

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee West Wednesday, 17th September, 2008

Place: Council Chamber, Civic Offices, High Street, Epping

Room: Council Chamber

Time: 7.30 pm

Democratic Services Officer Adrian Hendry - The Office of the Chief Executive
Email: ahendry@eppingforestdc.gov.uk Tel: 01992 564246

WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

Members:

Councillors J Wyatt (Chairman), Mrs P Brooks (Vice-Chairman), R Bassett, J Collier, Mrs A Cooper, J Demetriou, Mrs R Gadsby, Mrs J Lea, W Pryor, Mrs M Sartin, Mrs P Smith, Ms S Stavrou, A Watts and Mrs E Webster

A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the Internet and will be capable of repeated viewing and copies of the recording could be made available for those that request it.

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 6)

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

3. APOLOGIES FOR ABSENCE

4. MINUTES (Pages 7 - 16)

To confirm the minutes of the last meeting of the Sub-Committee held on 27 August 2008 as correct record (attached).

5. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

7. DEVELOPMENT CONTROL (Pages 17 - 44)

(Director of Planning and Economic Development) To consider planning applications as set out in the attached schedule

Background Papers: (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are

summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

8. DELEGATED DECISIONS

(Director of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members Room or at the Planning and Economic Development Information Desk at the Civic Offices, Epping.

9. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Paragraph Number	Information
Nil	Nil	Nil	

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential

information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

Sometimes members of the Council who have a prejudicial interest and would normally withdraw from the meeting might opt to exercise their right to address the meeting on an item and then withdraw.

Such members are required to speak from the public seating area and address the Sub-Committee before leaving.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

If you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 27 August 2008

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.55 pm

Members Present: J Wyatt (Chairman), Mrs P Brooks (Vice-Chairman), J Collier, Mrs J Lea, Mrs M Sartin, Mrs P Smith, A Watts and Mrs E Webster

Other Councillors:

Apologies: R Bassett, Mrs A Cooper, Mrs R Gadsby, W Pryor and Ms S Stavrou

Officers Present: J Shingler (Senior Planning Officer), A Hendry (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

23. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

24. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

25. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 6 August 2008 be taken as read and signed by the Chairman as a correct record.

26. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor A Watts declared personal interest in agenda items 7 (4) (EPF/1182/08 Former Freddie's, Sewardstone Road, Waltham Abbey). The Councillor declared that his interest was prejudicial and indicated that he would leave the meeting during the consideration and voting on the items.

(b) Pursuant to the Council's Code of Member Conduct, Councillors Mrs E Webster and Mrs P Brooks declared a personal interests in agenda item 7 (5) (White Water Canoe Centre, Borough of Broxbourne) by virtue of being members of the Lea

Valley Regional Park Association. The Councillors declared that their interests were not prejudicial and indicated that they would remain in the meeting during the consideration and voting on the item.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Brooks declared a personal interest in agenda items 7 (3) (EPF/1118/08 20 Sun Street, Waltham Abbey) and 7 (4) (EPF/1182/08 Former Freddie's, Sewardstone Road, Waltham Abbey) by virtue of being a member of the Town Council. The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

(d) Pursuant to the Council's Code of Member Conduct, Councillor J Collier declared a personal interest in agenda items 7 (3) (EPF/1118/08 20 Sun Street, Waltham Abbey) by virtue of being a member of the Town Council. The Councillor declared that his interests were not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the item.

27. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

28. DEVELOPMENT CONTROL

The Sub-Committee considered a schedule of applications for planning permission.

RESOLVED:

That, Planning applications numbered 1 – 5 be determined as set out in the annex to these minutes.

29. DELEGATED DECISIONS

The Sub-Committee noted that details of planning applications determined by the Head of Planning Economic Development under delegated authority since the last meeting had been circulated to all members and were available for inspection at the Civic Offices.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/1208/08
SITE ADDRESS:	40 Church Mead Roydon Essex CM19 5EY
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Double storey side extension on west flank of existing dwelling and loft conversion.
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 Prior to first occupation of the building hereby approved the proposed window openings in first floor west facing elevation shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the west facing wall of the extension hereby permitted without the prior written approval of the Local Planning Authority.
- 4 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Report Item No: 2

APPLICATION No:	EPF/1265/08
SITE ADDRESS:	7 Bakery Close Roydon Harlow Essex CM19 5HD
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Garage extension and part conversion to create office.
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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Prior to commencement of development, details shall be submitted to and agreed in writing by the Local Planning Authority for the protection of the fronting hedge (shown to be retained on the approved plan) during construction and for its retention thereafter, or for the planting of a replacement hedge following construction. The works shall then be carried out in accordance with these agreed details.

Report Item No: 3

APPLICATION No:	EPF/1118/08
SITE ADDRESS:	20 Sun Street Waltham Abbey Essex EN9 1EE
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
DESCRIPTION OF PROPOSAL:	Conversion and extension to existing building and new build block to rear of site to provide a total of 10 flats. (Revised application)
DECISION:	Deferred

This application was deferred in order that the committee could receive more information from Officers.

Report Item No: 4

APPLICATION No:	EPF/1182/08
SITE ADDRESS:	Former Freddie's Sewardstone Road Waltham Abbey Essex E4 7RG
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Mr Rahim Karim-Dhanani
DESCRIPTION OF PROPOSAL:	Erection of a two storey care home. C2 use. (Alternative design to previously approved scheme)
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.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Prior to first occupation of the building hereby approved the proposed window openings in the first floor northern wall of the 'link block' (shown as serving a quiet lounge and office/nurse station on plan Ref: A3001 05 Rev: C) shall be fitted with obscured glass and have fixed frames with top hung night vents only, and shall be permanently retained in that condition.
- 5 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.
- 6 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written

consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the Local Planning Authority but instructed by the applicant.

- 7 Before the occupation or use of any phase or part of the development, whichever is the soonest, a Landscape Management Plan (LMP) shall be submitted to and approved by the LPA.

The LMP shall contain a statement of the long-term aims and objectives covering all elements of the implementation of the agreed landscape scheme and full details of all management and establishment operations over a five-year period, unless otherwise agreed in writing by the LPA. It shall also include details of the relevant management, and supervisory responsibilities.

The LMP shall also include provision for a review to be undertaken before the end of the five year period. A revised LMP shall be submitted for the agreement of the LPA before five years has expired. The revised details shall make similar provisions for the long term maintenance and management of the landscape scheme. The revised scheme shall also make provision for revision and updating.

The provisions of the LMP, and subsequent revisions shall be adhered to and any variation shall have been agreed beforehand in writing by the LPA. No trees, shrubs, hedges or other plants shall be removed for the duration of the Landscape Management Scheme or its revisions, without the prior written approval of the LPA.

Any trees, shrubs, hedges or other plants being so removed shall be replaced in the first available planting season by an equivalent replacement or replacements to the satisfaction of the LPA. Management of the landscape scheme in accordance with the LMP or their agreed revisions shall not cease before the duration of the use of the development unless agreed in writing by the LPA.

- 8 No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.
- 9 Prior to the commencement of the development details of the proposed surface materials for the parking area shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 10 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents, staff and visitors vehicles.
- 11 Prior to occupation of the development hereby permitted the design of the bicycle parking facilities shall be submitted and agreed in writing by the Local Planning Authority.
- 12 Prior to commencement of development, including demolition or site clearance works, 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.
- 13 Prior to the premises being brought into use for the purpose hereby permitted, a scheme providing for the adequate storage of both clinical and other refuse from this use shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be carried out and thereafter retained at all times.
- 14 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using

Windes or other similar programme. The approved measures shall be undertaken 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.

