

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee West Wednesday, 8th October, 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 - 18)

To confirm the minutes of the last meeting of the Sub-Committee held on 17th September 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 19 - 34)

(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:** 17 September 2008

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.10 pm

Members Present: J Wyatt (Chairman), Mrs P Brooks (Vice-Chairman), R Bassett, J Demetriou, Mrs R Gadsby, Mrs M Sartin, Mrs P Smith and Mrs E Webster

Other Councillors:

Apologies: J Collier, Mrs J Lea, W Pryor, Ms S Stavrou and A Watts

Officers Present: J Shingler (Senior Planning Officer), A Hendry (Democratic Services Officer), S Mitchell (PR Website Editor) and R Harris (Democratic Services Assistant)

30. 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.

31. 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.

32. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 27 August 2008 be taken as read and signed by the Chairman as a correct record.

33. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Brooks declared a personal interest in agenda items 7 (2) (EPF/1118/08, 20 Sun Street, Waltham Abbey) and 7(3) (EPF/1380/08 – Former Thomas Tallis School, Hillhouse, Waltham Abbey) by virtue of being a member of the Waltham Abbey Town Council Planning Committee. 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 items.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs R Gadsby declared a personal interest in agenda items 7 (2) (EPF/1118/08, 20 Sun Street, Waltham Abbey) and 7(3) (EPF/1380/08 – Former Thomas Tallis School, Hillhouse, Waltham Abbey) by virtue of being a member of the Waltham Abbey Town Council Planning Committee. 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 items.

34. ANY OTHER BUSINESS

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

35. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 3 be determined as set out in the annex to these minutes.

36. 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/2230/07
SITE ADDRESS:	Roydon Mill Leisure Park High Street Roydon Harlow Essex CM19 5EJ
PARISH:	Roydon
WARD:	Roydon
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.
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 Details of the types and colours of the external finishes of the proposed clubhouse 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.
- 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.
- 14 Notwithstanding the approved plans, the central area adjacent to the residential caravan site shown to be for touring vans shall not be used for that purpose, but shall be retained as a landscaped amenity area.

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
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:	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 The parking/cycle parking and refuse area layout shown on drawing no. W02/A received 10/09/08 shall be provided prior to the first occupation of any of the approved flats and shall thereafter be retained free of obstruction for those purposes.
- 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.
- 9 Prior to commencement of development a full structural survey of the existing building, together with a method statement for implementing the consent whilst retaining the existing fronting building shall be submitted to, and agreed in writing by the Local Planning Authority. the works shall then be carried out in accordance with the agreed Method statement.

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
DESCRIPTION OF PROPOSAL:	Demolition of existing vacant single storey school building and erection of proposed nursing home.
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.

AREA PLANS SUB-COMMITTEE 'WEST'

Date 8th October 2008

INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1452/08	1 The Mead, Nazeing, EN10 6SS	GRANT	21
2.	EPF/1653/08	Three Dees Nursery, Reeves Lane, Roydon CM19 5LE	GRANT	26
3.	EPF/0687/08	Sweet News, 3 Market Square, Waltham Abbey, EN9 1DL	GRANT	30

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Report Item No: 1

APPLICATION No:	EPF/1452/08
SITE ADDRESS:	1 The Mead Nazeing Essex EN10 6SS
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Mr & Mrs Padalino
DESCRIPTION OF PROPOSAL:	Erection of a block of 6 self-contained flats. Amendment to previously approved apartment block (EPF/436/07) to provide additional unit within roof.
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 until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 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 or dormer windows, other than those expressly authorised by this permission, shall be constructed in or on the south-east facing side elevation to the building.
- 4 Prior to the commencement of the development, a flood risk assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include measures to manage any risk of flooding. The development shall thereafter be carried out in accordance with the approved assessment and any measures to manage the risk of flooding shall be permanently retained as approved.
- 5 There shall be no raising of existing ground levels on the site unless as specified in the approved flood risk assessment required by condition 4.
- 6 None of the flats hereby approved shall be occupied until surface water drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority before any development commences. Such works shall thereafter be permanently retained.

