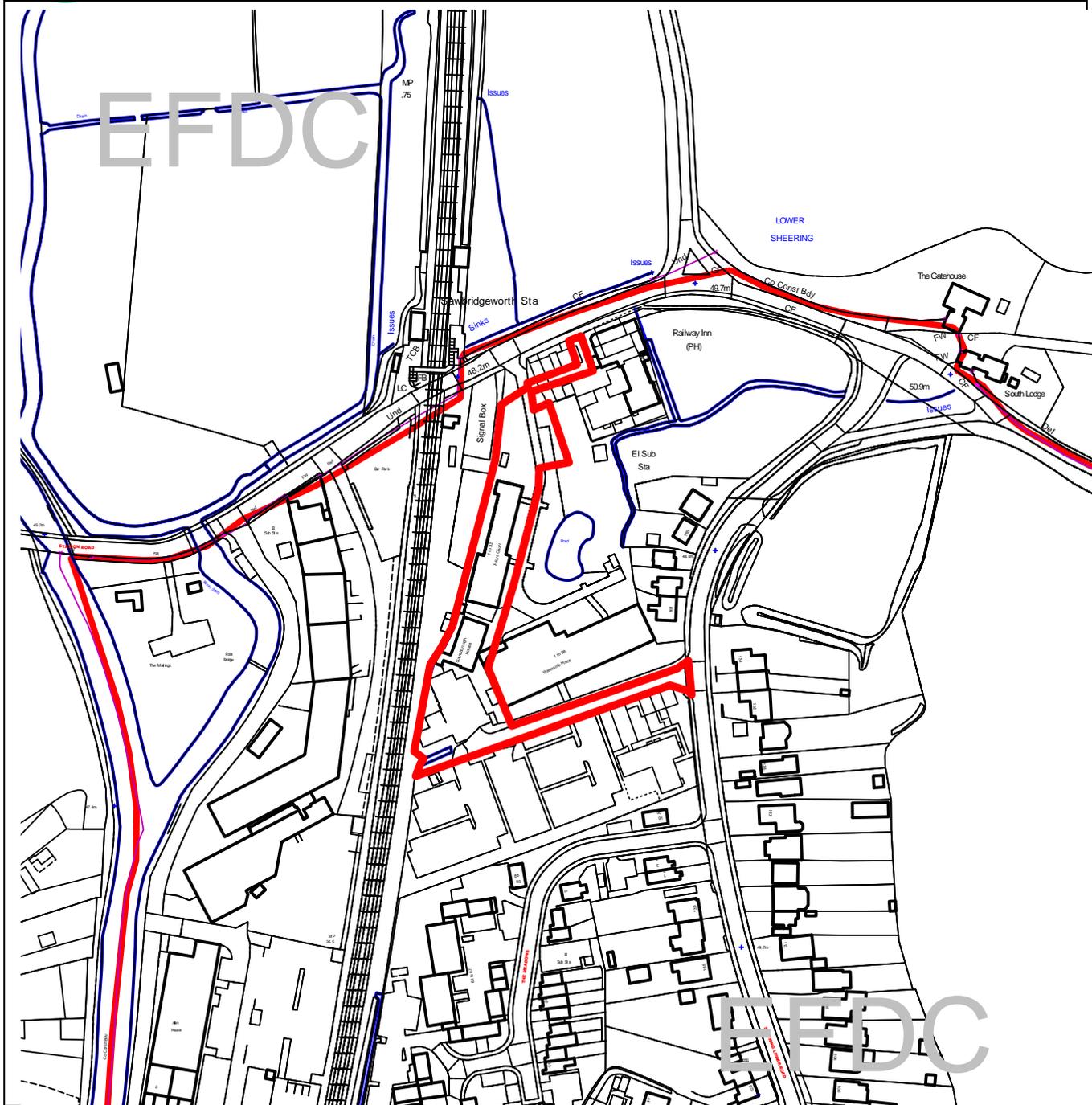




Epping Forest District Council



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Application Number:	EPF/0452/19
Site Name:	Land at Gainsborough House and Priors Court Sheering Lower Road Sheering Essex CM21 9FL
Scale of Plot:	1:2500