- 15 Deliveries and collections to and from the completed development shall be restricted to between: 08.00 and 18.00 hours Monday to Friday 09.00 and 14.00 hours Saturdays No deliveries or collections on Sundays or Bank Holidays (This includes waste collections)
- 16 The Public Footpath, as indicated on plan Ref: A3001 04. shall be maintained at its current width with no encroachment or obstruction to its use.

Report Item No: 5

This report related to an application within the Borough of Broxbourne that, given its location adjoining the district boundary, had been forwarded to Epping Forest District Council for comments. Due to the scale and wider implications of this proposal it was deemed appropriate to bring the consultation to committee for comment.

The Sub-committee determined to write to Essex County Council Highways expressing concern and requesting that lorry routing avoid Honey Lane, Sewardstone Road, Parklands and Crooked Mile, and to respond to the Borough of Broxbourne raising no objection subject to traffic routing and to County Highway raising no objection to both the Olympic Phase and the Legacy Phase.

It was also requested that County's response be reported back to the Sub-committee.

AREA PLANS SUB-COMMITTEE 'WEST'

Date 17 September 2008

INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2230/07	Roydon Mill Leisure Park, High Street, Roydon	GRANT	19
2.	EPF/1118/08	20 Sun Street, Waltham Abbey	GRANT	28
3.	EPF/1380/08	Former Thomas Tallis School, Hillhouse, Waltham Abbey	GRANT	36

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Report Item No: 1

APPLICATION No:	EPF/2230/07
SITE ADDRESS:	Roydon Mill Leisure Park High Street Roydon Harlow Essex CM19 5EJ
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Roydon Mill Lodges LLP
DESCRIPTION OF PROPOSAL:	Introduction of new bases where 82 static caravans are to be replaced with 53 Log Cabins (single unit caravans); reconfiguration of areas set aside for touring caravans, erection of replacement club house, and revocation of use of eastern field for camping.
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 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the Local Planning Authority but instructed by the applicant.

- 3 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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- 5 The bases hereby approved shall be used only for the stationing of caravans and for no other purpose. Caravans stationed within the site shall not be used for permanent residential purposes but only for recreation. They may be occupied only during the period March to October inclusive in each year and at weekends from 1700 hours Friday to 1000 hours Monday during November and December and during the period from 1700 hours Christmas Eve to 1000 hours 2nd day of January each year.
- 6 There shall be no camping of any kind carried out within the field hatched blue on the approved plan.
- 7 Prior to commencement of development a detailed scheme for the landscaping and management of the area hatched blue on the approved plan to create a wildlife precinct including a wetland feature, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in accordance with the approved timetable and maintained in accordance with the agreed details.
- 8 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 9 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.
- 10 Prior to commencement of development details of any external lighting required in connection with the development shall be submitted to and agreed in writing by the Local Planning Authority. Only the agreed lighting shall be installed unless the Local Planning Authority gives its written consent to its variation.
- 11 Prior to commencement of development, including demolition or site clearance works, 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.

- 12 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.
- 13 No static caravans shall be sited anywhere within the application site except on the bases hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

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:

This application is for further works at Roydon Mill Leisure Park following on from approvals earlier this year. The scheme comprises the replacement of 82 static caravan bases with 53 bases for static log cabins (which fall within the definition of caravans), reconfiguration of the areas of the park used for touring caravans and erection of a restaurant and pool building to replace the existing clubhouse. The works also include the refurbishment of the existing motel facilities and revocation of the permission for use of the field at the eastern end of the site for camping.

Description of Site:

The site comprises an irregularly shaped area of land which comprises Roydon Mill Leisure Park, but excludes the established residential caravan park area to the west of the park. The site is bounded to the north by the railway line. And to the south by the Mill Stream and the River Stort runs to the east of the Clubhouse and to the west of the existing camping field. There is a large lake to the west of the site within the same ownership. The original static caravans have largely been removed and some have already been replaced by the modern, "log cabin" style mobile homes, the bases for which have already been approved. The existing clubhouse is a single storey building with essentially a bar, restaurant and function room. There is small motel style development and provision for car parking. Vehicular access to the site is via a narrow, single-track road on the southern side of the river, which leads, from Roydon High Street.

Relevant History:

The leisure park has a long planning history.

Most relevant is the original Section 51 Order dating from 1975, which set out how various parts of the then caravan park could be used. This set out what areas could be used for static caravans, which by touring caravans and which areas should be kept available for camping, and also sets out the times of year that the areas can be utilised and that the site is to be used for recreational purposes only. . Although other planning permissions have been granted over the years the basic restrictions set out in 1975 still apply.

Most recently, planning permission has been granted for the installation of new bases for the stationing of caravans.

Some concern had been raised that the “chalet” style replacement units that were erected at the site were not caravans. Considerable investigation has taken place, including advice from Legal services and Counsel, and it has been determined that in the Council’s view the new units at the site, (which, once built are capable of being moved in one piece) fall within the definition of a caravan for the purposes of planning and are therefore permitted development on this site and covered by the existing planning conditions restricting their use to holiday accommodation only and for restricted periods of the year. Permission is therefore not required for the stationing of the units but is required for the construction of the bases on which they stand.

13 new bases were approved under EPF/1537/07 and 27 under EPF/2627/07, however the 27 bases approved under EPF/2627/07 are also included in this planning application so should not be double counted. In reality this application is for a further 26 bases bringing the total new bases at the site to 68. (Replacing a total of 110 smaller bases)

Policies Applied:

GB2A Green Belt
GB10 Lea Valley Regional Park
RST32 Caravan and camping sites
U2A and U3A Development in flood risk areas. Flood risk assessment zones.
DBE1, DBE4, DBE6 relating to design.
RST1 Recreational, sporting and tourist facilities
RST32 Leisure caravans and camping
LL1 Rural landscape
LL2 Inappropriate rural development
LL10 Landscaping
LL11 Landscaping schemes
ST2 Accessibility of development
ST4 Road safety
ST6 Vehicle parking

Issues and Considerations:

The site is an established camping and caravan site and leisure park identified in the Adopted Local Plan and Alterations, and is within the Green Belt. The scheme put forward is intended to update and upgrade the existing park and its facilities to meet a changing market. Essentially they will result in a larger area for static caravans, the removal of the camping field which is in an area that is particularly vulnerable to flooding and provision of a new building to replace the outdated clubhouse building with a small pool and restaurant building to add to the recreational facilities available to the park users. The main issues relate to Green Belt, visual amenity, flooding, parking and highways and impact on residential amenity.

Green Belt

Although the site is within the Green Belt, Policy RST32 of the Adopted Local Plan and Alterations has identified this site as one of very few within the District within which the stationing of touring and static caravans will be permitted. The introduction of new bases which will result in an overall reduction in the number of bases (and consequently the number of static caravans) on the site could be seen as an improvement in openness in Green Belt terms. However, some of the new bases (those that were not covered by the approval under EPF/2627/07 and EPF/1537/07) are

located within a part of the site which previously only had use for touring caravans, and the stationing of static caravans generally has significantly more impact on openness than use for touring vans, as the static caravans are obviously larger and more permanent and generally entail additional structures such as decking and have a more domestic character. Permission has previously been refused for an extension to the static caravan area of the park, a decision that was upheld on appeal because of the impact on the Green Belt. In this current application however there is not a significant increase in the area given over to Static caravans, as some areas that currently have consent for static vans are proposed to be changed to touring vans only. On this basis and subject to conditions that restrict this use it is considered that overall the changes will not be harmful to the openness of the site.

