

**Appendix 1 Original Reports for EPF/0039/06 & EPF/0060/06 CAC 208-212 High Street, Epping CM16 4AQ Area Plans B/C March 21 2007**

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/0039/06
<b>SITE ADDRESS:</b>	208 - 212 High Street Epping Essex CM16 4AQ
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mrs A. Silajeva
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of buildings and redevelopment of site to provide a mixed use development comprising A1 retail and 8 residential units.
<b>RECOMMENDED DECISION:</b>	<b>GRANT</b>

**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 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 4 No development shall take place until the applicant has secured the implementation of a programme of historic building recording and archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the planning authority.
- 5 Details of a screen fence/wall to surround the first floor terrace area shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The fence/wall shall be erected in accordance with this agreed scheme and be permanently retained thereafter.
- 6 A 2m high wall shall be erected to the boundary of number 2 Hemnall Street. Details of this boundary to be submitted to and approved by the Planning Authority and the boundary wall shall be erected in accordance with these approved plans and permanently retained thereafter.

- 7 The rating level of noise (as defined by BS4142:1997) emitted from any air conditioning units, condenser units and other mechanical plant shall not exceed 5dB(A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142: 1997.
- 8 The servicing of the retail unit hereby approved shall not take place between the hours of 06:30 and 18:00 every day and the unit shall be serviced from the High Street entrance only and not from the rear Hemnall Street side of the premises.
- 9 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 10 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 11 The retail unit hereby approved shall be let as one unit and not sub-divided without the prior written consent of the Local Planning Authority.

### **Description of Proposal:**

This application seeks consent for the demolition of existing buildings and the redevelopment of the site to provide a mixed use development comprising an A1 retail premises and 8 residential units comprising five 1 bed and three 2 bed flats.

The application has been revised from that originally submitted removing the element that was to front Hemnall Street.

### **Description of Site:**

The application site comprises a High Street premises covering some 750m<sup>2</sup>, comprising of a three storey building at the front (High Street) elevation. This building contains elements of the original 17<sup>th</sup> Century timber framed building, although it has been remodelled in the 19<sup>th</sup> Century and 20<sup>th</sup> Centuries. It is however an example of an evolved urban building and is on the Council's Local List of buildings of local architectural or historic interest.

To the rear there are more modern single and 2 storey buildings fronting Hemnall Street in a dilapidated state. The site is located in the centre of Epping Conservation Area within the key shopping frontage of the town centre.

### **Relevant History:**

EPF/1878/79: Change of use to manufacture of optical components, refused, 4/2/1980.

EPF/1853/05: Change of use from offices (B1) to a wellness studio (D1), approved with conditions, 8/12/2005.

## **Policies Applied:**

Replacement Structure Plan

CS1 - Achieving sustainable urban regeneration  
CS2 - Protecting the built and natural environment  
CS3 - Encouraging economic success  
BIW4 - Employment land provision  
TCR3 - Town centres  
TCR4 - Retail development  
HC2 - Conservation Areas  
HC3 - Protection of listed buildings

Epping Forest District Local Plan

CP1A - Achieving sustainable development  
CP3A - New Development  
E4A - Protection of employment sites  
H2A - Previously developed land  
HC7 - Development within Conservation Areas  
HC9 - Demolition within Conservation Areas  
HC12 - Development affecting the setting of listed building  
HC13A - Local list of buildings  
DBE1 - Design of new buildings  
DBE2 - Detrimental effect on existing surrounding properties  
DBE 9 - Excessive loss of amenity for neighbouring properties  
TC3A - Town Centre Function  
ST4A - Road Safety  
ST6A - Vehicle Parking

## **Issues and Considerations:**

There are several sets of issues with this application:

1. The Locally Listed Building and Conservation Area concerns
2. Town centre policy and viability.
3. The impact upon the amenities of neighbouring properties.
4. Highways considerations, including the site access, servicing and vehicle parking.
5. Refuge storage provision.
6. Living conditions within the new flats.

### **1. Locally Listed Building and Conservation Area**

The principal concerns with regard to this proposal are the loss of a building of local architectural and historic interest and whether the proposed redevelopment of the site respects the character and appearance of this part of the Epping Conservation Area.

The aim of Conservation Area planning policy is to maintain the character and appearance of the area as a whole, rather than rigid protection of all unlisted buildings in the area. PPG15 states that the aim of Conservation policies should be to allow the area to remain 'alive and prosperous' and that new development should accord with the visual qualities and street scene of the area. In addition the Local

Plan states that, the 'Council accepts that new development can be an acceptable part of their developing character'.