Report Item No: 10

APPLICATION No:	EPF/0452/19
SITE ADDRESS:	Land at Gainsborough House and Priors Court Sheering Lower Road Sheering Essex CM21 9FL
PARISH:	Sheering
WARD:	Lower Sheering
APPLICANT:	Foxley Group Ltd
DESCRIPTION OF PROPOSAL:	Grade II Listed Building Consent for change of use of Gainsborough House from offices to residential to create 10 no. flats and revised parking layout.
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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=620773

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 The development hereby permitted will be completed and retained strictly in accordance with the approved drawings numbers: 2714/1a, 2c, 6e, 10, 12a and 13a.

...and subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act to secure a financial contribution towards contribution towards local open space provision in accordance with the Infrastructure Delivery Plan.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than five objections are received (or in cases where less than 5 were consulted, a majority of those consulted object) on grounds material to the planning merits of the proposal (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Description of Site:

Gainsborough House comprises three-storey to five-storey office building located between Priors Court to the north and Waterside Place to the east, both of which are larger blocks of flats. The three buildings are Grade II listed forming part of a larger group known as The Maltings which includes buildings to the west, the two groups being separated by the main railway line. The site and surroundings lie within the Lower Sheering Conservation Area.

The site is accessed from Waterside Place to the south and has its own parking area to the south of the building. One floor is currently occupied by an accountants and the remainder was vacant

when last visited. The adjacent blocks comprise a mix of flats and a large surface parking area serving these lies to the south side of the road. The site has good links, Sawbridgeworth Station being located to the north within walking distance.

Description of Proposal:

The proposal has been through a number of alterations during its process and now seeks planning and listed building consent for the conversion of the existing building into 10 flats, with split access from the south and north ends. The ground and first floors feature 2 x 1 bed and 1 x 2 bed units and there are two further 1 bed units at second floor. Two x 2 bed duplex units – unit 9 on the second floor and part of the roof, this element requiring two dormer windows facing the railway, and unit 10 in the existing roof areas of the fourth and fifth level including a new window in a gable end also facing the railway.

The existing parking area is to be refurbished with a total of 14 parking spaces, 10 allocated to the residential units three for visitors and one other intended for future use in connection with Priors Court.

Relevant History:

None

Policies Applied:

Adopted Local Plan:

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

HC6	Character, appearance and setting of Conservation Areas
HC10	Works to Listed Buildings
HC13	Change of use of Listed Buildings

NPPF (February 2109):

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- (a) approving development proposals that accord with an up-to-date development plan without delay; or
- (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

16 – Conserving and enhancing the historic environment

Epping Forest District Local Plan (Submission Version) 2017:

On 14 December 2017, the Council resolved to approve the Epping Forest District Local Plan (2011-2033) – Submission Version ("LPSV") for submission to the Secretary of State and the Council also resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

The Council submitted the LPSV for independent examination on 21 September 2018. The Inspector appointed to examine the LPSV ("the Local Plan Inspector") held examination hearings between 12 February and 11 June 2019. As part of the examination process, the Council has asked the Local Plan inspector to recommend modifications of the LPSV to enable its adoption.

During the examination hearings, a number of proposed Main Modifications of the LPSV were 'agreed' with the Inspector on the basis that they would be subject to public consultation in due course. Following completion of the hearings, in a letter dated 2 August 2019, the Inspector provided the Council with advice on the soundness and legal compliance of the LPSV ("the Inspector's Advice"). In that letter, the Inspector concluded that, at this stage, further Main Modifications (MMs) of the emerging Local Plan are required to enable its adoption and that, in some cases, additional work will need to be done by the Council to establish the precise form of the MMs.

