

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## ***Area Planning Subcommittee West Wednesday, 16th April, 2008***

**Place:** Council Chamber, Civic Offices, High Street, Epping

**Room:** Council Chamber

**Time:** 7.30 pm

**Democratic Services Officer** Adrian Hendry - The Office of the Chief Executive  
Email: ahendry@eppingforestdc.gov.uk Tel: 01992 564246

### **WEBCASTING NOTICE**

**Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.**

**You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.**

**Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area**

**If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.**

Members:

Councillors P McMillan (Chairman), J Wyatt (Vice-Chairman), R Bassett, Mrs P Brooks, Mrs A Cooper, R D'Souza, J Demetriou, Mrs R Gadsby, Mrs J Lea, Mrs M Sartin, Mrs P Smith, Ms S Stavrou, A Watts and Mrs E Webster

**A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.**

**1. WEBCASTING INTRODUCTION**

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the Internet and will be capable of repeated viewing and copies of the recording could be made available for those that request it.

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery”

**2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 6)**

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

**3. APOLOGIES FOR ABSENCE**

**4. DECLARATIONS OF INTEREST**

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

**5. MINUTES (Pages 7 - 12)**

To confirm the minutes of the last meeting of the Sub-Committee held on 19 March 2008 as correct record (attached).

**6. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

**7. DEVELOPMENT CONTROL (Pages 13 - 22)**

(Director of Planning and Economic Development) To consider planning applications as set out in the attached schedule

**Background Papers:** (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are

summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

## 8. DELEGATED DECISIONS

(Director of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members Room or at the Planning and Economic Development Information Desk at the Civic Offices, Epping.

## 9. EXCLUSION OF PUBLIC AND PRESS

**Exclusion:** To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Paragraph Number	Information
Nil	Nil	Nil	

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

**Confidential Items Commencement:** Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

**Background Papers:** Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential

information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

## **Advice to Public and Speakers at Council Planning Subcommittees**

### **Are the meetings open to the public?**

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

### **When and where is the meeting?**

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee.

### **Can I speak?**

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

### **Who can speak?**

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

Sometimes members of the Council who have a prejudicial interest and would normally withdraw from the meeting might opt to exercise their right to address the meeting on an item and then withdraw.

Such members are required to speak from the public seating area and address the Sub-Committee before leaving.

### **What can I say?**

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

If you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

### **Can I give the Councillors more information about my application or my objection?**

**Yes you can but it must not be presented at the meeting.** If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website [www.eppingforestdc.gov.uk](http://www.eppingforestdc.gov.uk). Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

### **How are the applications considered?**

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

### **Further Information?**

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee West   **Date:** 19 March 2008

**Place:** Council Chamber, Civic Offices, High Street, Epping   **Time:** 7.30 - 8.05 pm

**Members Present:** J Wyatt (Chairman), R Bassett, Mrs P Brooks, J Demetriou, Mrs M Sartin, Mrs P Smith, Ms S Stavrou and Mrs E Webster

**Other Councillors:**

**Apologies:** P McMillan, Mrs A Cooper, Mrs R Gadsby, Mrs J Lea and A Watts

**Officers Present:** S Solon (Principal Planning Officer), A Hendry (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

---

### 78. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

### 79. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

### 80. APPOINTMENT OF VICE CHAIRMAN

With the agreement of the Sub-committee, Councillor Mrs Stavrou was appointed Vice Chairman for the duration of the meeting.

### 81. MINUTES

**RESOLVED:**

That the minutes of the meeting of the Sub-Committee held on 20 February 2008 be taken as read and signed by the Chairman as a correct record.