During the initial proposal the former Pearces Bakery premises was considered for 'Spot Listing' by English Heritage following concerns from the Town Council regarding its demolition. English Heritage determined that the building should not be added to the statutory list of buildings of special architectural and historic interest, primarily because there is insufficient evidence for the survival of the 17<sup>th</sup> Century timber framing, which would give the building special interest in the National context.

The former Pearces Bakery has however subsequently been added to the Councils Local List of buildings. The rear stair tower has some local interest (and is a rare example in the District) and the building is located on one of the few surviving burgage plots (medieval building plot), which contribute to the understanding of the medieval town space of Epping.

Whilst the development will remove a small section of the established frontage of the Epping High Street, the replacement building will be one that is considered to respect the character and appearance of the wider street scene. The existing building has a neutral impact on the street scene. It is not a building that makes a substantial contribution to the character and appearance of the Conservation Area, but neither is it such a building that needs to be replaced. The replacement building is of a scale and massing that will respect the character and appearance of the street scene and will be traditionally detailed and constructed of quality materials. It will add not only to the High Street elevation, but it will markedly improve the dilapidated rear of the plot to the benefit of the adjacent listed pub and Conservation Area as a whole.

The retention of the façade of the building only is not justified, as in itself it does not make such an important contribution to the character and appearance of this part of the Conservation Area. The applicants have argued that modern retailing practice and the needs of servicing and storage requirements require a new building with adequate floor to ceiling heights, which would make retention of any part of the historic core of the building impossible.

The historic building plot (which is the important record of the medieval core of the town that forms the urban pattern) is adhered to in the overall development and its relationship to surrounding premises. A full archaeological survey and record of the demolition of the existing building will be a condition of any consent granted. Therefore both the pattern and the proposed form of the new buildings are in the spirit of the historic street pattern and the replacement buildings will enhance the integrity of the historic town centre.

The rears of other premises in Hemnall Street have a mixed character and appearance and a discontinuous frontage in contrast to the High Street townscape. The plans as originally submitted proposed a large building to front the Hemnall Street elevation of the site. Following concerns from residents opposite in 'The Drummonds' and the Town Council, the current revised plans have removed this aspect of the scheme. The parking area to the rear of the site now creates a less cramped appearance and would not be out of place with the existing disjointed service and parking areas serving other High Street premises.

## 2. Town Centre policy and viability

The premises as existing are wholly unsuitable for the requirements of a medium sized retailer in the town. The limited headroom and cramped internal layout does

not lend itself to be adapted for serving the requirements of a medium sized retailer. On this basis the demolition of the existing Locally Listed building and complete redevelopment is necessary. The introduction of a new purpose built medium sized retail unit into the key frontage of Epping town centre, is seen as a positive step in maintaining the viability of the town as a shopping centre.

The A1 retail space will be increased as a result of the redevelopment to create 1 medium sized unit, to fit the floor space and servicing requirements of a larger store. To the rear of the site, 3 small B1 light industrial uses will be lost and a D1 use (used as a wellness centre) at first floor level. Structure Plan policy BIW4 states that existing employment sites that are currently in use or identified in adopted Local Plans for future business, industry or warehousing use will be safeguarded against redevelopment. Whilst these units will be lost, the overall benefit to the vitality of the High Street from the introduction of a medium sized A1 retail unit justifies the overall scheme. The light industrial B1 units should not be a priority for this prominent town centre location and could be accommodated in other designated employment areas in the District.

The applicant has stated that the new retail unit will provide approximately 35 jobs, which offsets against the loss of unit diversity on the site and complies with Local Plan Policy E4A which seeks to retain employment sites. Given that town centre policy aims to make centres attractive and useful centres to shop (Local Plan Policy TC3), the introduction of a medium sized retail unit to the High Street, with a floor area of 465m<sup>2</sup>, is an attractive prospect for the town both from a retail and employment perspective and is likely to increase footfall along the High Street.

The town centre location, which is in close proximity to good transport links and services, provides an ideal site for a mixed-use scheme such as this. The residential element (8 flats) is fully compliant with the Councils policy (H2A) to deliver 70% of all new housing development on previously developed land.

### 3. Impact upon amenities of neighbouring properties

Numerous objections were raised regarding overlooking to properties to the South East at the Drummonds. However, following the amended plans with the removal of the large building fronting Hemnall Street, no objections have been received.

