

Report Item No: 1

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

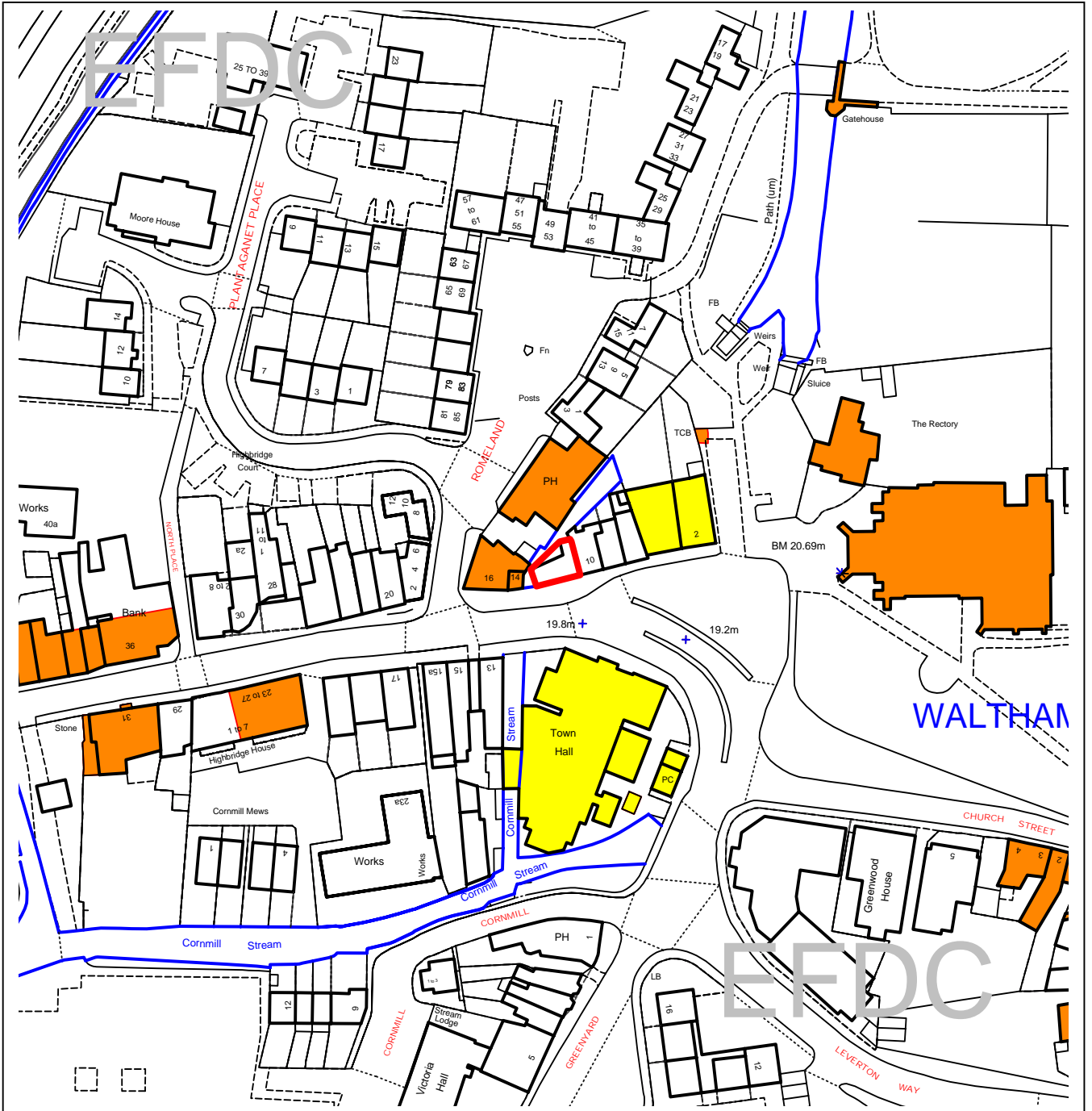
MCMULLEN & SONS, LIMITED – Concerned about the size and scale of the development, there would be a lack of car parking and hence pressure on limited parking facilities within the area, and that the proposal would create a loss of privacy.

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



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Agenda Item Number:	1 & 2
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

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