- 7 Details of the measures to be taken to prevent material from vehicles leaving the site being deposited on the public highway during the construction works shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The approved measures shall be carried out and retained for the duration of the construction period.
- 8 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall include indications of all existing trees and details of any to be retained, together with measures for their protection during the course of development and a timetable for the implementation of landscaping works. The development shall proceed in accordance with the approved scheme.
- 9 Notwithstanding the siting of the gates shown on drawing number 448016A, any gates at the entrance to the car parking area shall be set back at least 4.8 metres into the site from the access road to the industrial estate.

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 the demolition of an existing bungalow and the erection of an apartment block containing 6 flats. There is an existing planning consent allowed on appeal for a similar building but with just 5 flats. The applicant is therefore seeking an amendment to the previous approval (EPF/0436/07) for a block of 5 flats, to include an additional 2 bedroom flat within the roof space of the building.

There would be no major physical changes to the design and appearance of the building from that previously approved. The additional flat within the roof space would require a front and rear dormer window to allow more head room and a number of roof lights. There would also be two new windows on the third floor of the northern elevation of the building. An additional vehicle space has been provided within the designated parking area to accommodate additional residents.

Description of Site:

The subject site is located on the corner of The Mead and Occupation Road. The site is mainly regular in shape and has a frontage onto The Mead. The site itself has a depth of approximately 51 metres by a width of 11 metres towards the front and 21 metres towards the rear, which results in a total site area of approximately 816 square metres. This is significantly larger than most surrounding parcels of land. The site currently has a small detached bungalow located towards the front with mature vegetation located along the side and rear boundaries.

The surrounding area is situated within a mixture of uses. The Mead comprises of double storey contemporary dwellings where they are all similar in form, bulk, and size. Materials include brick and render with hipped and gable roof forms. Front setbacks in the area are consistent. The dwellings in the area are generally set off both side boundaries with spaces between buildings being a dominant feature in the street scene.

Located to the north and east of the site there is a mixture of B2 and B8 uses.

Relevant History:

EPF/14/89 – Single storey rear extension (approved)

EPF/655/06 – Demolition of existing bungalow and erection of five bedroom detached dwelling (withdrawn)

EPF/2030/06 - Demolition of existing bungalow and erection of a five bedroom detached dwelling (approved)

EPF/0436/07 - Amendment to planning approval EPF/2030/06, for a detached dwelling, to separate the dwelling into five self contained units. (refused by Council, however allowed under appeal).

Policies Applied:

DBE1 Design of new buildings
DBE2 Effects on neighbouring properties
DBE6 Car parking in new development
DBE8 Private amenity space
DBE9 Loss of amenity
LL10 Impact on existing landscaping
LL11 Landscaping provisions
CP1 Sustainable Development
CP3 New Development
H1A Housing Land Availability
H3A Residential outside Green Belt

Issues and Considerations:

The main issues to be addressed in this case are whether the amendment to the previous approved application is acceptable in relation to design and appearance, whether it would be harmful to the amenities of adjoining property occupiers and any other issues.

Design and the Built Environment:

Policies DBE1, DBE2 and DBE3 of the Epping Forest District Local Plan seek to ensure that a new development is satisfactorily located and is of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and would not prejudice the environment of occupiers of adjoining properties.

It is considered that the minor alterations made to the building would not cause harm to the character of the streetscene or to the character of the surrounding area. The dormers are well proportioned and are small in size and scale in that they will not appear visually intrusive or bulky. In terms of design and appearance, it is considered that the proposed changes to the building to accommodate an additional flat in the roof space is acceptable.

Residential Amenity Space:

Policy DBE8 of the Epping Forest District Local Plan in respect to amenity space requires that communal areas for flats should allow at least 25 square metres for each flat. 150 square metres of open space would be required as there would now be six flats proposed within the building.

There is more than enough open space to the rear of the building to meet the recreational needs of the residents.

Highway/Parking Issues:

Policy DBE6 of the Epping Forest District Local Plan seeks to preserve the amenity of residents located close to the application site. The policy states that the Council will ensure that all new developments make adequate provisions for car parking normally in accordance with the adopted standards. In this instance the proposed scheme has provided a car space for each flat along with a visitor space to the rear of the site. This is considered to be in compliance with the above policy DBE6. It is also considered that it will not result in an impact to highway safety or traffic congestion within the surrounding area.