### 82. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs E Webster declared personal interest in agenda items 7 (2) (EPF/0041/08 Petchays, Sewardstone Road, Waltham Abbey) by virtue of being a member of Waltham Abbey Town Council and being the Town Council ward member for this application. The

Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the items.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Brooks declared a personal interest in agenda items 7 (2) (EPF/0041/08 Petchys, Sewardstone Road, Waltham Abbey) by virtue of a member of the Town Council and also being a member of the Town Council Planning Committee. The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Mrs S Stavrou declared a personal interest in agenda items 7 (2) (EPF/0041/08 Petchys, Sewardstone Road, Waltham Abbey) by virtue of being a member and Leader of Waltham Abbey Town Council and also a members of the Town Council Planning Committee. The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

**83. ANY OTHER BUSINESS**

It was reported that there was no urgent business for consideration at the meeting.

**84. DEVELOPMENT CONTROL**

The Sub-Committee considered a schedule of applications for planning permission.

**RESOLVED:**

That, Planning applications numbered 1 – 2 be determined as set out in the annex to these minutes.

**85. DELEGATED DECISIONS**

The Sub-Committee noted that details of planning applications determined by the Head of Planning Economic Development under delegated authority since the last meeting had been circulated to all members and were available for inspection at the Civic Offices.

**CHAIRMAN**



**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0038/08
<b>SITE ADDRESS:</b>	65 High Street Roydon Essex CM19 5EE
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>DESCRIPTION OF PROPOSAL:</b>	Installation of an ATM machine. (Revised application)
<b>DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No external lighting shall be installed on the southern 2.5m of the east facing elevation of the building.

**Report Item no. 2**

<b>APPLICATION No:</b>	EPF/0041/08
<b>SITE ADDRESS:</b>	Petchys Sewardstone Road Waltham Abbey E4 7SA
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of existing redundant agricultural building into two bed residential dwelling. (Resubmitted application)
<b>DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.
- 4 Prior to first occupation of the building hereby approved the proposed window openings on the eastern elevation of the building shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 5 Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved.
- 6 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 7 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations,

appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

- 8 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A and E shall be undertaken without the prior written permission of the Local Planning Authority.

This page is intentionally left blank

## AREA PLANS SUB-COMMITTEE 'WEST'

Date: 16 April 2008

### INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2566/07	12 Highbridge Street, Waltham Abbey	Grant	15
2.	EPF/0203/08	12 Highbridge Street, Waltham Abbey	Grant	21

This page is intentionally left blank

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2566/07
<b>SITE ADDRESS:</b>	12 Highbridge Street Waltham Abbey Essex EN9 1DG
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey South West
<b>APPLICANT:</b>	Mintgreen Properties Limited
<b>DESCRIPTION OF PROPOSAL:</b>	New build three storey property with A1 use on ground floor and residential, two flats to first and second floors. (Amended application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details. The roof shall be finished in natural slate and the external render shall have a smooth finish.
- 3 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment..
- 4 Prior to commencement of development, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2

investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

### **Description of Proposal:**

The applicant is seeking planning permission to construct a new three storey building with the ground floor to be used as an A1 use, whilst the first and second floors will each have a two bedroom flat.

The original building on the site was 2 storeys and occupied by an A1 use on the ground floor and a three bedroom flat on the first floor. It has been demolished in order to construct the new development.

It should be noted Council recently granted planning permission (EPF/0941/07) for the erection of ground and first floor extensions and the enlargement of the roof of the original building to provide one second floor flat.

The proposed development is to have the same design, appearance and floor layout as the scheme that Council recently approved.

Planning permission is sought by the applicant for the new scheme as during construction it was found that the foundations of the original building on the site were too unstable to support the implementation of the approved development. The approved development could therefore not be achieved through extending and altering the original building. It could only be achieved through the erection of a new building.

### **Description of Site:**

The subject site is located on the northern side of Highbridge Street approximately 18 metres east of the Plantaganet Place within the town centre of Waltham Abbey. The site is within the Waltham Abbey Conservation Area, although it is outside the key retail town centre frontage.

As mentioned above the site is currently vacant. However a two storey building once occupied the site which was attached to a three storey building to the east that comprises a number of shops, restaurants and residential flats.