The removal of the right to use the eastern field for camping, also allows this field to be kept free from development all year round, which has a positive impact on openness.

The proposed building to replace the existing clubhouse is of similar size to the existing facility and sits on the same site. Its main ridge height is 6.5m, which is 2 metres higher than the main element of the existing building, but only half a metre higher than the highest part of the existing. The building contains a small swimming pool and jacuzzi as well as a restaurant and bar and is intended to meet the needs of the visitors to the park. Whilst this is not considered to be appropriate development in the Green Belt as defined in government guidance, it is considered that it is not excessive in size, and will not have a materially adverse impact on the openness of the Green Belt in this location.

Visual Amenity

With the application the applicants submitted a comprehensive landscape and visual assessment. This concludes, and officers agree with the view, that there will be very little visual impact outwith the site and that what impact there will be, will be largely positive due to the proposed enhancements of the site. The scheme enables the provision of additional landscaping and the Landscape Officer has raised no objection to the proposal subject to landscaping conditions.

Flooding

The site is located within the flood plain and as such proposals for development need to be looked at very carefully to assess both the safety of the development should the site flood and the potential to increase flooding elsewhere. The Environment Agency has been involved in negotiation with the applicant and there have been some amendments to remove development from the most sensitive locations. Generally however the Council has worked from the principle that the development results in significantly fewer people being potentially present on the site, and therefore at risk of flooding, at any one time, and that the development does not result in an increase in hard surfacing and hence run off so will not lead to an increased risk of flooding elsewhere. Additionally the style of mobile home that it is proposed to station on the areas for Static Caravans have a higher floor, such that occupants are at less risk of flooding. Finally the proposal includes cessation of the current approved use of the eastern field for camping. Clearly at times of flood the most vulnerable people at the site would be those who are camping and it is considered that in flood risk terms the removal of the camping field is to be welcomed.

The Environment Agency do not object to the development on flood risk grounds, however they have raised concern that the proposal includes development in close proximity to the River Stort which will prevent provision of an adequate buffer zone and prejudice the environmental obligations of the Environment Agency. However they have agreed that this objection may be withdrawn provided adequate mitigation is given. The suggested mitigation is to include the use of the area of the camping field to the east of the site as a wildlife precinct including a wetland feature and pond, to contain native species only and to be designed for wildlife. The applicants have indicated that they are happy to carry out such works and it is considered that this can be

adequately addressed by condition. Any details received will be forwarded to the Environment Agency for comment.

Parking and Highway Issues.

As already explained the proposed development should result in a reduction in numbers using the site and consequently a reduction in the number of vehicle movements into and out of the site (The transport assessment carried out suggests a 37% reduction in trip movements) on this basis there is no objection to the development on Highway safety grounds.

The scheme includes the provision of a central car parking area, as there is at present, adjacent to the proposed club/leisure building, and an additional small area of parking towards the northeastern part of the site. It is considered that this provision is sufficient to meet the needs of the recreational leisure park and that it is well located both functionally and visually.

Concern has been raised by the residents of the residential caravan park to the south west of the site that there is no dedicated parking space for them as a result of the development. Although this is unfortunate, the residential caravan site is not part of this current application and there is no obligation under the current planning permission for the site to provide parking in connection with the residential use. If the owners of the residential units have rights to the provision of parking then approval of this application would not override those rights, but it is not considered that the application could be refused on these grounds. Additionally residents have raised concern about the one way system of access to their site but again, it is not considered that this is unreasonable or amounts to a reason for refusal.

Residential Amenity

Those people most affected by the proposal will be the occupants of the former mill building at the entrance to the site and more directly the occupants of the permanent residential caravan park immediately abutting the application site. It is not considered that the new bases or the new club building will adversely impact on the residential amenity of the occupants of these dwellings, and generally the reduction in traffic and the reduction in numbers utilising the park should if anything result in an improvement to residential amenity. The improvements to the layout of the site and the general upgrading of the park should also benefit these residents. However the occupants of the residential caravan park have raised understandable concern that the scheme includes creation of an area for touring caravans adjacent to their site. The scheme as proposed could cause harm to the residential amenities of the nearest residents in 6, 7 and 8 Kingfisher Way. It is suggested therefore that a condition is attached should consent be granted to ensure that a buffer strip of landscaping be included between touring vans and the residential park to ensure that their amenity is maintained.

Other issues

Objections have been received from residents of The Granary, which lies close to the entrance to the access road to the site raising concern about vehicles connected with the site parking in that street. These concerns have been passed on to the park owners to be addressed but are not relevant to the consideration of this current application.

The Lee Valley Regional Park Authority has raised no objection to the proposals, which are in accordance with the Park Plan.

A detailed habitat survey was submitted with the application and Natural England has raised no objection to the proposals.

Conclusion

In conclusion it is considered that the works now proposed at this site are appropriate to this location and will not harm the Green Belt. The scheme offers visual improvements and a reduction in numbers potentially at risk of flooding. It provides an opportunity to achieve a wild life wetland on what is currently the camping field and it should result in a reduction in traffic utilising the narrow access to the site. It is considered that the scheme is in accordance with the adopted policies of the Local Plan and Local Plan Alterations and the application is recommended accordingly.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – Object. The Parish Council has concerns that these bases will increase the risk of flooding. The documentation submitted as part of application EPF/2230/07 makes no reference to the East of England Plan proposals to site 10,000 houses just a mile or so up river – the risk of flooding would be increased accordingly. In addition one of the proposed areas for touring caravans is adjacent to the residential caravan area (mainly occupied by retired people) and the use of this proposed area by families could impede the amenity enjoyed by the current residents.

2 THE GRANARY – Object to this until Roydon Mill make full parking facilities available for all paying guests and visitors. At present they do not allow contractors vans etc to park in their car park and this results in parking on the surrounding residential streets causing highway safety concerns.

4 THE GRANARY – No major objection but do hope that adequate space will be provided for parking of commercial vehicles as these currently cause problems parking overnight in The Granary.

