

LONDON BOROUGH OF WALTHAM FOREST

Committee/Date:	Planning – 7th July 2026
Application reference:	260799
Applicant:	Mr Alam Khan
Location:	6 Croft House, 2 St Mary Road, Walthamstow, London, E17 9RG
Proposed development:	Replacement of 3no. Crittall windows with 3no. Crittall windows to second floor front elevation.
Wards affected:	Hoe Street
Appendices:	None

1. RECOMMENDATION

- 1.1. That Planning Permission be **GRANTED** subject to conditions and informatives.

2. REASONS REFERRED TO COMMITTEE

- 1.2. The case has been referred to Committee as the applicant is an employee of the Council.

3. SITE AND SURROUNDINGS

- 1.3. The application site is located on the eastern end of St Mary Road in a short cul-de-sac, approximately 400m from Walthamstow Central Station and Walthamstow Town Centre and in an environmentally important location at the beginning of Church Path, close to Vesty House Museum and St Mary's school and within the Walthamstow Village Conservation Area. The rear of the site backs onto the play area of Church Hill Nursery School
- 1.4. The site contains a large 3 storey brick faced; former factory building built in the late 1930's. The property was granted permission in 2016 to convert into 7no. self-contained residential flats and 1 maisonette The application property is located at second floor level.
- 1.5. The surrounding area is predominantly residential comprising a mix of properties of varies scale and design of small cottages, two-storey terraced housing and three-storey blocks of flats.



Location Plan

- 1.6. As the proposal property is a flat and within a conservation area permitted development rights have been removed, by government legislation, where flats have no permitted development rights and by an Article 4 Direction that covers the conservation area

4. APPLICATION PROPOSAL

- 1.7. The application is effectively a resubmission of a previously approved application planning application reference 221384, approved by Planning Committee on 19th July 2022. The permission expired on 19th July 2025. The current proposal is the same relating to the replacement of three Crittall windows to the second-floor front elevation, which would be 'like for like' replacements as the existing windows have fallen into disrepair.
- 1.8. The proposed windows would therefore be identical in size, frame and glazing, but instead of steel, aluminium would be used as a replacement finish.

5. RELEVANT HISTORY

Planning

- 1.9. 1992/0959: Conversion of premises to form 7 one-bedroom flats and 1 two bedroom maisonette with provision for parking. Approved 22/ 4/1993
- 1.10. 163676 - Conversion of premises to form 7 one-bedroom flats and 1 two-bedroom maisonette, provision for parking - Approved (with conditions & informatives) on 30/12/2016
- 1.11. 251807-Lawful Development Certificate (Existing)- Retention of first floor rear replacement window. Approved 16/10/2025
- 1.12. 221384 -Replacement of 3 No. Crittall Windows with 3 No. Crittall windows to second floor front elevation. Approved 19/07/2022

Pre-application

- 1.13. There is no relevant pre-application submission.

Planning Enforcement

- 1.14. There is no enforcement history.

6. PUBLIC CONSULTATION

- 1.15. The Council circulated 33 consultation letters to neighbouring residents. The following properties were consulted:
- Flats 1 to 13 St Mary Road, Walthamstow, London, E17 9RG
 - 1 to 8 Croft House, 2 St Mary Road, Walthamstow, London, E17 9RG
 - 49 Woodbury Road, Walthamstow, London, E17 9SB
 - 1,10,12 & 14 Church Path, Walthamstow, London, E17 9RG
 - Church Hill Children Centre, Woodbury Road, Walthamstow, London, E17 9SB
- 1.16. The application was also advertised via a site notice on 13th April 2026 and published in the press on 16th April 2026.
- 1.17. As a result of the public consultation the Council did not receive any response.

7. OTHER CONSULTATIONS

- 1.18. The following internal and external consultees were consulted, with comments provided below:

Table 1: summary of internal responses

Consultee	Comments
Design and Conservation Lead	Acceptable in design and heritage terms, given the context of the surroundings and precedents in the area. Overall, the design and materials are deemed appropriate, preserving both the architectural character of the building and the wider Conservation Area, with no harm to its significance or appearance.