To the north of the site there is a public house that is Grade II listed. To the west is a double storey building that is also Grade II listed. It is used as an A1 use on the ground floor and residential flats on the first floor.



### **Relevant History:**

There have been a number of planning applications submitted to Council dating back to 1955, however the most recent and relevant applications relating to the site are as follows:

EPF/0009/07 – New second floor addition to form two self contained flats on first and second floors and change of use to increase the existing A1 retail ground floor area from the existing sui generis showroom area. (Refused)

EPF/0941/07 – Alterations to front elevation, erection of ground and first floor extensions and enlargement of roof to provide one second floor flat. (Approved with conditions)

### **Policies Applied:**

#### Local Plan

DBE1, DBE2, DBE3 and DBE9 relating to design, appearance and impact to neighbours.

HC6 and HC7 Development within Conservation Areas

HC12 Development affecting the setting of a listed building

TC1 Town Centre Hierarchy

TC3 Town Centre Function

ST6A Vehicle Parking

### **Issues and Considerations:**

The main issues to be addressed in this instance are whether the proposed development, design and appearance is acceptable within the street scene and the surrounding area, whether it would affect the function of the Town Centre, and whether or not it would have a harmful impact to the amenities of adjoining occupiers.

#### *1. Design and appearance:*

Policies DBE1, DBE2 and DBE3 of the Epping Forest District Local Plan seeks to ensure that a new development is satisfactorily located and is of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and would not prejudice the environment of occupiers of adjoining properties.

The application was referred to Council's heritage officer who advised that they had no objections to the development which would reflect and enhance the Conservation Area.

As mentioned above the design and appearance of the proposed building is to be the same as that the Council approved under planning application EPF/0941/07 apart from the minor changes requested by Council heritage officer.

Given that Council has already acknowledged that the design of the development is appropriate under the previous scheme that was approved, and that there are to be no major external changes to the development, it is considered that the proposed development is appropriately designed in terms of its scale, form, bulk and siting. It is considered that it would still reflect the character of the existing street scene without causing material detriment to the character of the Waltham Abbey Conservation Area. It is also considered that the proposed development will not have a harmful impact on the adjoining Grade Two Listed buildings.

## 2. Town Centre:

Policy TC1 relates to the permission for retail development in the Town Centre and whether or not they are an appropriate use to the function and character of the shopping centre.

PPG6 urges Local Authorities to encourage diversification of Town Centres. This is because different but complementary uses can widen the range and quality of activities, thereby making town centres more attractive to local residents.

The building does not front onto the key retail frontage of the town centre, although the applicant still intends to retain the existing 'A1' ground floor use. It is considered that given that the applicant is retaining the existing use on the ground floor, the development will still provide an appropriate function within the town centre creating diversification and a range of activities without having an impact to its vitality or viability.

## 3. Highway/Parking issues:

Due consideration must be given with regard to parking facilities associated with the proposed development especially given that an additional two bedroom flat is proposed.

Once again, given the nature of the location of the site within the town centre, it is not considered necessary to provide parking for the extra flat as there is an adequate amount of public transport within the vicinity. The application was also referred to Essex County Council's highways officer who had no objections to the proposed development.

## 4. Impact on Neighbours:

Consideration has been given to the impact of the proposal to the adjoining and adjacent properties, primarily in respect of noise and disturbance, loss of privacy and loss of sunlight/daylight.

Council considered under the previous scheme that there would be no harm caused to the amenities of adjacent occupiers. Given that there are no major changes to the proposed scheme from that which was recently approved, it is considered that the proposed development will not cause harm to the amenities of adjoining occupiers.

## **Conclusion:**

In conclusion it is considered that as the design of the development is acceptable in terms of its scale, form, bulk and siting, the proposed development will not have any adverse impact on the character of the street scene and would in fact preserve the character and appearance of the Waltham Abbey Conservation Area. It will not have an impact to the hierarchy of the town centre and it will not cause harm to adjoining occupiers.