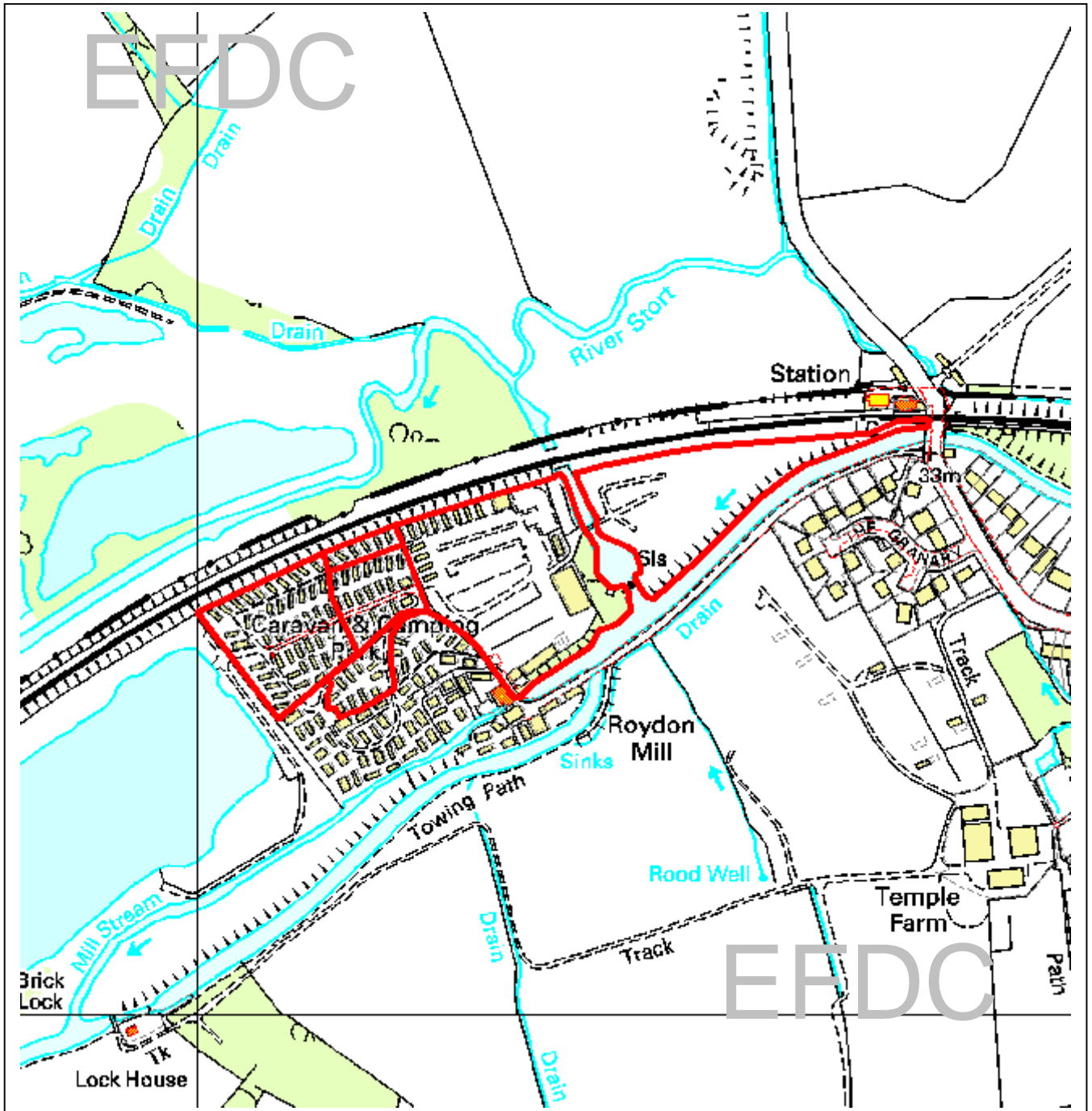
11 THE GRANARY – Concerned about what will happen to the camping field if not used for camping. Wish to know what provision will be made for parking of contractors' vehicles as at present they cause a problem parking in The Granary. Suggest that they pay for parking restrictions to be brought in.

ROYDON MILL RESIDENTIAL PARK OWNERS ASSOCIATION – Object to the relocation of the touring field to adjacent to the residential homes. Object to the one-way traffic system, as indicated on the plan i.e. having to exit the park via Cygnet Way and through the main car park. Would prefer to exit via Kingfisher Way, and suggest the one-way system along Cygnet Way be reversed, so that the touring field alongside the railway and holiday lodges is accessed via the car park and Cygnet Way. The planning application does not show any dedicated Residential Park Home Car Parking Areas. The residents require there to be a dedicated car parking space for each park home and for that to be sited as close as possible to their park home.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	1
Application Number:	EPF/2230/07
Site Name:	Roydon Mill Leisure Park, High Street, Roydon, CM19 5EJ
Scale of Plot:	1/5000

Report Item No: 2

APPLICATION No:	EPF/1118/08
SITE ADDRESS:	20 Sun Street Waltham Abbey Essex EN9 1EE
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Mintgreen Properties Ltd
DESCRIPTION OF PROPOSAL:	Conversion and extension to existing building and new build block to rear of site to provide a total of 10 flats. (Revised 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 The development shall be carried out in accordance with the amended plans received on 29/07/08 unless otherwise agreed in writing with the Local Planning Authority.
- 3 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.
- 4 Details of proposed new windows and doors, at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
- 5 Prior to first occupation of the building hereby approved the proposed window openings in the second floor southern wall of the new building hereby approved shall be fitted with obscured glass and shall be permanently retained in that condition.
- 6 A detailed layout of the parking area shown on the approved plan, including provision for the bicycle parking, shall be provided and agreed in writing by the Local Planning Authority prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents, staff and visitors vehicles.

- 7 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken 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.
- 8 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.

The application was deferred at the previous committee to allow for further information to be received on certain issues. The additional information is as follows:

Overlooking

Concern was raised with regards to overlooking caused by the proposed side dormer windows within the new building. The eastern flank dormer would overlook a rear car park area to No. 22 Sun Street, and the northern most dormer in the western flank would overlook the neighbouring properties blank gable. The southern most dormer in the western flank would be almost directly opposite the existing first floor flank windows within the building to the rear of No. 18 Sun Street, which is a residential flat on the first floor. These windows serve a bathroom (obscured) and a bedroom, and are currently overlooked from Darby Drive and the car park to the rear of No. 20. The flat is currently only used as occasional overnight accommodation by the Chef working in the restaurant on the ground floor, although the flat could be used independently as a main dwelling. Notwithstanding this, the proposed dormer would be within the roof slope (third storey), and the existing neighbouring windows are on the second storey flank wall and as such, due to the proximity between the properties, this would result in a very oblique angle of the neighbouring bedroom window that would not result in any significant loss of privacy.

The areas that would be directly overlooked by the southern most dormer window in the western flank would predominantly be the access-way to the residential unit at No. 16 Sun Street, and part of the flat roof to the rear of No. 18 Sun Street. This access-way is currently overlooked by several rear windows to properties in Sun Street and does not require protection against any further overlooking. The flat roof to the rear of No. 18 Sun Street is not currently used as any form of amenity space, although it could be in the future as there is an access door onto it from the first floor flat to the rear. Due to this the proposed dormers are not considered to result in undue loss of privacy to neighbouring properties and therefore are deemed acceptable.

Storage for refuse

The applicant has submitted detailed drawings of the proposed parking layout that also shows space for refuse storage. This is deemed to be acceptable and still allows for adequate parking space within this sustainable town centre location.

Height

Concern has been raised with regards to the height of the proposed building in relation to the existing building to the rear of No. 30 Sun Street, fronting onto Darby Drive. The building to the rear of No. 30 Sun Street is three storeys in height utilising rooms in the roof space. The ridge height of this building is 8.7m. The main roof line of the proposed building at No. 20 Sun Street is 8.7m, however the two proposed gables would have an additional 1m height to them. These gables are an important prominent feature to the proposed building and were specifically suggested by the Conservation Officer. This proposed design has also been used as an example to other potential developers as a suitable design for Darby Drive. Therefore, whilst the proposed building has an overall height greater than that at No. 30 Sun Street, the main roofline is at the same height as the existing building and the increased height to the gables are an important design feature that would completely alter the specifically designed appearance and character of the proposed building if altered.

The original report is reproduced below:

This application is before this Committee since it is an application for development of a significant scale and/or wider concern and is recommended for approval (Pursuant to Section P4, Schedule A (c) of the Council's Delegated Functions) and also 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:

Revised application for the conversion and extension to the existing building and a new build block to the rear of the site to provide a total of 10 flats. The extension to the existing building would consist of a part first floor part second floor extension to the rear above an existing ground floor/first floor area. This would be 4m deep on the western side and 2.7m deep on the eastern side and would stretch the entire width of the building. It would relocate the existing rear ridge over the new extension (retaining a flat roof over the existing ridged roof section). The new ridged roof would continue across the entire width of the property, behind the existing front ridged and mansard roof.

