the borough should be supported by an Outline Construction Logistics Plan ('CLP'), where appropriate, to minimise the impact of construction logistics on the road network. They are required prior to the commencement of development and at sites that will, or have the potential to, impact on the highway network, public transport services and/or sustainable transport, have difficult access and/or may affect nearby developments or surrounding residents.
12. It is agreed between the parties that the scale of work required to construct the proposed development is minimal, and therefore, it is anticipated to have a proportionately lower impact on the surrounding road network. While it is acknowledged that the appeal site is situated within the town centre, an area that typically warrants heightened sensitivity due to its proximity to commercial activity and pedestrian traffic, the host building benefits from a substantial open rear yard, accessible via Kirkdale Road. This rear access provides a practical solution for managing construction logistics, as it allows for deliveries and material handling to occur away from the main shopping thoroughfare. Consequently, the potential for disruption to local businesses, public transport services, and pedestrian movement along the high street is significantly reduced. This arrangement supports the view that a full pre-commencement Construction Logistics Plan may not be necessary in this instance, given the limited scope of works and the availability of suitable on-site logistics infrastructure.
13. In conclusion, I find that the proposed development would not have a harmful effect on highway safety, in respect of construction. It would not be necessary to provide a CLP in this particular instance, in compliance with Policy 65 of the WFLP.

Other Matters

14. The appellant considers that the proposed development would offer a small yet useful retail addition to the town centre, contributing positively to its ongoing regeneration. The appellant refers to the prevalence of vacant retail units, with the suggestion that the proposal could help reverse this trend and enhance the viability of both the host building and the wider town centre. However, there is no substantive evidence before me to demonstrate that the proposed retail use would fill a gap in the existing retail offer or meet an identified need. Moreover, it is evident that the development would introduce a new retail outlet rather than reoccupy an existing vacant unit. As such, it would not directly address the issue of shop vacancies. Accordingly, while the intention to support town centre vitality is noted, this consideration carries limited weight and does not outweigh the harm identified in relation to the main issues or the resulting conflict with the development plan.

Conclusion

15. The proposal conflicts with the development plan taken as a whole and material considerations do not indicate that this appeal should be determined other than in accordance with it. Therefore, for the reasons set out above, I conclude that this appeal should be dismissed.

S Lo

INSPECTOR