Impact on Neighbours:

The Council considers that as a result of an additional flat within the roof space, there would be no further harm caused to the amenities of adjoining occupiers in relation to loss of privacy, loss of light or visual blight.

Flooding:

The Parish Council have raised concern about flooding, however a flood risk assessment has been produced for the earlier scheme and agreed by the Environment Agency, it is not considered that the addition of a further flat within the roof and the additional parking space will cause any harm that cannot be overcome by condition.

Conclusion:

In conclusion it is considered that the proposed amendment to the previous approval is acceptable in terms of its design and appearance and that it would reflect the character of the area without causing harm to the amenities of adjoining property occupiers. Therefore it is recommended that the application be granted permission subject to conditions.

SUMMARY OF REPRESENTATIONS:

NAZEING PARISH COUNCIL: The committee objects to the application as it is considered to be an overdevelopment, flood plain, traffic issues, lack parking facilities and amenity space.

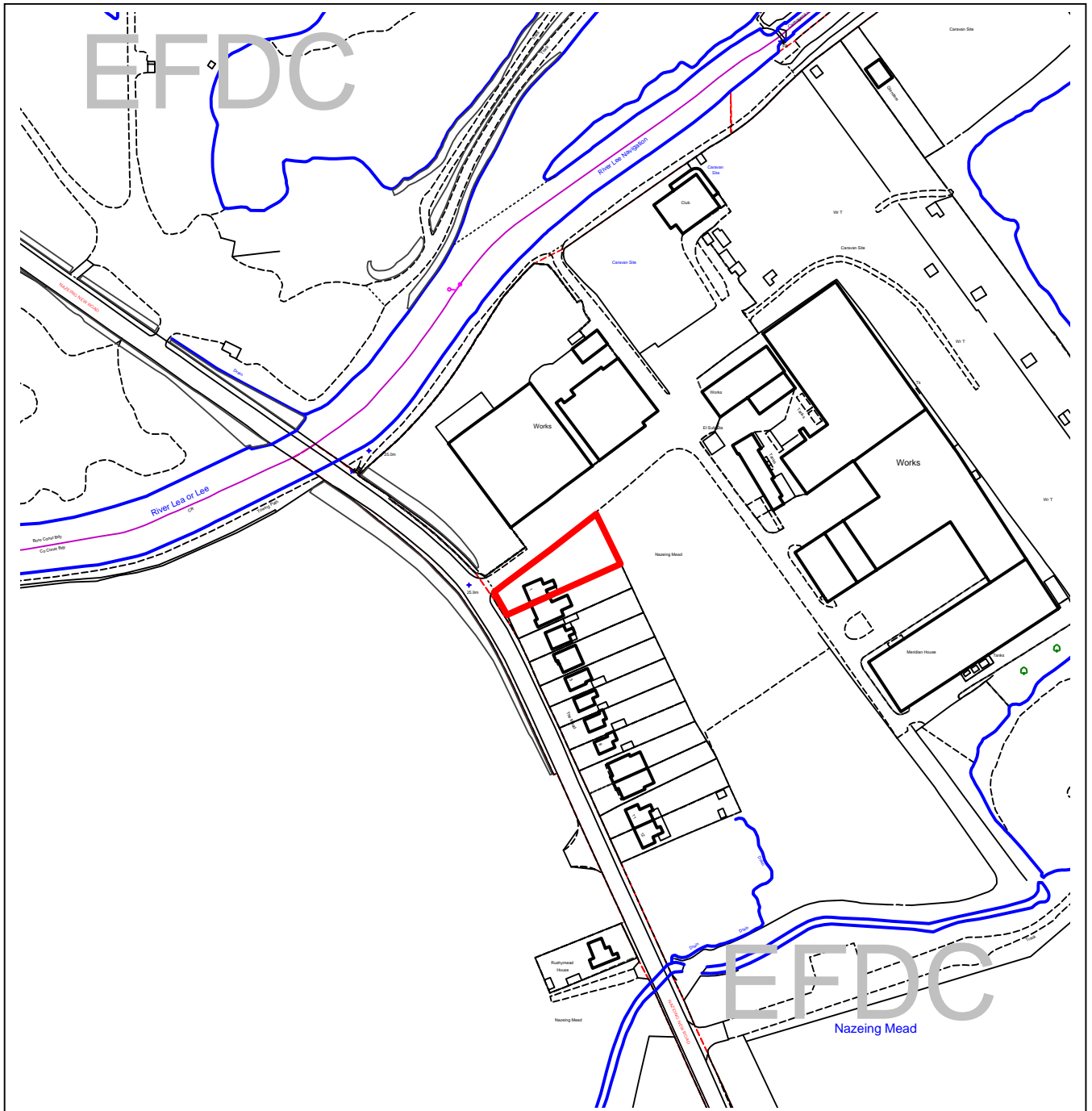
8 THE MEAD: Objection

- An additional flat would cause additional strain on the sewage and drainage within the surrounding area.
- Result in additional overlooking
- It would cause more of an impact to highway and parking concerns in the area.
- Increase the risk of flooding.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	1
Application Number:	EPF/1452/08
Site Name:	1 The Mead, Nazeing, EN10 6SS
Scale of Plot:	1/2500

Report Item No: 2

APPLICATION No:	EPF/1653/08
SITE ADDRESS:	Three Dees Nursery Reeves Lane Roydon HARLOW CM19 5LE
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr Dean Foster
DESCRIPTION OF PROPOSAL:	Change of use of former nursery building to fireplace showroom.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The premises shall be used solely for a fireplace showroom and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

Retrospective consent is being sought for the change of use of the former nursery building to a fireplace showroom. The building is a former packing shed located in the north western corner of the site known as Three Dees Nursery. The application site has direct access off of Reeves Lane and provides 5 no. parking spaces to staff and members of the public. The site also allows for access to the rear for a removal company. The building on site has a footprint of 67 sq. m. and is a pitched roof steel sheeted building to a maximum height of 5m.