The new build block of flats to the rear of the site would be 12.2m deep and 12.9m wide and would have a flat topped pitched roof with two vertical gables running through the building. The gables would have a ridge height at 9.7m. The new build would include ground level parking accessed off of Darby Drive.

Description of Site:

The application site comprises a building society at ground floor level and B1 office use at first and second floor levels. The site is situated to the north of Sun Street and south of Darby Drive. The property forms part of Waltham Abbey town centre and falls within a conservation area and a flood risk assessment zone. The property is locally listed and the adjoining property, No. 18, is a Grade II Listed Building.

Relevant History:

WHX/0112/60 - Extension at rear of shop – approved 20/07/60

WHX/0124/63 - Alterations to shop and outbuildings – approved 21/08/63

EPF/1414/84 - Change of use of first and second floors to offices, formation of two shop units - one for use as hot food takeaway shop/restaurant and new shop front – approved/conditions 07/03/86

EPF/0696/86 - Change of use from restaurant to building society office – approved 04/08/86

EPF/1522/86 - Alterations to form Building Society on ground floor and offices to upper floor – approved/conditions 16/02/87

EPF/0885/02 - Alterations to shop front including provision of automatic folding doors and new ramp – approved/conditions 17/06/02

EPF/0857/07 - Conversion and extension to existing building and new build block to rear of site to provide a total of 10 flats – Withdrawn 21/09/07

Policies Applied:

CP2 - Protecting the quality of the rural and built environment

CP3 - New development

CP4 - Energy conservation

CP5 - Sustainable building

CP6 - Achieving sustainable urban development patterns

CP7 - Urban form and quality

CP9 - Sustainable transport

HC6 - Character, appearance and setting of conservation area

HC7 - Development within conservation area

HC12 - Development affecting the setting of Listed Buildings

HC13A - Local List of Buildings

ST1 - Location of development

ST2 - Accessibility of development

ST4 - Road safety

ST6 - Vehicle parking

TC1 - Town centre hierarchy

TC3 - Town centre function

E4A - Protection of employment sites

E4B - Alternative uses for employment sites

DBE1 - Design of new buildings

DBE2 - Effect on neighbouring properties

DBE3 - Design in urban areas

DBE6 - Car parking in new development

DBE8 - Private amenity space

DBE9 - Loss of amenity

U2B - Flood Risk Assessment Zones

H2A - Previously developed land

H3A - Housing density

H4A - Dwelling mix

H9A - Lifetime Homes

Issues and Considerations:

The main issues in this application are the impact on the amenities of neighbouring residential properties and any future occupiers of the site, detailed design considerations within the conservation area, the loss of the existing employment site, the impact on the town centre, highways and parking considerations, and sustainability grounds.

Amenity Considerations

The proposed extension to the existing building and the new build block would be located to the rear of the site facing an open public car park. Both adjoining neighbours have rear additions to the shop buildings, although on a smaller scale than this proposal. It appears that the upper storeys of No. 18 Sun Street are vacant offices and the upper storeys of No. 22 are residential. The additions to the existing property would extend approximately 3m beyond the rear wall of the three storey section of No. 18 and approximately 1m beyond the rear wall of the three storey

section of No. 22. Both these properties have mansard roofs with rear dormer windows. The dormer window most affected by these extensions, No. 18, serves a vacant office and this proposal would not be unduly detrimental to working conditions within the neighbouring site. The more important neighbouring window in terms of protection against loss of amenity is that in No. 22, which would only be marginally affected by the extensions due to the small increase in depth at this point.

The rear building would be sufficient distance from these dormers to not result in an undue loss of light or visual amenity and have been carefully designed to ensure against loss of privacy to the neighbours. The two storey building to the rear of No. 18 Sun Street, which appears to contain a residential property above, has no side or rear windows and as such would not be effected by this proposed development.

The relationship between the extended existing building and the new build to the rear has been the subject of pre-application discussions with the previous planning officer and carefully designed to ensure there would be no loss of privacy or amenity to future occupiers. The new build has no first floor rear windows (overlooking the terrace served by the first floor rear flat in the existing building), but instead would receive light and visual amenity from glazed roof lights, and the rear windows to the second floor of the new building would be obscure glazed to avoid overlooking of the occupants of the main building. Whilst this design would not result in the best level of light or outlook to the first floor rear flat in the new building, and would limit the light and outlook to the second floor rear flat in the new building, the dwellings would get sufficient light and outlook and therefore this would not justify refusing the application.

The only amenity space provided on this development is in the form of a roof terrace served by the first floor rear flat in the existing building. Notwithstanding this, given the site's location within a town centre (where amenity space for residential flats is low if not non-existent), and in close proximity to Abbey Gardens (a large public amenity area), this lack of private or communal amenity space is deemed acceptable.

Design

After the previously withdrawn application, and prior to the submission of this proposal, pre-application discussions were undertaken between the applicants and the Conservation Officer of the council. The proposed appearance of the rear building was drawn up by the Conservation Officer, and as such has been specifically designed to retain the character and appearance of the conservation area. There is a current design brief being drawn up by Essex County Council Historic Buildings Officer for Darby Drive, and this proposal has been used as a good example for this. Although three storeys in height the new build would appear as two storeys with rooms in the roof (served by gable ends). There are several other examples of two and two-and-a-half storey buildings fronting onto Darby Drive, and as such it is not considered that this building would appear over dominant within the street scene.

A similar development was approved in 2007 for the works to No. 30 Sun Street, and other properties backing onto Darby Drive are interested in undertaking similar developments. There has been a precedent set within Darby Drive for this sort of development, and this particular scheme would set a positive precedent in terms of the specific design. As such this proposal would not be detrimental to the character, appearance or historic interest of the street scene and would not detrimentally impact on the setting of the adjoining Grade II listed building.

The alterations to the existing building fronting Sun Street would be to the rear, with there being no alterations to the historic town centre frontage. The new ridged roof to the rear of the building would match the existing to the front (and that which it replaces), and whilst it would extend across the rear of the lower mansard roofed section it would not be visible from the street scene due to the 7.5m set back.

The town council has objected to the application due to the increased roof height. Whilst an additional ridged roof would be added behind the existing front ridge (replacing a second existing ridge), this would be no higher than the existing ridge and would not be visible from the front of the site. The proposal would result in a section of flat roof between the two ridges which, whilst not ideal, would not be visible from the surrounding area. There are other examples of flat topped and flat sections of roofs within the locality and as such this new roof design would not be detrimental to the character of the conservation area.

Loss of Employment

The application site currently consists of a building society at ground floor and offices on the upper storeys. Whilst the loss of employment sites is generally resisted unless certain criteria are met, particularly in key areas such as this, the applicant is currently redeveloping an alternative, replacement site for this office use in Brooker Road, Waltham Abbey. Although it has not been shown that the offices as existing are insufficient for modern use or have been marketed for a sufficient period of time, as these offices have been provided in another location within the surrounding area this is sufficient to justify the loss of the offices at this site. Also PPS6 states in paragraph 2.21 that “residential or office development should be encouraged as appropriate uses above ground floor retail, leisure or other facilities within centres.”

