

Report Item No: 10

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| APPLICATION No: | EPF/0754/13 |
| SITE ADDRESS: | 134 - 136 High Street Epping Essex CM16 4AG |
| PARISH: | Epping |
| WARD: | Epping Hemnall |
| APPLICANT: | A J Poulton (Epping) Ltd |
| DESCRIPTION OF PROPOSAL: | Change of use of 1st floor office space to residential and extension at 1st floor level (rear of no.136 High Street) to create a total of 5 new flats. Replacement of escape/parking access external staircase. (Revised application) |
| RECOMMENDED DECISION: | Grant Permission (With Conditions) |

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=548191

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 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings No's: 1, 2A, 3A.
- 4 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The application site contains a pair of two storey commercial buildings within the heart of the town centre. The ground floor of No134 is currently in use as a teenage drop in centre and No136 is occupied by a Funeral Directors. The first floor of 136 is set back from the ground floor elevation by approximately 5.0m and has a gable roof. The first floor of 134 is flush with the ground floor and

has a flat roof. Both first floors are in office use (B1). The site is within the Epping Conservation Area and the Key Frontage of the town centre.

Description of Proposal:

The application is a revised submission following the refusal of consent for a recent scheme (EPF/1970/12. This application was to convert the existing upper floors to residential and to add an additional floor above No134. The application was refused consent for the following reason:

“The proposed additional floor of the building by reason of the bulk it would add at second floor level would have a detrimental impact on the setting, character and amenity of the Conservation Area and would fail to preserve or enhance its special character. This additional bulk coupled with the flat roof/parapet finish and the height difference with the adjoining building would provide unattractive views along the High Street. The development is therefore contrary to policies DBE1, HC6 and HC7 of the adopted Local Plan and Alterations”.

This proposal omits the second floor and involves the conversion of the first floor of the buildings from a use within Class B1 (Offices) to a use within Class C3 (Residential). This would be to provide five self contained flats (3 one bedroom, 2 two bedroom). A small extension would be added to the rear of No136 at first floor level. 5 parking spaces, a cycle storage area and refuse area would be located to the rear in a private yard area.

Relevant History:

There is a long history of applications at the site the most recent being,

EPF/1970/12 - Change of use of 1st floor office space to residential, erection of residential space at 2nd floor level (134 High Street) and extension at 1st floor level (rear of No. 136 High Street) to create a total of 6 new flats. Replacement of escape/parking access external staircase. Refuse permission – 04/04/13.

Policies Applied:

TC1 – Town Centre Hierarchy
TC3 - Town Centre Function
DBE1 – Design of New Buildings
DBE2 - Effect on Neighbouring Properties
DBE9 – Amenity
HC6 – Works in a Conservation Area
HC7 – Development within a Conservation Area
HC12 – Development Affecting the Setting of Listed Buildings
CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP6 – Achieving Sustainable Urban Development Patterns
CP7 – Urban Form and Quality
H2A – Previously Developed Land
H4A – Dwelling Mix

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Summary of Representations:

32 neighbours consulted and site notice displayed – 1 reply received.

EPPING SOCIETY: Objection. Flats appear to be extremely small and no amenity space is provided. Concern that some of the bedrooms do not have windows and that the parking area to the rear is not sufficient.

EPPING TOWN COUNCIL: Objection. Committee believe that the retention of employment space in the town centre should remain a priority over housing. Concern that the level of parking proposed is not adequate.

Issues and Considerations:

The main issues with the proposal are its general principle, amenity, parking and the comments of consultees.

Principle of the Development

Local plan policies have traditionally aimed to protect office space in town centres. As such there has been a requirement for applicants to demonstrate the marketing of the property for this purpose and to clearly show that there is no demonstrable demand for offices. Within the last 18 months national policy has moved on to some degree with the adoption of the NPPF. Paragraph 51 of the NPPF actively encourages the reuse of B1 office buildings for residential purposes. The Local Planning Authority also has a number of policies which promote the reuse of brownfield sites and proposals which adhere to the principles of sustainable development.

