
Appeal Decision

Site visit made on 6 January 2026

by **B. Johnson BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 January 2026

Appeal Ref: APP/U5930/W/25/3375120

117 Burnham Road, Chingford, Waltham Forest E4 8PA

- 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 Mehmet Gul against the decision of the London Borough of Waltham Forest.
 - The application reference is 250956.
 - The development proposed is the change of use from Offices, Storage and Light industrial uses (Use Class E(g) and B8) to Members Club, function Centre, Community Centre and Classrooms (Sui Generis Use).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development was revised by the Council during the application determination period. No explicit proof of the appellant's agreement to the revision has been provided, although the appeal form uses the original description provided on the application form. I have determined this appeal based on the original description, which I consider is an accurate description of the development sought by the appellant, although I have made minor revisions to remove parts of the description that do not constitute an act of development.
3. Revised plans were submitted as part of the appeal (drawing nos. 104_R1 and 105_R1) which provide further detail on the location of the proposed cycle parking. Updated Transport Statement and Travel Plan documents were also submitted. These amended plans and documents provide further clarity on specific aspects of the proposal and are not substantially different to the plans and documents submitted with the original application. I have therefore accepted them as part of the appeal.

Main Issues

4. The main issues are:
 - whether the site is suitable for the proposed use, having regard to its location;
 - the effect of the proposal on the living conditions of neighbouring occupiers, with particular regard to noise and disturbance; and
 - the effect of the proposal on the local highway network.

Reasons

Location of use

5. The appeal site is at the western end of Burnham Road, a residential street comprised of a mix of housing types including 2 storey terraced sections and bungalows. The appeal site is near a range of commercial uses on Hall Road, and is close to the busy North Circular, however it still retains a distinct residential character.
6. The proposal involves a change of use from the existing office, storage and light industrial uses to a Sui Generis use encompassing a members club, function centre, community centre and classrooms. These uses are distinct from one another but share similar characteristics in that they would accommodate a range of community-focused activities and events. There is dispute between the main parties regarding whether the use has already commenced, but this is irrelevant for the purposes of my determination which is made on the basis of the appeal proposal before me.
7. Policy 39 of the Waltham Forest Local Plan Part 1 (2024) (the Local Plan) identifies designated centres as the preferred location for new community uses. Where it has been demonstrated that there are no available or suitable in-centre sites, preference is then given to edge-of-centre locations which are well connected to a designated centre by means of easy pedestrian access.
8. No justification has been provided to demonstrate that there are no sequentially preferable sites. Therefore, the proposal is not in accordance with Policy 39 of the Local Plan, and the site is not considered to be a suitable location for the proposed use.

Living conditions

9. The appeal site is close to a number of residential properties, including no. 115 Burnham Road which is immediately adjacent. The nature of the proposed uses could cause adverse impacts on residents due to increased noise and disturbance. The appellant has not provided any tangible evidence such as a noise assessment to identify potential impacts or mitigation measures. The appellant argues that an assessment is not necessary due to the nature of the proposed use, its scale and the site context. I do not consider that these reasons are adequate to justify the non-provision of a noise assessment. Such information is vital in this case to gain an understanding of potential impacts.
10. No tangible information is provided to demonstrate the proposal would lead to a reduction in impacts compared to the existing situation on site. The existing use of the site is described as offices, storage and light industrial. In principle, these existing uses have the potential to cause noise and disturbance impacts but are likely to generate lower footfall than the proposed uses and are less likely to operate late at night when impacts would be more pronounced.
11. Conversely, the proposed uses could result in a larger number of people entering and exiting the site, could lead to increased numbers of people congregating outside the premises, particularly in the evening and nighttime, and could have more harmful impacts arising from the operation of the use, for example due to

amplified music. This additional activity would increase the potential for harmful noise and disturbance impacts for neighbouring occupiers.