Impact on Town Centre

The ground floor building society will remain and there would be no change to the historic town centre fascia. Given the sites sustainable location within the town centre and being well served by public transport, this property would be well suited for residential development. Although there would be a loss of employment at this site, as stated above, its replacement elsewhere in Waltham Abbey and introduction of residential use (which would provide a different type of user to the town centre and result in ‘eyes on the street’ during dead times) would not be detrimental to the vitality and viability of the town centre.

The proposed development would make use of previously developed land, as encouraged by Local Plan policy H2A and PPS3, and would contain an acceptable dwelling mix. This would consist of 6 no. one bed flats, and 4 no. two bed flats, which would provide much needed small accommodation to the area and would be the ideal size properties for this location.

Whilst the provision of 10 or more dwellings requires a 10% provision of ‘lifetime homes’ to be secured, given the constraints of the site (primarily in that the flats are to be located on first and second storeys served by stairways, and alterations to this would be difficult given the visual constraints of the conservation area, the need to retain the ground floor shop unit, and the provision of off-street parking), the need to meet ‘lifetime home’ standards would not be relevant in this instance.

Highways and Parking

The proposed parking area would be located on the ground floor and accessed directly off of Darby Drive. Given the accessible and sustainable location of the site the requirement for off-street parking provision would be minimal. There are four parking spaces proposed on the ground floor, which would be enclosed from Darby Drive through the installation of traditional style garage doors (which can be conditioned to be finished in painted timber). Although the spaces have not been laid out on the submitted plans a detailed layout can be sought and agreed prior to commencement.

Darby Drive is a small no-through road that serves the rear of the properties on Sun Street and leads to a public car park. The existing site has a rear parking area served by this road, and the creation of an enclosed parking area would not cause any further impact on highway safety.

Sustainability

The applicant proposes to use sustainable materials for the development to both provide a high level of insulation and to achieve a good code level for Sustainable Homes rating.

The application site is located within a flood risk assessment zone and would result in the total impermeable area of the site being 377 sq. m. Due to this a flood risk assessment is required to comply with Local Plan policy U2B and PPS25. This however can be covered by a planning condition.

Conclusion:

The proposed extension and new build would not be detrimental to the character or appearance of the main dwelling, the street scene, the conservation area or the setting of the adjoining listed building. There would be no detrimental loss of amenity to neighbouring dwelling or the future occupiers of the site. Whilst there would be a loss of employment this is being replaced elsewhere in Waltham Abbey and the proposal would not impact on the vitality or viability of the town centre. As such this proposal is deemed as acceptable and is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

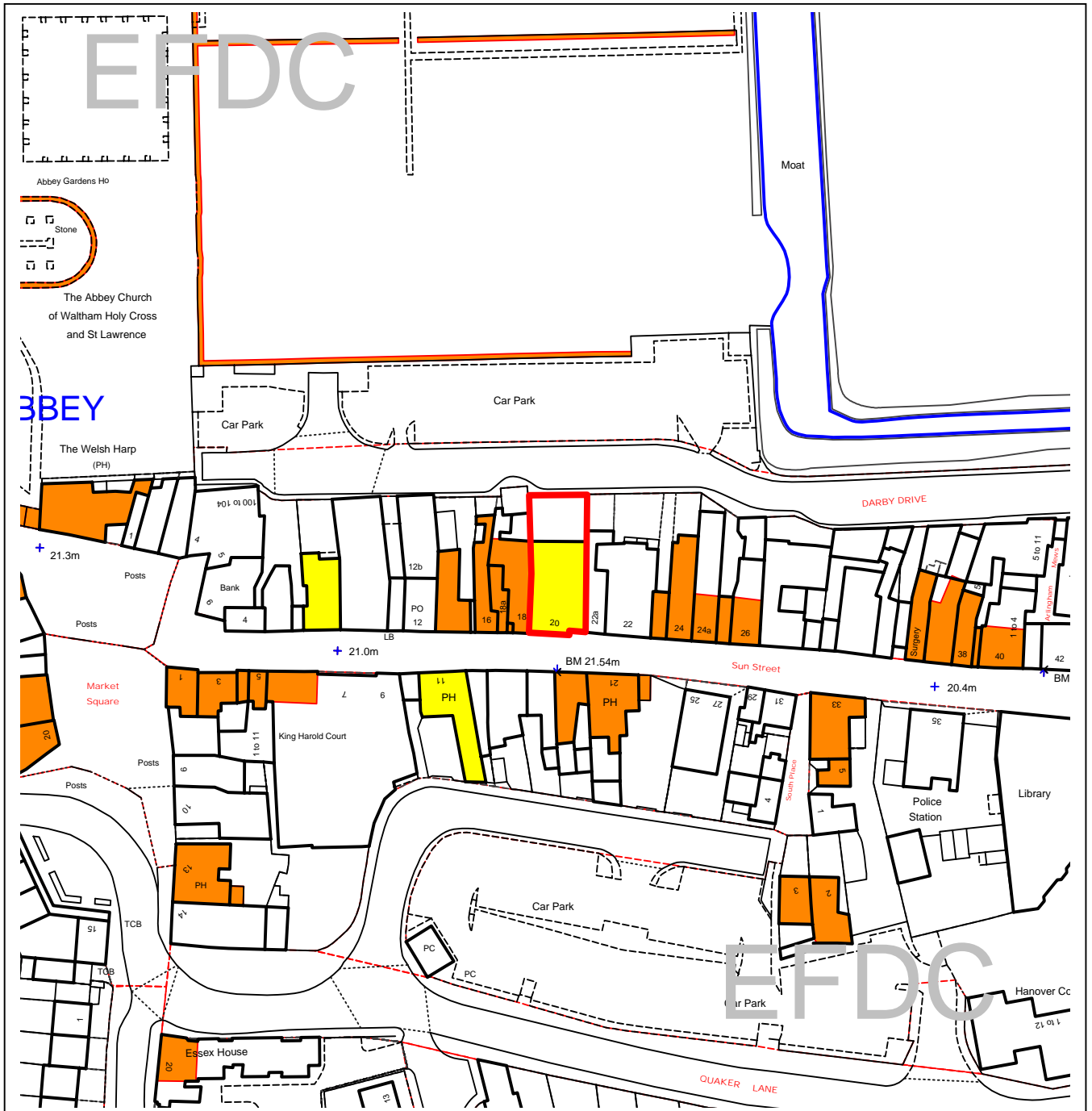
TOWN COUNCIL – Object to the increased roof height.

18 SUN STREET – Object as the height of the new building to the rear would dominate the street scene and the side dormer windows would result in a loss of privacy. The application is considered overdevelopment of the site.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	2
Application Number:	EPF/1118/08
Site Name:	20 Sun Street, Waltham Abbey, EN9 1EE
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1380/08
SITE ADDRESS:	Former Thomas Tallis School Hillhouse Waltham Abbey Essex EN9 3EL
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Paternoster
APPLICANT:	Runwood Homes PLC
DESCRIPTION OF PROPOSAL:	Demolition of existing vacant single storey school building and erection of proposed nursing home.
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 The development shall be carried out in accordance with the amended plans received on 19/08/08 and 02/09/08 unless otherwise agreed in writing with the Local Planning Authority.
- 3 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.
- 4 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 5 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.
- 6 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.

- 7 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 8 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 9 No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.
- 10 Before the occupation or use of any phase or part of the development, whichever is the soonest, a Landscape Management Plan (LMP) shall be submitted to and approved by the LPA.

The LMP shall contain a statement of the long-term aims and objectives covering all elements of the implementation of the agreed landscape scheme and full details of all management and establishment operations over a five-year period, unless otherwise agreed in writing by the LPA. It shall also include details of the relevant management, and supervisory responsibilities.