Although the LPSV does not yet form part of the statutory development plan, when determining planning applications, the Council must have regard to the LPSV as material to the application under consideration. In accordance with paragraph 48 of the Framework, the LPAs "may give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).²²"

Footnote 22 to paragraph 48 of the NPPF explains that where an emerging Local Plan is being examined under the transitional arrangements (set out in paragraph 214), as is the case for the LPSV, consistency should be tested against the previous version of the Framework published in March 2012.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional MMs, significant weight should be accorded to LPSV policies in accordance with paragraph 48 of Framework.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

POLICY	WEIGHT AFFORDED
HM7 – Heritage Assets	Significant
DM8 – Heritage at risk	Significant

Consultation Carried Out and Summary of Representations Received

Date of site visit: 15 November 2019
Number of neighbours consulted: 153
Site notice posted: 09 May 2019

Responses received: The application has been the subject of two rounds of consultation. Initially, the scheme proposed 14 flats with a significant extension, and a new car parking area accessed from Rosina Court to the north. In response, 28 objections were received as under:

PRIORS CROFT – 4, 5, 12, 13, 17, 21, 23, 25 and 30.

ROSINA COURT – 1, 2, 4, 6, 7, 9 and 14.

WATERSIDE PLACE – 36, 44, 46, 64, 73, 74, 87, 91 and 96

8 THE GRANARY, THE MALTINGS (from the freeholder) and ALLBROOK HOUSE< LOWER SHEERING ROAD.

Objections can be summarised in three groups – those which apply to the general scheme, and those which have been addressed by the revisions, and issues not material to the application.

As to the former, issues include:

- Parking and traffic movements – concerns at the level of parking proposed, impact of additional vehicular activity within the area, and the effect of overspill.
- Overall level of development in the area – impact on local services
- Concerns at refuse storage capacity
- Flood risk issues
- Broader impact on the listed building and conservation area

Matters which have been addressed cover:

- Issues relating to the car park element accessed from Rosina Court
- Impact on neighbours from the extension
- Impact of the extension on the listed building

Other issues included:

- Impact during construction
- Issues around s106 contributions due from earlier development in the vicinity

A full re-consultation on the revised scheme produced six responses, from 13 and 25 PRIORS CROFT' 4, 5 and 6 ROSINA COURT, and 55 Waterside Place. Comments covered similar issues as before, including general parking and traffic considerations, the overall level of development and matters deleted from the revised application.

Parish Council: Sheering Parish Council have not raised any planning objections to either version of the application. They have made comments on the issues around the failure of developers on adjoining land to complete their s106 obligations, but this is not material to the current application, nor is the named applicant the same.

Main Issues and Considerations:

Listed Building / Conservation issues

The deletion of proposed extensions have resolved any initial concerns over the impact of development on the listed building individually and in the context of the wider group in the Conservation Area. It is noted that English heritage made no comments on the scheme.

As part of the conversion of the building into residential, it is proposed to add new partitions walls, block up doors and create new ones. This is considered acceptable as it will only affect modern fabric and therefore will not harm the special interest of the listed building. The alterations to the frontage parking area is primarily a change to the layout and markings and does not affect the setting of the building.

Conclusion:

The revised application now before Members, that of a conversion of offices to a use consistent with the immediate surroundings and a re-marked car park, involves minimal alterations to the modern interior of the listed building. The key elements of the listed building, its exterior form and setting within the complex of buildings, are not affected by the proposals and listed building consent should be granted.

The application includes sufficient evidence that the building has been marketed without success, or without the need for substantial alterations, in light of the site location of competition in the immediate surroundings. It also establishes that the conversion to residential use would not increase vehicle movements above those generated by the office use.

The level of development is above the threshold whereby the impact of the wider infrastructure requirements should be considered, and the applicants have accepted the obligation for local open space requirements.

The proposal therefore complies with relevant planning policy and it is recommended that planning permission be granted subject to limited conditions and a legal agreement.

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: Ian Ansell

Direct Line Telephone Number: 01992 564481

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