12. While the appeal site is geographically close to a range of commercial uses on Hall Road, it reads as part of Burnham Road and its immediate adjacency to residential properties distinguish it from the other commercial properties in the area. On my site visit, I was aware of background noise from Hall Road and the North Circular beyond, but this was not particularly oppressive and would be unlikely to mask any noise and disturbance impacts arising from the proposal.
13. Policy 50 of the Local Plan requires applicants to demonstrate the impact of their proposed development on the noise environment and, where appropriate, provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing. Policy 57 of the Local Plan requires new development to respect the amenity of existing and future occupiers, neighbours and the surrounding area by avoiding harmful impacts from noise.
14. In conclusion, for the reasons stated above, the proposal is not in accordance with Policies 50 and 57 of the Local Plan, due to the harm that the proposal would have on the living conditions of neighbouring occupiers as a result of increased noise and disturbance.

Highway impacts

15. The appeal site is accessed from Burnham Road. It has a low PTAL rating but is close to several bus routes. There is unrestricted parking along most of Burnham Road, with some single and double yellow line restrictions at the western end near the appeal site. The access road to the site runs alongside no. 115 Burnham Road. The nature of the proposed uses has the potential to increase the number of vehicle journeys and therefore cause impacts on the local highway network.
16. There is uncertainty regarding the usage of the site and the level of trips that would be generated. Even if I were to accept the appellant's lower trip figures, this would still result in a moderate increase in daily trips to the site as well as introducing weekly and monthly events that accommodate more significant amounts of people. The transport assessment considers that most of these trips would be undertaken by sustainable modes of transport. Furthermore, the appeal is accompanied by a travel plan which sets out detail of how this would be achieved.
17. However, the transport assessment does not provide a site-specific breakdown of trip generation by modal share, and the appeal site is situated within a PTAL rating of 1, indicating the poor accessibility of the site.
18. The appellant's forecast mode split figures in table 3 of the travel plan suggest that public transport would be the predominant method of travel, but the methodology used to produce these figures is based on desktop evidence rather than specific site surveys. Consequently, I consider that it is highly likely that private vehicles would be the dominant mode of travel for users of the site, by virtue of its location. I note that cycle parking is provided on site, at a policy compliant level, but this only provides for 4 cycles which seems too limited to facilitate the level of modal shift envisaged.

19. If the proposed measures to achieve greater use of sustainable transport are not effective, the majority of users of the site are likely to travel by private vehicle instead. The Council note that Burnham Road is currently an area of high parking stress, which accords with my observations from my site visit. The appeal proposal would exacerbate these impacts as it is likely that users of the site would park on Burnham Road given the limited on-site parking. Even based on the appellant's lower usage figures noted above, this would have significant impacts on the local highway. These impacts are likely to be particularly severe on days where larger events are held at the site, as a result of increased instances of indiscriminate on-street parking and obstructions to the highway.
20. Policy 60 states that development proposals will be supported where they increase the proportion of trips made by walking, cycling and public transport. Policy 61 of the Local Plan expects all new development to support a shift to active transport modes and encourage an increase in walking and cycling.
21. In conclusion, the proposal is not in accordance with Policies 60 and 61 of the Local Plan due to the lack of information and effective measures relating to the promotion of sustainable transport modes, which means that the proposal would cause harm to the local highway network.

Other Matters

22. The appellant has drawn my attention to Policies 3, 6, 7, 35, 46 and 48 of the Local Plan, which relate to new cultural/community activity and encourage the re-use of redundant sites. The provision of new community-focused floorspace could be broadly compliant with these policies. However, limited information has been provided to set out how the appeal proposal addresses the requirements of these policies, which means they only have limited weight in my determination.
23. The appellant has provided a number of letters and signatures expressing general support for the proposal. Whilst I acknowledge the support for the proposal, these letters and signatures do not elaborate on the reasons for support, and in any event, this support would not outweigh the harm I have identified.

Conclusion

24. The proposal would provide a community focused use which broadly accords with several Local Plan policies. However, the proposal would cause harm to the living conditions of neighbouring occupiers and harm to the local highway network, and no sequential justification has been provided to demonstrate that the location is suitable for the proposed use.
25. The proposal would conflict with the development plan as a whole and there are no other material considerations which indicate a decision should be taken otherwise than in accordance with it. Therefore, the appeal should be dismissed.

B. Johnson

INSPECTOR