The LMP shall also include provision for a review to be undertaken before the end of the five year period. A revised LMP shall be submitted for the agreement of the LPA before five years has expired. The revised details shall make similar provisions for the long term maintenance and management of the landscape scheme. The revised scheme shall also make provision for revision and updating.

The provisions of the LMP, and subsequent revisions shall be adhered to and any variation shall have been agreed beforehand in writing by the LPA. No trees, shrubs, hedges or other plants shall be removed for the duration of the Landscape Management Scheme or its revisions, without the prior written approval of the LPA. Any trees, shrubs, hedges or other plants being so removed shall be replaced in the first available planting season by an equivalent replacement or replacements to the satisfaction of the LPA. Management of the landscape scheme in accordance with the LMP or their agreed revisions shall not cease before the duration of the use of the development unless agreed in writing by the LPA.

- 11 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing. Works to be carried out in accordance with the submitted Arboricultural Impact Assessment dated 24th June 2008 and revised 29th August 2008.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

- 12 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.

- 13 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken 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.

- 14 Prior to commencement of development, including demolition or site clearance works, 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.

- 15 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.
- 16 Prior to occupation of the building hereby approved, equipment shall be installed to suppress and disperse cooking/food preparation fumes and odours. Details of the equipment shall be submitted to and approved in writing by the Local Planning Authority prior to installation and the equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use. The equipment shall be effectively operated and maintained thereafter until the use ceases.
- 17 The rating of noise (as defined by BS4142:1997) emitted from any air conditioning/condenser units/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.
- 18 Prior to occupation of the building hereby approved a scheme providing for the adequate storage of both clinical and other refuse shall be submitted to and approved by the Local Planning Authority in writing, and retained as such thereafter.
- 19 Deliveries and collections to and from the development shall be restricted to between: 08:00-18:00 Mondays to Fridays; 09:00-14:00 Saturdays; and shall not take place on Sundays or Bank Holidays.

This application is before this Committee since it is an application for development of a significant scale and/or wider concern and is recommended for approval (Pursuant to Section P4, Schedule A (c) of the Council's Delegated Functions) and 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:

Consent is being sought for the demolition of the existing vacant single storey school building and the erection of a proposed nursing home. The proposed nursing home would be 74m wide and a maximum of 32.5m deep and would be a rough E shape incorporating a courtyard, parking area and amenity space. The building would predominantly be three storeys high, with a ridge height of 10.7m (excluding lantern), however the eastern and western wings (arms) would be two storeys high to a ridge height of 8m (excluding lanterns). This building would house 97 bedrooms (misquoted as 96 on the application form), with associated day rooms, recreational areas, staff facilities and toilets. The development proposes 20 parking spaces and would be accessed off of Neal Court.

Description of Site:

The application site is a vacant plot containing single storey school buildings, and is accessed from the shared access that serves the existing Hillhouse Primary School. It is located to the East of Neil Court in a predominantly residential area (excluding the neighbouring school building). Bordering the site to the east is a green open space, with Hillhouse Primary School adjoining the site to the south. To the north and west are residential flats and associated pedestrian access routes and green spaces. The site is located within a Flood Risk Assessment Zone and there are several recently preserved trees within the area.

Relevant History:

EPF/0896/07 - Outline planning application for a residential development – refused 20/07/08
EPF/0001/08 - Outline planning application for a residential development (revised application) – withdrawn 18/04/08

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP4 – Energy conservation
CP5 – Sustainable building
CP6 – Achieving sustainable urban development patterns
CP7 – Urban form and quality
CF2 – Health care facilities
CF12 – Retention of community facilities
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
LL5 – Protection of urban open spaces
LL6 – Partial development of urban open spaces
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
LL12 – Street trees
ST1 – Location of development
ST2 – Accessibility of development
ST4 – Road Safety
ST5 – Travel plans
ST6 – Vehicle parking
U2B – Flood Risk Assessment Zones

Issues and Considerations:

Principle of development

There have been previous proposals on this site for redevelopment to purely residential (rather than a residential nursing home). In principal this was deemed as acceptable given the predominantly residential area where the site is located. The proposed nursing home would be located on school land zoned as open space, however it does not appear that there is a long term requirement for the retention of this land for educational purposes. As such the redevelopment of the site for an alternative community use would be in accordance with Local Plan policy CF12, would accord with policy CF2 relating to the location of health care facilities, and would be preferable to residential use. Sports England were consulted on the application with regard to the impact on the playing field and have concluded that the playing pitches of the adjoining school would not be adversely impacted and have raised no objection to the proposal.

The application site is located within an existing urban area well served by public transport and is close to local facilities. This is a very sustainable location, where many visitors and staff will have access to public transport or would be within walking distance of the site and where residents primarily rely on transport by foot.

Design

The proposed building would be three storeys high at the central section, dropping to two storeys height at the eastern and western wings. Whilst the immediate surrounding properties are all two storeys high they have a recurring mono-pitched roof design, which has been mirrored on the recent Hillhouse Primary School extension, that visually increase the height and bulk of the surrounding buildings. The proposed nursing home would have low pitched tiled roofs to reduce the overall height of the property and to bring the building more in line with the overall heights of surrounding properties.

The proposed nursing home would be of a residential design in both scale (floor heights, windows, door openings, etc.) and proposed materials. The footprint of the building would be E shaped to create a courtyard, parking area and amenity space between the arms which, combined with the changing roof heights, would help break up the linear elevations of the building.

The layout of the building (internally and externally) has been designed to national standards required for nursing homes, and provides significant communal amenity space for residents, visitors and staff. The entrance area has been designed as a focal point immediately identifiable when approached from the entrance to the site (Neal Court).

Amenity considerations

As previously stated there are significant communal areas proposed for residents, visitors and staff. These have been carefully designed and are varied in their overall ambiance and appearance. These would range from a courtyard area with central water feature, screened off grassed areas, and decked areas. These would provide sufficient amenity space for future occupiers of the site.

The internal layout of the proposed nursing home has been specifically designed so as not to result in a loss of privacy to neighbouring properties. To the west is a two storey block of flats which, whilst only having front doors and frosted glazed windows overlooking the site, have their main frontage (access) directly opposite the site. Due to this the rooms directly overlooking this area would consist of staff rooms, day rooms, and other non-habitable rooms rather than residents' bedrooms where the majority of time would be spent by future occupiers.

To the north of the site are large blocks of flats separated from the site by some green open space and a pedestrian access route. The flats to the north sit at a right angle to the main bulk of the proposed nursing home and contain no flank windows. As such there would be no loss of privacy to these properties.

To the east of the site is open green space which does not require protection from overlooking, and to the south is Hillhouse Primary School. Again the internal layout of the building has been designed so that the only windows overlooking the school serve stairwells and dayrooms, and as such there would be no loss of privacy.

Details regarding the kitchen extract flues would be required to ensure there is no loss of amenity to neighbours as a result of cooking odours. Details regarding clinical waste will also be needed. These issues can however be covered by condition.

Access and parking

The previous application (EPF/0896/07) was refused on the following grounds:

The proposed access arrangements would, by reason of their design and layout, create conditions prejudicial to the free flow of traffic and highway and pedestrian safety.

The proposed access is an acceptable layout and would utilise the existing entrance to Hillhouse Primary School. An additional set of gates have been added to the primary school at the entrance to the car park so that, if this application is approved, the first set of gates (at the end of Neal Court) can be removed without compromising the security of the school.