Description of Site:

The site is a large agricultural nursery on the eastern side of Reeves Lane, Roydon. The application area is some 640 sq. m. located in the north western corner of the nursery, and contains an entrance, parking area, and packing shed. There are several other buildings, sheds, glasshouses and polytunnels to the south and east, however these are under separate ownership/usage. The site is located within the Metropolitan Green Belt and a conservation area.

Relevant History:

EPR/0329/49 - Four additional greenhouses and stoke hole nursery – approved 06/12/49
EPR/0148/50 - Bungalow – refused 21/07/50
EPO/0259/58 - Bungalow – refused 02/12/58
EPF/0640/75 - Outline application for an agricultural workers dwellinghouse – refused 23/06/75 (appeal dismissed 23/06/75)
EPF/0242/77 - Outline application for an agricultural workers dwelling – approved/conditions 10/08/78
EPF/0242A/77 - Details pursuant to outline consent for a dwelling – withdrawn
EPF/1291/78 - Details of dwelling – approved/conditions 20/10/78
EPF/0858/85 - Use of land to rear for storage of caravans – refused 02/09/85
CLD/EPF/0944/08 - Certificate of lawful development for existing B1 and B8 uses – lawful 12/09/08

Policies Applied:

GB2A – Development in the Green Belt
GB8A – Change of Use or Adaptation of Buildings
HC6 – Character, Appearance and Setting of Conservation Area
HC7 – Development within Conservation Areas
DBE4 – Design in the Green Belt
DBE9 – Loss of Amenity
ST4 – Road Safety
ST6 – Vehicle Parking

Issues and Considerations:

The main concerns in this application are the appropriateness of the development in the Green Belt, the impact on surrounding properties and the conservation area, and with regards to highways and parking provision.

Policy GB8A gives the criteria for the change of use of buildings within the Green Belt. The building was previously a packing shed used in conjunction with Three Dees Nursery, however has not been used as such for the last 22 years. The reuse of existing buildings in the Green Belt is acceptable, with preference being given to employment uses. Although this use only employs 2 members of full time staff it is a small local business premises, for which there is an increasing need within Epping Forest District.