There is one property in which abuts the development site, Kendal Cottage. The revised plans feature a terrace area at first floor level, which has the potential to cause overlooking of the rear of 2 Hemnall Street. However, a suitable screening wall can be installed to prevent this (the details of which can be requested by way of a condition). In addition, with the removal of the existing building to the rear of the premises, no. 2 Hemnall Street may have reduced screening for their property. However, the imposition of a condition requiring that a 2m high boundary wall be erected will ensure that this property still has a barrier to the adjacent proposed parking area. Indeed, the removal of commercial traffic to the rear of the site may reduce disturbance to this property.

The large bulky building initially proposed for the rear elevation has been removed, which means there will no longer be an overbearing, encroaching development for pedestrians using the narrow pavement.

### 4. Highways Considerations

The Highways Authority have been consulted on the revised scheme and do not object to the proposal. The rear site access as originally submitted raised concerns regarding the number of vehicles entering and existing the site, the narrow footpath and the erection of gates. The number of residential units has been reduced from 11 to 8 and deliveries servicing will be from the front of the store via the High Street. The proposal is therefore acceptable with regard to the transport policies of the Local Plan.

The scheme initially proposed the erection of gates to the rear Hemnall Street frontage, which the Police maintain as being necessary in the interests of discouraging crime. However in order that they are acceptable in highway safety terms, they would have to be set some way into the site for adequate clearance of the road. There is little precedent of gates to the rear of premises fronting Hemnall Street and there is reasonable natural surveillance from the arrangement of the flats. The 1.8m gates have therefore been removed from the development and on balance the ease of movement through the site is considered more important than the possibility of deterring criminal activity. A condition can prevent gates being erected.

In terms of servicing, the applicant has stated that the retailer interested in the unit will receive 2 deliveries, 1 at 6.00am and 1 at 6.30pm by a 7.5 tonne lorry from the High Street. (Front entrance). These servicing periods can be enforced by the imposition of a planning condition and are not in conflict with the Epping Car Parking Review which shows this side of the High Street to be subject to restrictions only between 9am and 5.30pm.

In terms of vehicle parking, the scheme proposes 10 spaces to the rear of the development. This exceeds the requirements within the Parking Standards (given the 8 residential flats and sustainable town centre location) and is in accordance with policy ST6A of the Adopted Local Plan.

#### 5. Refuse storage provision

The redevelopment proposes a relatively large retail unit and 8 flats. On this basis it is expedient to consider the likely waste production and storage provisions for commercial waste and residential waste.

Following consultation with the Council's Waste Management officers, the approximate amount of storage required for the 8 flats would be two 1100L bins for residual waste, two 1100L bins for recycling material and one 340L bin for glass. The amount of waste for the retail unit would dependent on the occupier's requirements.

In light of the above, the applicant has factored in the waste requirements of both the residential units and the retail unit, (based on the requirements of Marks and Spencer) and there is adequate space on the site. The early consideration of this issue (rather than left to a planning condition), ensures that it has been demonstrated that the site can accommodate the necessary facilities.

#### 6. Living conditions within the new flats

The proposed flat units within the development have been carefully designed to ensure that noise and disturbance from the adjacent public house will be minimised, with no openings in this elevation and living rooms kept away from the shared boundary.

A shared terrace is provided for the use of the occupants of the 2 bed flats but there will be no other private amenity space. Whilst this is regrettable, provision of amenity space for flats is, to a certain extent a marketing judgement on the behalf of the developer. Indeed, in town centre locations, compromise is often made to provide residential flats above and to the rear of shops and the new flats will meet the needs of people seeking the convenience of the location. The Local Plan makes reference to setting aside amenity space requirements in order to encourage residential flats in town centres.

## **Conclusion**

This redevelopment proposal represents an opportunity to improve the vitality of the High Street and the dilapidated rear area of this town centre site. However, it would involve the demolition of a building of acknowledged local architectural and historic interest. It would be a highly sustainable location for 8 flats whilst providing the important historic High Street frontage with a quality replacement building, which respects the character and appearance of the wider Conservation Area.

Whilst this scheme has been designed for the requirements of Marks and Spencer (and this retailer would appear to have a strong interest in the new unit), a planning approval cannot guarantee the occupier of the retail premises or indeed its future occupier. On this basis, should members agree with the recommendation of officers, this should be on premise of a 'large retailer' occupying the site rather than on the basis of a specific store.

This application is recommended for approval.

## **SUMMARY OF REPRESENTATIONS:**

*Following a further consultation period the comments below were received with regard to the amended plans:*

**EPPING TOWN COUNCIL** - The Town Council appreciate the clarification of points with respect of deliveries and parking. However, the former Pearce's shop is a part of old Epping and should be retained if at all possible, even if new development is desirable and gains approval behind this façade. The Town Council conclude this is the only way this part of Epping's character can be safeguarded.