It is therefore recommended that this application be approved for the reasons outlined above.

## **SUMMARY OF REPRESENTATIONS:**

WALTHAM ABBEY TOWN COUNCIL: The committee objects to this application for the following reason:

We are strongly opposed as we would not wish to see the roof height exceed that of the original in order to preserve the staggered roof line and the window aperture of the adjoining building. We would like to reiterate our concerns at the way this proposal has been handled by the developers,

resulting in complete demolition of the original building in the Conservation Area without the benefit of Planning Approval.

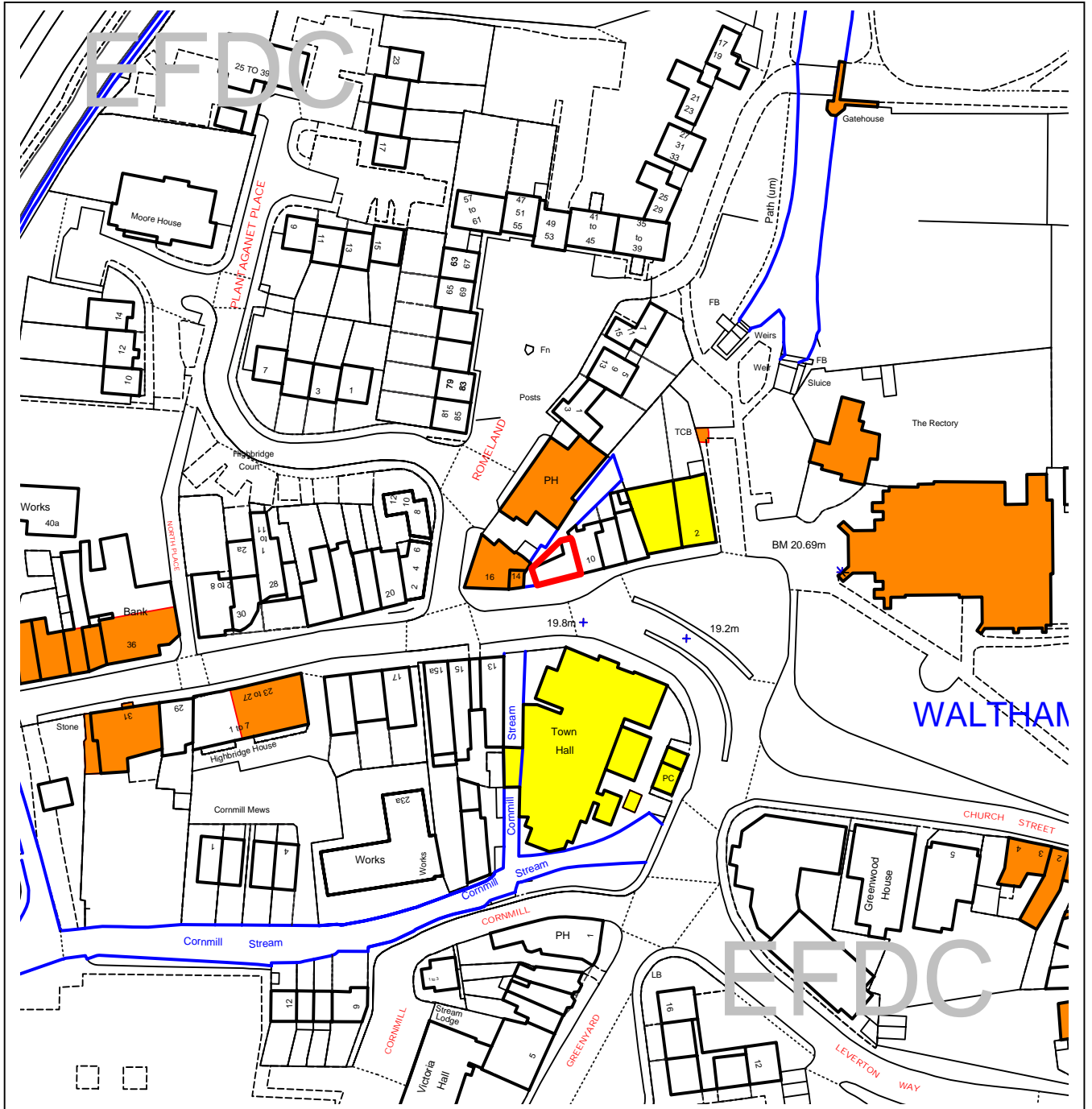
MCMULLEN & SONS, LIMITED – Concerned about the size and scale of the development, there would be a lack of car parking and hence pressure on limited parking facilities within the area, and that the proposal would create a loss of privacy.