The site is located within an existing nursery, and directly behind the area is a removals company that has recently obtained a certificate of lawfulness for its use. Due to this the site is considered to be mixed use, with B1 and B8 as well as traditional horticultural use, and therefore the creation of a small retail showroom would not be detrimental to the character of the area. The existing packing shed has not been extended or substantially altered to allow for this use, and as such the impact on the Green Belt is minimal.

Parking space is provided within the existing hardstanding area, which previously would have been used for parking and access to the nursery, and an existing vehicle crossover is used to access the site. The proposed use does not disrupt the access to the removal company to the rear of the nursery, nor does it result in any detrimental impact on highway safety.

The proposed use is a small, specialised showroom (for fireplaces), and as such the level of traffic movements to the site would be fairly insubstantial. It is stated that there are approximately 4 or 5 customers visiting the site per day, and occasional deliveries. Given the use of the nursery for B1,

B8 and horticultural purposes, this small increase in additional traffic would not be detrimental to the area, or to the amenities of adjacent residents.

The site is very well screened along its front boundary, and as the development is reusing an existing building and hardstanding area, there would be no further impact on the street scene or openness and character of the Green Belt.

The Parish Council have raised concerns over signage placed at the end of Reeves Lane. This signage is not part of this application, and as it is not within the application site it is outside of the control of any planning conditions. Notwithstanding this, Planning Enforcement are aware of these signs and are taking the relevant action.

Conclusion:

In light of the above the proposed development complies with all relevant planning policies and is therefore recommended for approval.

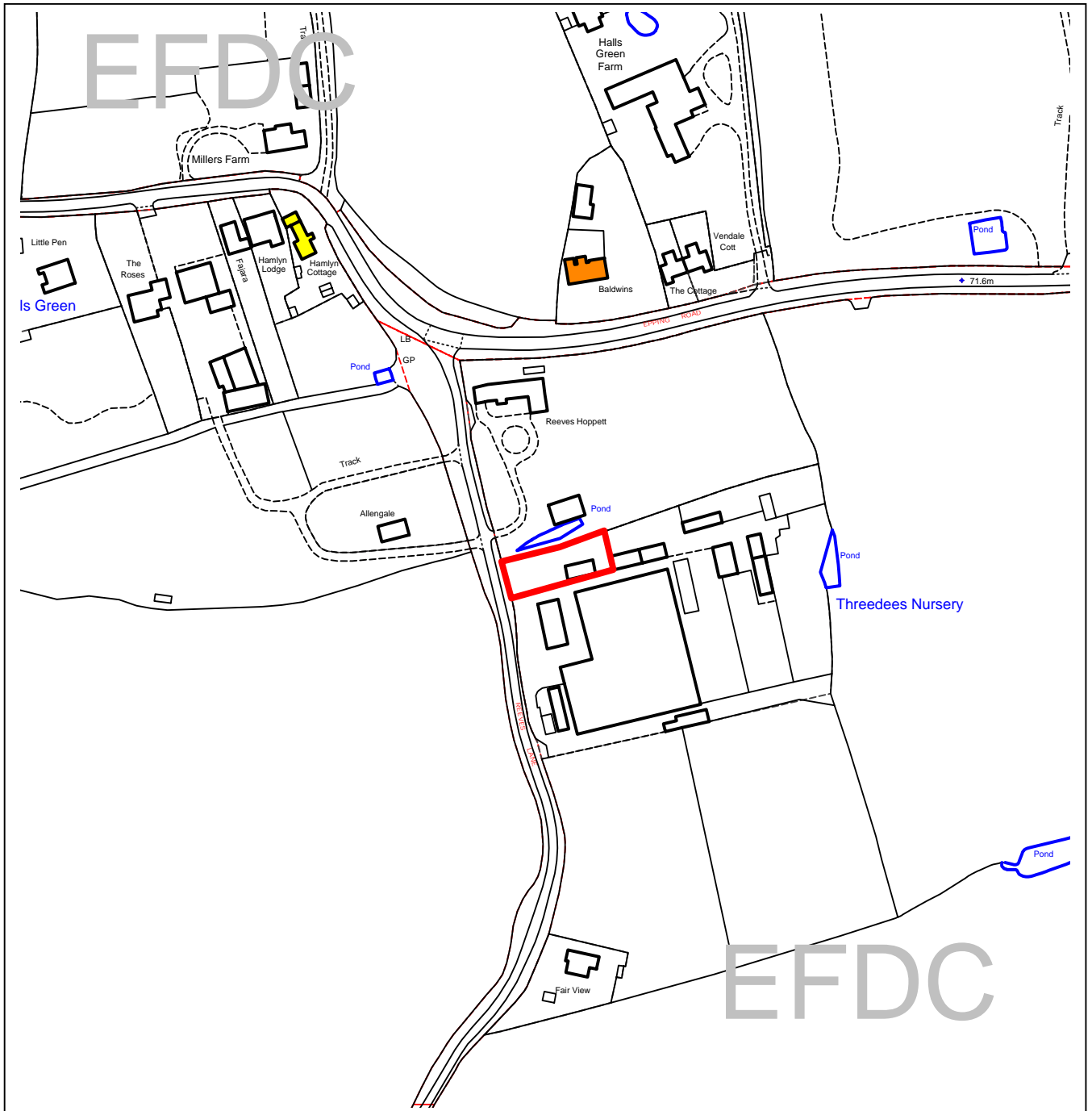
SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – Object as they are concerned that an approval will lead to other businesses setting up on the site and about the openness of the Green Belt. Also unauthorised signs advertising the showroom are often placed at each end of Reeves Lane.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	2
Application Number:	EPF/1653/08
Site Name:	Three Dees Nursery, Reeves Lane Roydon, CM19 5LE
Scale of Plot:	1/2500