On 30/05/13 amendments to the Town and Country Planning General Permitted Development Order came into force. This has introduced under Class J a prior approval system for applications such as this. Technically this scheme would not qualify as there would be a small extension to the rear. However the thrust of Government policy is clearly to encourage the reuse of B1 office buildings, whether in current use or not, to alternative uses. As stated there are clear sustainable reasons to encourage town centre living. This development would provide much needed residential units in a town centre location close to services and alternative forms of transport. This would play a small part in relieving pressure on the redevelopment of Greenfield sites.

Given this policy line, there is no clear policy basis, either locally or nationally, to refuse such an application in principle. A stance as promoted by the Town Council to favour employment sites over housing in town centres is therefore now inconsistent with the new national guidance. Furthermore, Local Plan policies are only relevant in instances were they are compliant with the NPPF. The advice from the Local Planning Authority's Counsel is that the local policies which promote employment sites over other uses in town centres (E4A and E4B) are not fit for purpose and should therefore be generally discounted on this issue. Therefore there is no longer a need for applicants to demonstrate a lack of demand for employment uses in town centres and indeed in the majority of cases such applications will be governed by the prior approval process.

The prior approval system as covered by Class J outlines that if a building has been in use as an office as of 30/05/13 then the Local Planning Authority judges the submission on; transport and highways impacts, contamination and flood risk. There are no other considerations and subject to reasonable accordance with these factors a change of use development could proceed. In this case there are no clear contamination risks on site and flood risk is not an issue. It should be noted that under the prior approval process transport and highway impacts does not include parking provision and only raises issue if there is a material increase or a material change in the character of traffic in the vicinity of the site. This is not the case here and the Highways Section at Essex County Council has no concerns with the proposal subject to a condition securing travel

packs for future occupants. A full explanation in relation to traffic movements/parking provision is provided in the following paragraph.

The development proposes 1 dedicated space per dwelling and in a town centre location with good public transport and amenity links this is an adequate provision. Hemnall Street is a one-way unclassified road and as such there are no capacity or efficiency issues associated with the proposal. The existing office use would have had a higher level of vehicle movements than the proposal and has operated at this location without any issues for many years. All the flats have a parking space and can turn within the site. Given the accessible location of the development and the comprehensive parking restrictions in place on the surrounding roads the parking provision is considered sufficient for the proposal.

Amenity

The site is surrounded by other commercial premises and this proposal would have no impact on amenity.

Refuse

The existing refuse facility would be utilised, is an adequate size, and this element of the scheme would not be of concern.

Objectors Comments

Concern has been expressed by the Epping Society that the proposed units are relatively small and that no private amenity space has been provided. There is no local policy requirement in terms of the size of residential units and as such no clear policy grounds to refuse on this point. None of the units are excessively small, the smallest being approximately 45 sq m, and bedrooms are not excessively restrictive. Such units would be aimed at singles or young couples who would be suited to town centre living and would not require an abundance of space. It is also noted that no private amenity space is provided with the flats. The proposed use is not that type of development and the efficient use of brownfield land in town centres is a key Government aim which will involve some level of compromise on characteristics. There is a wealth of public amenity space with the Forest, Stonards Hill Recreation Grounds, Lower Swaines Recreation Area and Bell Common all a short walk away.

It is further highlighted that Flat No2 is served by two bedrooms which do not have windows. The rooms are actually served by a glazed entrance court thus the corners of both rooms are glazed (plan No3A).