The proposed parking arrangement is in a logical location adjacent to the entrance and close to the car park for Hillhouse Primary School. There has been space allocated for bicycle and powered two wheeled vehicle parking and for refuse, and some trees and landscaping have been proposed/retained to soften the appearance of the parking area. There are 20 parking spaces proposed (including 2 disabled spaces), with the average age of residents being proposed at 70 and over. Due to this the spaces would predominantly be used by staff and visitors which, given the sustainable location of the site, would be sufficient. The adopted car parking standards for care homes sets a maximum parking provision of 33 spaces for a development of this size, but in this urban location 20 spaces is considered to be sufficient and in accordance with Government guidance aimed at reducing reliance on the car. Essex County Highways have raised no objection to the proposal.

Landscaping

There are nine trees covered by a recent Tree Preservation Order on this site. These trees are denoted on the submitted drawing no. DFC 209 TPP Revision A, as G1 (3 limes) T1 and T2 (both limes) T6 (alder) T10 (Rowan) T11 (London Plane) and T13 (Elm). On the revised drawing, dated 02/09/08, six of these trees are shown as being retained. These are the three limes in G1, T10 (Rowan), T11 (London Plane) and T13 (elm).

This revised drawing includes a proposal to fell thirteen trees in total (3 of which are preserved) and retain seven with the revised landscape plan proposing to plant an additional fifteen new trees. These new trees would strengthen the screening on the western boundary and provide some screening on the eastern boundary. The two new birch trees on the southern end of the site would also compensate for the loss of some of the trees within the site.

The revised plans dated 19/08/08 show the footprint of the building being an additional 1m further away from the London Plane, which is an improvement on the original submitted drawings, and allows for the future potential growth of this tree. Within the Arboricultural Impact Assessment is a

methodology for the future management of this tree, along with all other preserved trees, and subject to tree preservation conditions this is felt to be acceptable. In light of this it is reasonable to accept the loss of the preserved trees T1 and T2 (two limes), and T6 (an alder).

Flood risk

The application site is located within a Flood Risk Assessment Zone and has a roof area exceeding 1700 sq. m. A flood risk assessment was submitted with the application, however this fails to meet the requirements set out by the Local Planning Authority. The return period required is 1:100 plus 30% for climate change, attenuation to green fields is required, and further consents are required (by the utility company if drainage is discharged to an existing outlet or by Land Drainage if it is discharged to natural drains). Notwithstanding this, the proposal can be erected with suitable measures in place so the submission of a further flood risk assessment can be sought via condition.

Sustainability

As previously mentioned the application site is in a sustainable location within an existing urban area. As well as this the proposed nursing home has been designed to take full advantage of its south facing elevation, providing amenity areas and the south facing windows with natural light and heat. Also the inclusion of the roof lanterns provides natural light to otherwise dark internal corridors. Sustainable building materials are proposed as well as grey water use for watering the landscaped areas. The provision of soft landscaping and planting will also promote better biodiversity to the site than that which currently exists.

Conclusion:

The proposed development is an acceptable use in a sustainable urban location. It would be designed to enhance the overall appearance of the area and would incorporate a large amount of tree and landscape retention and provision. It would provide a community use and would reuse a currently vacant, run-down previously developed site. The development would not be detrimental to neighbouring amenities, flood risk, or highways and, subject to several planning conditions, would comply with all relevant Local Plan policies. Therefore this proposal is recommended for approval.

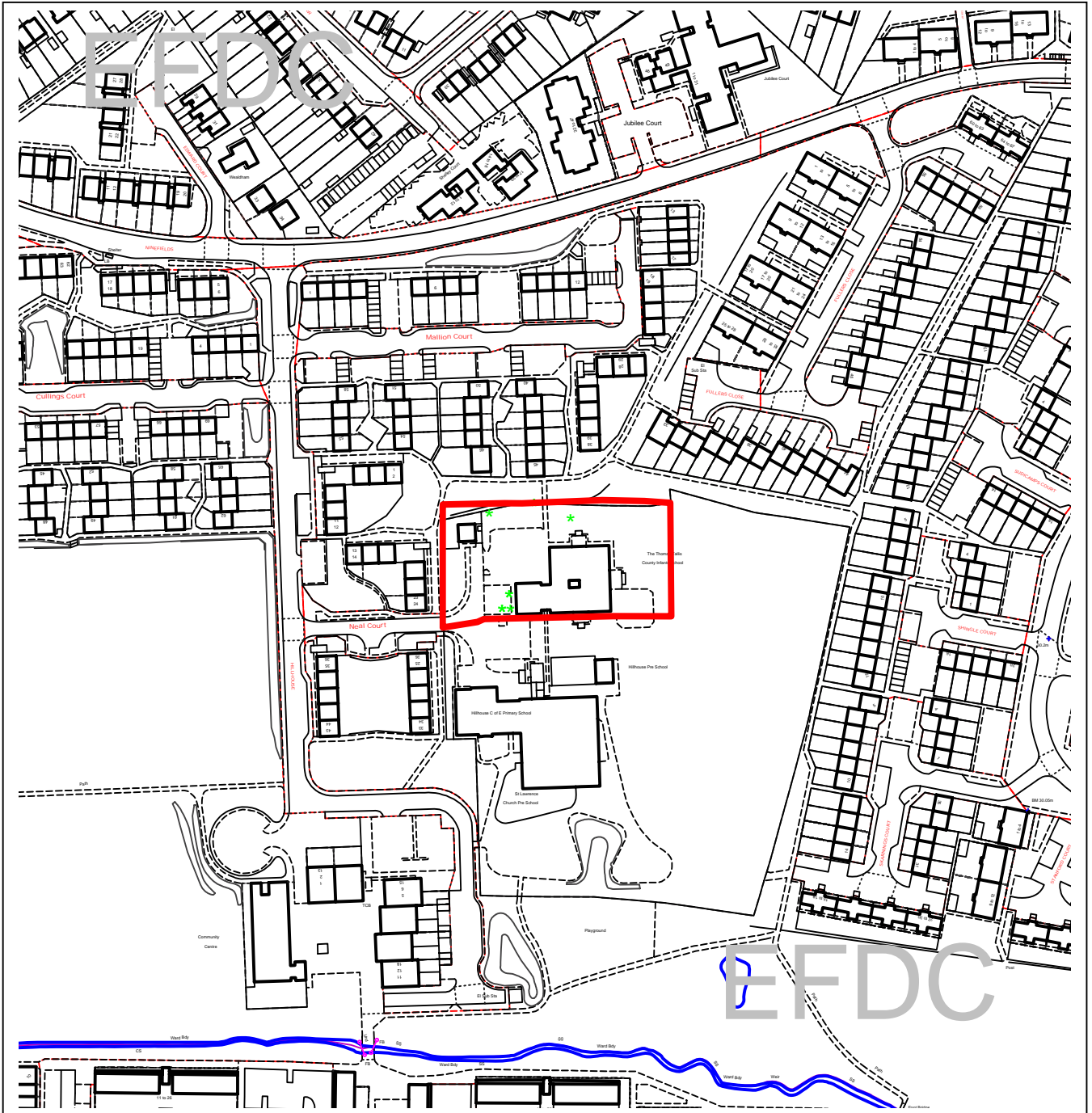
SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL – Object as there is insufficient parking and vehicle access and egress to the site and they are concerned that the development would increase the strain on existing water supply, sewage disposal, etc.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	3
Application Number:	EPF/1380/08
Site Name:	Former Thomas Tallis School, Hillhouse, Waltham Abbey, EN9 3EL
Scale of Plot:	1.2500