

Our Ref: PL/EPF/2538/11

TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning General Development Orders
PLANNING DECISION NOTICE



Directorate of Planning &
Economic Development
Civic Offices,
323 High Street,
Epping,
Essex CM16 4BZ

An electronic version of this
decision notice is available
on our website:
www.eppingforestdc.gov.uk/iplan

To: Savills
57 Lansdowne House
Berkeley Square
London
W1 6ER

Proposal: Demolition of buildings and redevelopment of site to provide a mixed use development comprising A3 restaurants and 8 residential units. (Revised application)

Location: 208 - 212 High Street, Epping, Essex, CM16 4AQ

In pursuance of the powers exercised by the Local Planning Authority this Council do hereby give notice of their decision to **REFUSE PERMISSION** for the development described above, for the reasons listed below.

Signed

A handwritten signature in black ink that reads 'John De Wilton Preston'.

John De Wilton Preston, Director of Planning and Economic Development

Date: 08 February 2012

Reasons for Refusal

- 1 Historically the loss of the locally listed building to enable continuation and expansion of the retail use of the site in this important central location within the conservation area was accepted as a suitable compromise. However, the proposed redevelopment of the site for A3 use, expanding the non retail frontage and undermining the historic character of the High Street as a retail shopping area does not outweigh the harm that will accrue from the loss of the building which is of local historic and architectural interest in the same way. As such the proposal is considered contrary to the intentions of policies HC9 and HC13a of the Adopted Local Plan and Alterations.
- 2 The proposed change of use would result in a significant loss of A1 retail floorspace through the loss of 2 existing units within the Epping Town Centre key Frontage, which would be detrimental to the vitality and viability of the retail centre, contrary to Policy TC4 of the Adopted Local Plan and Alterations.

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Informatives:

This decision is made with reference to plan numbers: MWSC-HEM-03, MWSC-HEM-04, 713/05B, 713/14n, 713/15h, 3415/M1 Rev A and 3415/M3

The following policies from the Development Plan (Epping Forest District Local Plan 1998 and Alterations 2006) were relied upon in this decision :

Policies

1	Local Plan Alterations 2006 Policy - CP01 - Achieving Sustainable Development Objectives
2	Local Plan Alterations 2006 Policy - CP03 - New Development
3	Local Plan Alterations 2006 Policy - E04A - Protection of Employment Sites
4	Local Plan Alterations 2006 Policy - H02A - Previously Developed Land
5	Local Plan Alterations 2006 Policy - ST04 - Road Safety
6	Local Plan Alterations 2006 Policy - ST06 - Vehicle Parking
7	Local Plan Alterations 2006 Policy - TC03 - Town Centre Function
8	Local Plan Alterations 2006 Policy - TC04 - Non-Retail Frontage
9	Local Plan 1998 Policy - DBE01 - Design of New Buildings
10	Local Plan 1998 Policy - DBE02 - Effect on neighbouring properties
11	Local Plan 1998 Policy - DBE03 - Design in urban areas
12	Local Plan 1998 Policy - HC06 - Development Affecting Conservation Areas
13	Local Plan 1998 Policy - HC07 - Development Within Conservation Areas
14	Local Plan 1998 Policy - HC09 - Demolition in Conservation Areas
15	Local Plan 1998 Policy - HC12 - Development Affecting the Setting of Listed Buildings
16	Local Plan Alterations 2006 Policy - HC13A - Local List of Buildings

NOTES RELATING TO PLANNING APPLICATIONS TOWN AND COUNTRY PLANNING ACT 1990

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, he may appeal to the Secretary of State for Communities and Local Government, in accordance with Section 78 of the Town and Country Planning Act 1990. If an Enforcement Notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the Local Planning Authority's decision on your application, then you must do so within 28 days of the date of the Enforcement Notice or within 6 months of the date of this notice, whichever period expires earlier. In all other cases, if you want to appeal then you must do so within 6 months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel: 0117 372 6372, or online at the following website: www.planningportal.gov.uk/pccs) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of any development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him. There is no time limit for appealing against a decision relating to a Certificate of Lawful Use or Development.
2. If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for Communities and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.