Conclusion:

The proposed development is considered a more efficient use of land which is in compliance with the aims and objectives of national planning policy. The local policies which refer to retaining employment space in town centres are now inconsistent with the NPPF and therefore out of date. There would be no impact on neighbour amenity and the parking provision is sufficient. The general layout of the development is appropriate and there are no clear policy reasons to withhold consent. The scheme is therefore recommended for approval with conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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| Agenda Item Number: | 10 |
| Application Number: | EPF/0754/13 |
| Site Name: | 134 - 136 High Street, Epping CM16 4AG |
| Scale of Plot: | 1/1250 |

Report Item No: 13

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|---------------------------------|---|
| APPLICATION No: | EPF/0825/13 |
| SITE ADDRESS: | Unit 3c The Maltings Station Road Sheering Harlow Essex CM21 9JX |
| PARISH: | Sheering |
| WARD: | Lower Sheering |
| APPLICANT: | Ms Joanne Morgan |
| DESCRIPTION OF PROPOSAL: | Change of use from laundrette to a take away and sit-in Pie and Mash shop and decking with seating. |
| RECOMMENDED DECISION: | Grant Permission (With Conditions) |

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=548570

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Land Registry Location Plan title number EX265458, Floor Plan date stamped 29/04/13
- 2 The premises shall be used solely for A3 and/or A5 use and for no other purpose (including any other purpose in Class A of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The application site is a former launderette measuring approximately 45 sq. m. in floor area located within The Maltings industrial/business estate. The unit is one of several in a terrace of commercial units within this Grade II listed building and is now being used as a mixed use A3/A5 Pie and Mash restaurant/takeaway.

The building is Grade II listed and the application site is located within a conservation area. It is also located within a designated E1 (employment) area.

Description of Proposal:

Retrospective consent is being sought for a change of use from a Launderette (A1) to a Pie and Mash restaurant/takeaway (A3/A5), which includes the installation of a decking area to the front of the unit to allow for an external seating area.

Relevant History:

The Maltings estate has a long and complex history; however none of this appears directly relevant to this particular unit.

Policies Applied:

HC6 – Character, appearance and setting of conservation areas

HC7 – Development within conservation areas

HC10 – Works to listed buildings

HC12 – Development affecting the setting of listed buildings

HC13 – Change of use of listed buildings

The above policies form part of the Council's 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight. The below policies are no longer considered to be consistent with the NPPF and as such only limited weight should be afforded to them.

E1 – Employment areas

E2 – Redevelopment/extension of premises for business and general industrial use

Consultation Carried Out and Summary of Representations received:

16 neighbouring properties were consulted and a Site Notice was displayed regarding the associated listed building application (LB/EPF/0892/13) on 13/05/13.

PARISH COUNCIL – Object:

- a) out of keeping
- b) Inappropriate for listed building
- c) Decking/seating unsuitable in industrial area.

Issues and Considerations:

The main issues to be considered are the impact on the designated employment site and regarding the historic impact on the listed building and wider conservation area.

Employment considerations:

Whilst Local Plan policies E1 and E2 strive to restrict changes of use within the designated employment sites to B1, B2 and B8 uses, the previous lawful use of the building was as a launderette, which falls within use class A1. As such, the change of use of the site to A3/A5 use would not have any further impact on the industrial uses on The Maltings industrial/business site, and it could be considered that the proposed Pie and Mash shop is more ancillary to the surrounding industrial uses than a launderette, as it would predominantly be frequented by employees of the surrounding units. It should also be noted that Local Plan policies E1 and E2 are

no longer considered to be consistent with the NPPF and, as such, these policies should be given little weight in this decision.

The NPPF puts great emphasis on promoting sustainable economic growth and supporting existing businesses and states that “*the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth*” and the planning should “*support existing business sectors, taking account of whether they are expanding or contracting*”. Whilst the works on this site took place unlawfully, the Pie and Mash shop is now an established business that serves the workers of The Maltings industrial/business site, and its retention would comply with the overall aims of the NPPF. The entire Maltings estate contains a varied mix of business and industrial units contained in various sized units, and as part of this other cafes/food establishments can be seen within this estate.

The Parish Council has objected in part as they considered the “*decking/seating unsuitable in industrial area*”, however they do not clarify why this decking is unsuitable. The decking area has infilled a previous sloped area leading down to the front door, which is fairly unique to this unit as most other businesses within this building have level access. The area is in part fenced off from the adjacent parking/access area and there would be little difference between this and a pavement seating area seen on several cafes/restaurants around the District. It is not considered that the decking/seating area poses any form of health and safety risk nor would it be unduly detrimental to the character and appearance of this historic area (see below).