**ESSEX POLICE** - The proposed 2 gates make no provision for residents on foot or visitors or mail delivery. Site suffers from anti social behaviour and minor crime therefore it is believed gates are required. It is recommended that for security purposes a pedestrian gate be installed. Gates should be set further onto the property to avoid queuing on the highway.

**EPPING TOWN CENTRE PARTNERSHIP** - Support. New development will be of considerable benefit to the High Street and revised plans show improved parking with a reduction in the number of flats.

**2 BEULAH ROAD** - Support. Existing building on the High Street is not the most appealing on the High Street and the new building will be a marked improvement. The development will also represent an opportunity to attract one of the foremost retailers into Epping improving the towns viability and sustainability.

**9 AMESBURY ROAD** - Support application. Development will enhance appearance of the town and encourage more local people to shop.

RUSHBROKE, COPPICE ROW THEYDON BOIS - Support. Attractive for shoppers.

*The following comments were received to the initially submitted scheme:*

EPPING TOWN COUNCIL - Over development of site particularly at the Hemnall Street side with a loss of space for pedestrian footpath. Proposals contrary to policy DBE 1 of the Local Plan. Parking provision considered insufficient.

Also concerns of overlooking neighbouring properties contrary to policy DBE 2 and DBE 9. Loss of the shop front within the Conservation Area is also resisted as is the building itself.

EPPING SOCIETY - Concerns over loss of building which adds to historic street scene with the new building being too bulky. Also general over development of site with overlooking to neighbouring properties, insufficient parking provision and the narrowness of road making access difficult.

KENDAL COTTAGE, 2 HEMNALL STREET - Loss of privacy through overlooking of back garden and upper windows. Also noise generated from cars and servicing vehicles and dangerous nature of access arch to traffic.

206 HIGH STREET - Loss of light to first floor premises at number 206 and new building line abuts number 206, whereas a gap currently exists.

5 THE DRUMMONDS - Building line of new development too near the carriageway and parking provision inadequate.

9 THE DRUMMONDS - Raised concerns from overlooking to residential properties at The Drummonds and narrowness of existing footpath to be exacerbated by proposals which would inhibit pedestrians.

11 THE DRUMMONDS - Proposed building line too close to the pavement and inadequate parking provision adding to an existing shortage in the vicinity.

13 THE DRUMMONDS - Concerns regarding overlooking to the properties in the Drummonds with the new development overbearing, dominating the skyline and not in line with existing Hemnall Street properties. Consequently, fears over the vehicle access are raised.

**Report Item no: 9**

<b>APPLICATION No:</b>	EPF/0060/06 CAC
<b>SITE ADDRESS:</b>	208 - 212 High Street Epping Essex CM16 4AQ
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mrs A Silajeva
<b>DESCRIPTION OF PROPOSAL:</b>	Conservation area consent for demolition of 208-212 High street and buildings to rear.
<b>RECOMMENDED DECISION:</b>	<b>GRANT</b>

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

**In addition, it is recommended that this permission is subject to the prior completion of a satisfactory section 106 agreement ensuring that the demolition does not commence until a contract has been entered into for the construction of the replacement building.**

**Description of Proposal:**

This application seeks Conservation Area Consent for demolition of 208-212 High Street, Epping and buildings to rear. This application is submitted together with a proposed redevelopment of the site, to provide a mixed use development comprising an A1 retail premises and 8 residential units (five 1 bed and three 2 bed flats).

**Policies Applied:**

Replacement Structure Plan

HC2 - Conservation Areas

HC3 - Protection of listed buildings

Epping Forest District Local Plan

HC7 - Development within Conservation Areas

HC9 - Demolition within Conservation Areas

HC12 - Development affecting the setting of listed building

HC13A - Local list of buildings

**Issues and Considerations:**

The principal concerns with regard to this proposal, are the loss of a building of local architectural and historic interest in this part of the Epping Conservation Area.

The issues relating to the loss of this building have been considered within the report for the planning application. Furthermore, Conservation Officers have not objected to the loss of the building since the replacement is of a suitable and appropriate design for the Conservation Area.

The proposed redevelopment scheme makes a positive contribution to the character and appearance of the Conservation Area. On this basis, this application for demolition is deemed acceptable. Local Plan policy HC9 states that a legal agreement may be necessary to ensure the building is not demolished before a contract for redevelopment has been made. The granting of this application subject to a Section 106 Agreement can therefore ensure that the High Street is not left with a permanent gap in the frontage.

**Conclusion**

This application is recommended for approval subject to a Section 106 Agreement regarding the contract for the redevelopment.

**SUMMARY OF REPRESENTATIONS:**

As concurrent planning application.