Report Item No: 3

APPLICATION No:	EPF/0687/08
SITE ADDRESS:	Sweet News 3 Market Square Waltham Abbey Essex EN9 1DL
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Mr Mohammed Perwaiz
DESCRIPTION OF PROPOSAL:	Change of use from A1 retail to A5 hot food take away and insertion of extraction flue. (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 Adequate provision for foul drainage from the kitchen shall be submitted to and approved by the Local Authority. Drains serving the kitchen in the development shall be fitted with a grease separator, as detailed in the Building Regulations 2000, Approved Document H (Drainage and waste disposal), to comply with prEN 1825-1 and designed in accordance with prEN 1825-2 (Installations for separation of grease) or other effective means of grease removal. The approved drainage shall be retained and maintained while the site is in use.
- 3 Equipment shall be installed to suppress and disperse cooking/food preparation fumes and smell to a minimum. The equipment shall be effectively operated and maintained for so long as the use continues. Details of the equipment shall be submitted and approved by the Local Planning Authority and the equipment shall be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.
- 4 Prior to the premises being brought into use for the purpose hereby permitted, a scheme providing for adequate storage of refuse from this use shall be submitted and approved by the Local Planning Authority. The scheme shall be carried out and thereafter retained at all times.

This application is before this Committee since it is an application for commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).

This application was considered by this Committee back on the 4th June 2008 and was deferred by members seeking formal comments from County Highways with regard to the scheme and to establish what rights of access exist for vehicular traffic over Church Street and Market Square, as there was concern that the proposed use would cause unacceptable congestion in the locality. After consultation with the Highway Authority they have confirmed that they have no adverse comments on the proposal. They have also confirmed that only the following vehicles are permitted to use Church Street and Market Square:

- Emergency vehicles
- Statutory undertakers
- Cleaning vehicles
- Delivery or collection of goods and merchandise
- Market traders on market day

Although only the above vehicles are permitted to access Church Street and Market Square it is considered that there is good access to public car parks and transport within the surrounding area and that the proposed use should not cause a detriment to highway safety or cause traffic congestion. Also it is not believed that the proposed change of use would have an impact to traffic flow within the town centre.

The original report is reproduced below and the conclusion and recommendation remain the same.

Description of Proposal:

The applicant is seeking planning permission to change the use from 'A1' (retail) to 'A5' (hot food take away) and the insertion of extraction flue.