WALTHAM ABBEY HISTORICAL SOCIETY: Any replacement building should be in sympathy with other buildings and enhance the conservation area. The new building should be very similar to the one which was demolished.



# Epping Forest District Council

## Area Planning Sub-Committee



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>1 &amp; 2</b>
Application Number:	EPF/2566/07 & EPF/0230/08
Site Name:	12 Highbridge Street, Waltham Abbey, EN9 1DG
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0230/08
<b>SITE ADDRESS:</b>	12 Highbridge Street Waltham Abbey Essex EN9 1DG
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey South West
<b>APPLICANT:</b>	Mintgreen Properties Limited
<b>DESCRIPTION OF PROPOSAL:</b>	Conservation Area Consent for demolition of building.
<b>RECOMMENDED DECISION:</b>	Grant Permission

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

The applicant seeks Conservation Area Consent to demolish a two storey building. It should be noted that the subject building has already been demolished without such consent.

The demolition of the building is in association with the previous item.

**Policies Applied:**

Local Plan Policies:

HC7 Development within Conservation Areas

HC12 Development affecting the setting of a listed building

**Issues and Considerations:**

The main issue to be addressed in this instance is whether the demolition of the building is harmful to the character or appearance of the Waltham Abbey Conservation Area.

As mentioned above, the subject building has already been demolished. The building was demolished as it was found that the foundations of the building were too unstable to support a first floor extension approved under planning permission EPF/0941/07.

Council Policy only allows for the demolition of a building within a Conservation Area where an acceptable replacement building is to be constructed.

It should be noted that this application was referred to Council's heritage officer who advised that he had no objections with the demolition of the existing building subject to the replacement

building appearing as much as possible as the original building and approved additions to it. The building was not listed in its own right.

The applicant has submitted a scheme to Council (EPF/2566/07) that provides the details and design of the replacement building. It should be noted that a decision has not been made regarding the replacement building however it is recommended that it be approved.

The proposed replacement building is considered acceptable in terms of its design and appearance. The applicant has worked closely with Council officers to provide a design that would complement and enhance the Waltham Abbey Conservation Area. The ground floor of the proposed development for EPF/2566/07 has been designed to replicate the original building out on site. In fact, additional features such as cornice moulding, painted pilasters and double hung timber vertical windows have been added to the front façade to provide more articulation and thus will make the building appear more in character with the conservation area than the original building did before it was demolished. A condition would be placed on any recommendation to grant for the new building consent that materials for the development are to be submitted and approved before any works commence.

**Conclusion:**

In conclusion it is considered that the demolition of the building is acceptable as the proposed replacement building would preserve the character and appearance of the Waltham Abbey Conversation Area.

It is therefore recommended that application be approved.

**SUMMARY OF REPRESENTATIONS:**

WALTHAM ABBEY TOWN COUNCIL: The committee objects to this application for the following reason:

This is a retrospective application as the site is now cleared. The Town Council objects in the strongest terms to this application and wishes to see the original structure rebuilt. The applicant has continued to flagrantly ignore the due planning process on this conservation area site.

WALTHAM ABBEY HISTORICAL SOCIETY – Object to the building being demolished although we know that the building has already gone.