8. DEVELOPMENT PLAN

- 1.19. 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 must have regard to:
- A) the provisions of the development plan, so far as material to the application.
 - B) any local finance considerations, so far as material to the application; and any other material considerations.
- 1.20. 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 to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Waltham Forest comprises the Waltham Forest Local Plan LP1 (2024), and the London Plan. Other planning policies are material considerations.

The London Plan (2021)

- 1.21. 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 from 2019 to 2041.

- 1.22. The relevant policies within the London Plan 2021 relevant to this application are considered to include but not limited to:
- D1 London's form, character, and capacity for growth
 - D3 Optimising site capacity through the design-led approach
 - D4 Delivering good design
 - D6 Housing quality and standards
 - HC1 Heritage conservation and growth

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

- 1.23. The draft version of the Local Plan underwent Regulation 18 public consultation between July 2019 and September 2019 and consultation on the proposed submission version between 26 October 2020 and 14 December 2020. It underwent examination and consultation on proposed modifications concluded on 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.
- 1.24. The relevant policies are:
- Policy 53 Delivering High Quality Design
 - Policy 57 Amenity
 - Policy 72 Conservation Areas

9. MATERIAL PLANNING CONSIDERATION

National Planning Policy Framework (2024)

- 1.25. The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It is material consideration in planning decisions. It contains a presumption in favour of sustainable development, described as at the heart of the framework.
- 1.26. 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".
- 1.27. 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'
- 1.28. The specific policy areas of the NPPF considered to be most relevant to the assessment of this application are as follows:
- Achieve well-designed and beautiful places
 - Conserving and enhancing the natural environment

- Conserving and enhancing the historic environment

National Design Guide: Planning practice guidance for beautiful, enduring and successful places (Jan 2021)

- 1.29. This sets out the ten characteristics of good design: context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan. The purpose of ensure all forthcoming future developments are of high quality design and standard in its entirety.

10. LOCAL FINANCE CONSIDERATIONS

- 1.30. 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).
- 1.31. There are no grants which have been or will or could be received from central government in relation to this development.
- 1.32. The Council has not received and does not expect to receive income from LBWF CIL in relation to this development.
- 1.33. The Council has not received and does not expect to receive income from Mayoral CIL in relation to this development.

1.34. Other Planning Guidance

- 1.35. Walthamstow Village Conservation Area Appraisal

11. ASSESSMENT

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

A. Urban Design & Heritage & Conservation

- 1.37. Part 2, Subsection 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 states that it is the duty of the local authority to preserve or enhance the character and appearance of a conservation area
- 1.38. Policy D1 of the London Plan (2021) states that change is a fundamental characteristic of London, respecting character and accommodating change should not be seen as mutually exclusive. Boroughs should not seek to preserve things in a static way but should ensure an appropriate balance is struck between existing fabric and any proposed change. Opportunities for change and transformation, through new building forms and typologies, should be informed by an understanding of a place's distinctive character, recognising that not all elements of a place are special and valued.
- 1.39. Policy HC1 also ensures that developments should be sympathetic to the historic environment and heritage assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed.
- 1.40. Policy 53 of the Waltham Forest Local Plan LP1 (2024) seeks to ensure developments are a high quality and enhance local character in relation to the architectural integrity of the existing building and the surrounding area.

- 1.41. The proposal would replace 3no. Crittall windows on the second-floor front elevation. The proposed windows would replicate the existing design in terms of appearance, proportions, and detailing. The use of aluminium in place of steel is considered acceptable, as it maintains the traditional aesthetic while offering enhanced durability and thermal performance.



- 1.42. The proposed windows are considered acceptable in terms of their design and materials, they would maintain and enhance the appearance of the building when compared to the existing windows.