Internal alterations are to include a new kitchen and store area towards the rear of the existing building and a small seating area towards the front of the building.

The only external changes to the building would be the insertion of the extraction flue at the rear of the property.

Description of Site:

The subject site is known as Sweet News which is located to the north of the Market Square within the town centre of Waltham Abbey. Church Street is located to the west of the site and Sun Street to the east. Located on the site itself is a double storey terraced building that is currently used as a shop on the ground floor and a residential flat on the first floor.

There is a mixture of different uses within the surrounding area ranging from shops, offices, drinking establishments, hot food takeaways on the ground floor of buildings and residential flats and offices on the first floor. The subject site does not form part of the Key Frontage Area of the town centre however it is within the Waltham Abbey Conservation Area.

Relevant History:

EPF/1903/07 - Change of use from A1 retail to A5 hot food Takeaway. (Withdrawn)

Policies Applied:

TC1 Town Centre Hierarchy
TC3 Town Centre Function
HC6 Development, Appearance and setting of Conservation Area
HC7 Development within Conservation Areas
ST6 Vehicle parking

Issues and Considerations:

The main issues for consideration for the proposed change of use is the principle of the use within the town centre, parking and whether there would be a harmful impact to the character of the conservation area or to the amenities of adjoining property owners.

Principle of the Use

PPG6 urges Local Authorities to encourage diversification of Town Centres. This is because different but complementary uses can widen the range and quality of activities, thereby making town centres more attractive to local residents.

Food and drink outlets can add to a range of uses offered within town centres however they should not undermine the daytime economy and vitality of centres. Proposals that could create a dead frontage during the daytime should be resisted.

The applicant proposes the following hours of operation:

Monday to Saturday 10am to 10pm
Sunday and Bank Holidays 12 noon to 9pm

The application premises are not within a Key Frontage identified in the Local Plan and therefore policies TC1 and TC3 apply which set out a series of criteria, the most relevant of which is a judgement as to whether a proposal would lead to a stretch of 'dead' daytime frontages. In this case it is considered that the change of use would not harm to a significant degree the vitality and viability of a principal town centre and would create a wider range of uses within the street and the town centre in general thereby meeting Policy TC1. It is also considered that the proposed use would not result in a dead frontage within the town centre as the hours of operation are reasonable for this particular type of use.

It is considered that the proposed change of use would complement and enhance the function of the shopping centre.

As mentioned above the only external change to the building would be the small extraction flue to the rear of the property.

It should be noted that Council's Conservation and Environmental officers have no concerns regarding the design, appearance and environmental impacts in relation to the extraction flue subject to conditions being placed on the recommendation to grant permission.

Highway/Parking issues:

These are covered above.

Impact on Neighbours:

Consideration has been given to the impact of the proposal to the adjoining and adjacent properties, primarily in respect to noise and disturbance. It is considered that the change of use would not have a significant impact to nearby residential units located within the surrounding area.

Conclusion:

In conclusion it is considered that the proposed change of use is acceptable in terms of complementing and enhancing the function of the town centre without having an impact to the key frontage area. It will also not have a harmful impact to adjoining property owners or to the character of the conservation area. It is therefore recommended that application be approved for the reasons outlined above.

SUMMARY OF REPRESENTATIONS

WALTHAM ABBEY TOWN COUNCIL: No Observations due to personal interest of Members therefore making Committee inquorate.

6 HALFHIDES, WALTHAM ABBEY – Object to another takeaway outlet in this area as it would create more rubbish in the streets and possible problems with youths causing noise and disruption.

THE ABBEY INDEPENDENT FUNERAL DIRECTORS, 4 MARKET STREET – Objects to another takeaway outlet within Market Square, would cause more litter and is worried about the odour emitted from the flue at the back of the building.