Conservation considerations:

The application site is located within the Grade II North block of the extensive mid-late 19th century brick Maltings complex. This block has been broken down into numerous small commercial units and suffers from signage clutter. The site is also located within a conservation area.

The Essex County Council Senior Historic Buildings Advisor has been consulted and raises no objection to the retrospective works. The change of use has not required any physical alterations to the historic fabric of the building and whilst the decking hides the historic sloping access, this is considered to be an improvement to the overall character and appearance of the listed building.

Concerns have been raised from the Historic Buildings Advisor with regards to the signage generally within the industrial/business site, although not specifically with this unit. However the signage does not form part of this proposal and as such is not under consideration here.

Conclusions:

Due to the above, it is considered that the works comply with the general guidance contained within the NPPF and are not detrimental to the character and historic interest of either the listed building or the conservation area. As such, the application complies with the relevant (compliant) Local Plan policies and the NPPF and is therefore recommended for approval.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

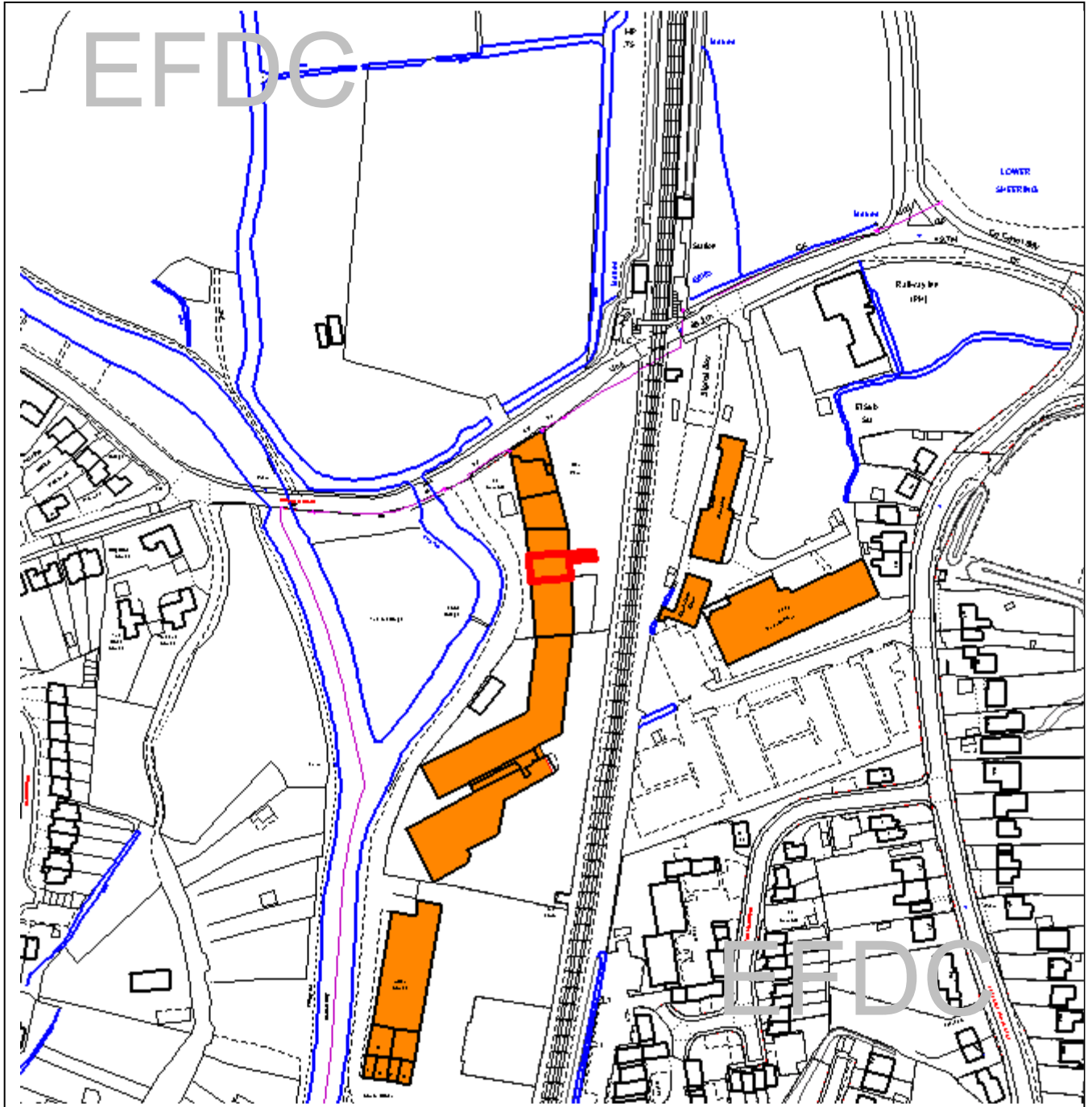
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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| Agenda Item Number: | 13 & 14 |
| Application Number: | EPF/0825/13 and EPF/0892/13 |
| Site Name: | Unit 3c, The Maltings, Station Road Sheering, CM21 9JX |
| Scale of Plot: | 1/2500 |