- 1.43. Due to the building falling within the St Marys Church (Walthamstow Village) Conservation Area the conservation officer was consulted. The conservation officer did not raise any concerns and is fully supportive of proposed works.
- 1.44. Overall, the proposal preserves the character and significance of both the host building and the Conservation Area, with no resulting harm. Furthermore, given the immediate context, planning precedents, reasonable materials, the proposed works are considered appropriate additions to the application property, with respect to the existing built form.

B. Residential Amenity

- 1.45. Policy D6 of the London Plan (2021), along with Policy 57 of the Waltham Forest Local Plan LP1 (2024) seek to maintain the amenity of occupiers of adjoining properties in terms of daylight/sunlight, sense of enclosure, outlook and privacy.
- 1.46. The proposed replacement windows would have no additional impact on the surrounding occupiers
- 1.47. It must be noted that no new window openings would be created, neither will any existing openings be enlarged. Therefore, there would be no significant amenity impacts arising from the installation of the proposed replacement windows at the second-floor front elevation.
- 1.48. In conclusion, the proposal would accord with the requirements of Policy D6 of the London Plan (2021) and Policy 57 of the Waltham Forest Local Plan LP1 (2024).

C. Biodiversity

- 1.49. 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:
 - a Biodiversity Gain Plan has been submitted to the planning authority, and
 - the planning authority has approved the plan.
- 1.50. All planning permissions granted in England have to deliver at least 10% biodiversity net gain, effective from 12 February 2024. The biodiversity gain condition does not apply to some types of development, including householder development. Therefore, this proposal is exempt from the BNG requirement.

12. ADDITIONAL CONSIDERATIONS

Public Sector Equality Duty

- 1.51. 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:
 - 1.52. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - 1.53. 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).
 - 1.54. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
 - 1.55. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
 - 1.56. 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.

- 1.57. It is considered that the recommendation to grant permission in this case would not have a disproportionately adverse impact on a protected characteristic.

Human Rights

- 1.58. 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.
- 1.59. 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.

13. CONCLUSION

- 1.60. The proposal is recommended for approval as it would not cause unreasonable visual nor amenity harm, the development would comply with policies D1, D6 and HC1 of the London Plan (2021), Policies 53, 57 and 72 of the adopted Waltham Forest Local Plan LP1 (2024).
- 1.61. As such, it is considered that the design of the development would not result in a harmful impact on the character and appearance of the host property or the wider conservation area. In addition, the development would not result in a detrimental impact upon neighbouring amenity. It is therefore considered that the amenity of the neighbouring properties would not be unduly harmed.
- 1.62. The report has considered the proposals in light of the adopted development plan policies and other material considerations or representations relevant to the environment effects of the proposals.
- 1.63. Overall, officers have given careful consideration to the material considerations and where impacts are forecast to arise from the proposed development, adequate mitigation measures have been introduced to make the proposed development acceptable in planning terms.

14. RECOMMENDATION

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

Planning Conditions

Time Limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

Approved Plans and Documents

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

- Document naming supply & installation details
- Drawing Existing & Proposed Elevation Ref.7264061 Dated: April 2022
- Heritage Impact Statement Undated
- Crittall windows brochure
- Reasonable exception statement Undated
- Site Location Plan Dated:01/04/2026

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

Materials

3. The materials to be used for the external surfaces of the development/ hereby permitted shall be in accordance with Crittall windows brochure and Drawing Existing & Proposed Elevation Ref.7264061 Dated: April 2022 and shall thereafter be retained as such for the lifetime of the development.

REASON: To safeguard the visual amenities of the area and the character of the surrounding area in line with policies 53 and 72 of the adopted Waltham Forest Local Plan LP1 (2024).

Informatives

1. To assist applicants the Local Planning Authority has produced policies and provided written guidance, all of which is available on the Council's website, and which have been followed in this instance.
2. This determination does not constitute permission to build under the Building Regulations 2010. 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.
4. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and eaves overhang, will encroach on, under or over adjoining land. The applicant is advised that this decision does not override the legal ownership rights of any neighbours, nor does it convey any permission that may be required under the Party Wall Act.