FOUR LETTERS were also submitted to Council supporting the application from the following properties:

- 1 Sun Street, Waltham Abbey
- 8 The Cobbins, Waltham Abbey
- 33 Moremead, Waltham Abbey
- 8-9 Market Street, Waltham Abbey

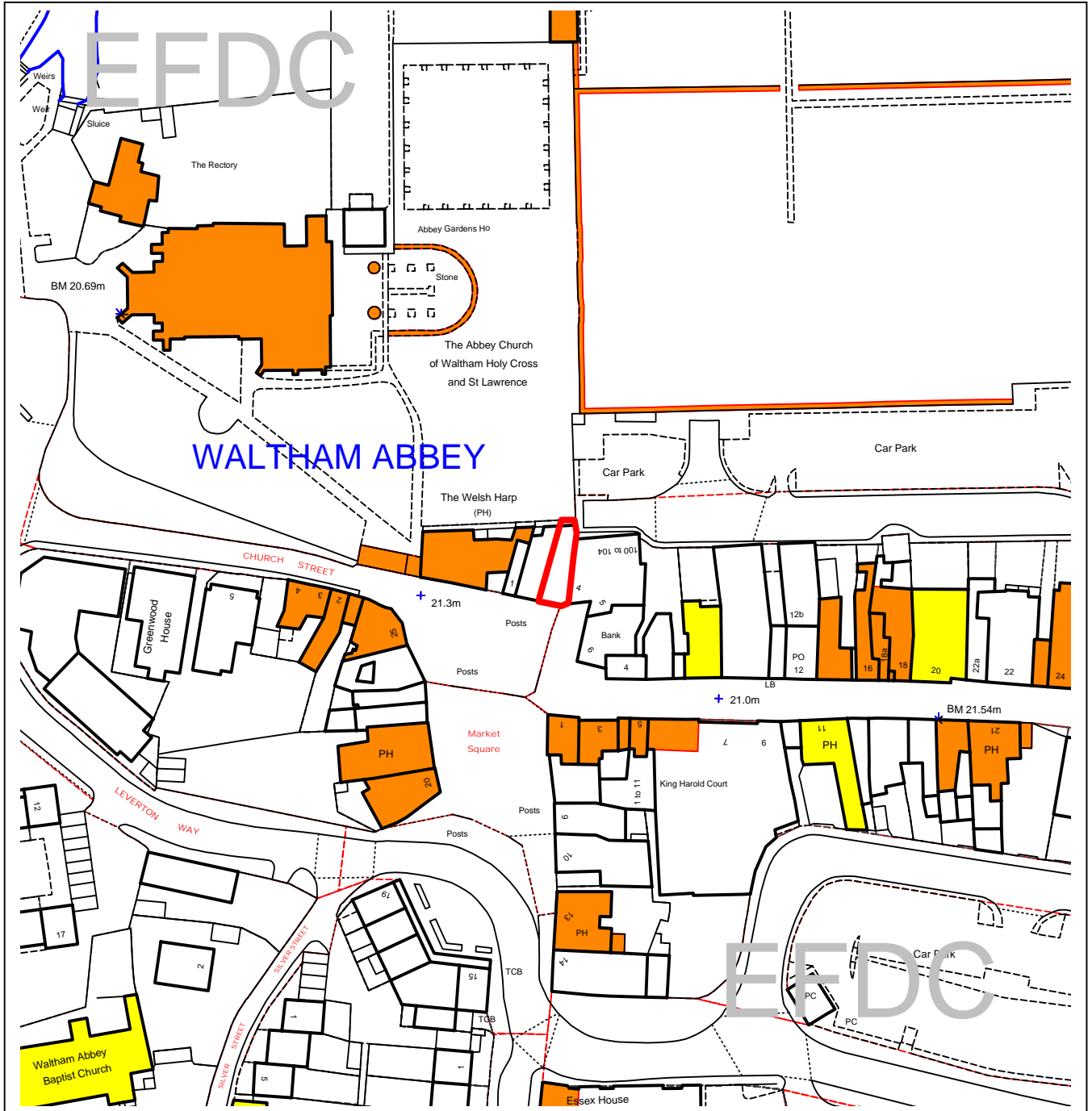
4a SUN STREET: No Objection

8 WALTON GARDENS: No objection



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	3
Application Number:	EPF/0687/08
Site Name:	Sweet News, 3 Market Square, Waltham Abbey, EN9 1DL
Scale of Plot:	1/1250