Report Item No: 14

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|---------------------------------|--|
| APPLICATION No: | EPF/0892/13 |
| SITE ADDRESS: | Unit 3c The Maltings Station Road Sheering Harlow Essex CM21 9JX |
| PARISH: | Sheering |
| WARD: | Lower Sheering |
| APPLICANT: | Ms Joanne Morgan |
| DESCRIPTION OF PROPOSAL: | Grade II listed building consent for change of use from laundrette to a take away and sit in Pie and Mash shop and decking with seating. |
| RECOMMENDED DECISION: | Grant Permission (with conditions) |

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=548930

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Land Registry Location Plan title number EX265458, Floor Plan date stamped 29/04/13

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The application site is a former launderette measuring approximately 45 sq. m. in floor area located within The Maltings industrial/business estate. The unit is one of several in a terrace of commercial units within this Grade II listed building and is now being used as a mixed use A3/A5 Pie and Mash restaurant/takeaway.

The building is Grade II listed and the application site is located within a conservation area.

Description of Proposal:

Retrospective listed building consent is being sought for a change of use from a Launderette (A1) to a Pie and Mash restaurant/takeaway (A3/A5), which includes the installation of a decking area to the front of the unit to allow for an external seating area.

Relevant History:

The Maltings estate has a long and complex history; however none of this appears directly relevant to this particular unit.

Policies Applied:

HC6 – Character, appearance and setting of conservation areas

HC7 – Development within conservation areas

HC10 – Works to listed buildings

HC12 – Development affecting the setting of listed buildings

HC13 – Change of use of listed buildings

The above policies form part of the Council's 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Consultation Carried Out and Summary of Representations received:

A Site Notice was displayed on 13/05/13.

PARISH COUNCIL – Object:

- d) out of keeping
- e) Inappropriate for listed building
- f) Decking/seating unsuitable in industrial area.

Issues and Considerations:

The main issues to be considered are regarding the historic impact on the listed building and wider conservation area.

The application site is located within the Grade II North block of the extensive mid-late 19th century brick Maltings complex. This block has been broken down into numerous small commercial units and suffers from signage clutter. The site is also located within a conservation area.

The Essex County Council Senior Historic Buildings Advisor has been consulted and raises no objection to the retrospective works. The change of use has not required any physical alterations to the historic fabric of the building and whilst the decking hides the historic sloping access, this is considered to be an improvement to the overall character and appearance of the listed building.

Concerns have been raised from the Historic Buildings Advisor with regards to the signage generally within the industrial/business site, although not specifically with this unit. However the signage does not form part of this proposal and as such is not under consideration here.

Conclusions:

Due to the above, it is considered that the works are not detrimental to the character and historic interest of either the listed building or the conservation area. As such, the application complies with the relevant Local Plan policies and the NPPF and is therefore recommended for approval.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

**Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228**

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk