



Epping Forest & Commons Committee

Date: MONDAY, 9 SEPTEMBER 2019
Time: 11.30 am
Venue: COMMITTEE ROOM - 2ND FLOOR WEST WING, GUILDHALL

Members: Graeme Doshi-Smith (Chairman)
Deputy Phillip Woodhouse (Deputy Chairman)
Benjamin Murphy
Caroline Haines
Gregory Lawrence
Jeremy Simons
Peter Bennett
Alderman Robert Howard
Alderman Robert Hughes-Penney
Sylvia Moys
Oliver Sells QC (Ex-Officio Member)

For consideration of Business Relating to Epping Forest Only

Verderer Nicholas Munday
Verderer Michael Chapman DL
Verderer Melissa Murphy
Verderer Dr. Joanna Thomas

Enquiries: Richard Holt
Richard.Holt@cityoflondon.gov.uk

Lunch will be served in the Guildhall Club at 1pm

NB: Part of this meeting could be the subject of audio or video recording.

**John Barradell
Town Clerk and Chief Executive**

AGENDA

Part 1 - Public Agenda

1. APOLOGIES

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

3. MINUTES

To agree the public minutes and non-public summary of the previous meeting of the Epping Forest and Commons Committee held on 8 July 2019.

For Decision
(Pages 1 - 12)

4. BREXIT UPDATE

The Director of Open Spaces to be heard.

For Information

Burnham Beeches & The Commons

5. SUPERINTENDENT'S UPDATE

Report of the Superintendent of The Commons.

For Information
(Pages 13 - 20)

Epping Forest

6. SUPERINTENDENT'S UPDATE

Report of the Superintendent of Epping Forest.

For Information
(Pages 21 - 30)

7. GATEWAY 6 OUTCOME REPORT- BRANCHING OUT PROJECT - CAR PARKING & ACCESS

Report of the Director of Open Spaces.

For Decision
(Pages 31 - 56)

8. CITY OF LONDON CORPORATION RESPONSE TO THE LONDON BOROUGH OF WALTHAM FOREST 'SHAPING THE BOROUGH DRAFT LOCAL PLAN 2020 - 2035 CONSULTATION DOCUMENT (SEF 31/19)

Report of the Director of Open Spaces.

For Decision
(Pages 57 - 60)

9. PROPOSAL FOR ART INSTALLATION AT LEYTON GREEN (SEF 32/19)

Report of the Director of Open Spaces.

For Decision
(Pages 61 - 98)

10. EPPING FOREST COUNTRYSIDE STEWARDSHIP GRANT APPLICATION 2019 (1ST APPLICATION) - SIGN-OFF ON THE FINAL DETAILS OF MANAGEMENT OPTIONS (SEF 33-19)

Report of the Director of Open Spaces.

For Decision
(Pages 99 - 104)

11. EPPING FOREST DISTRICT COUNCIL: EXAMINATION OF THE DISTRICT LOCAL PLAN, 2011-2033 (SEF 34/19)

Report of the Director of Open Spaces.

For Information
(Pages 105 - 130)

12. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

13. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

Part 2 - Non-Public Agenda

14. EXCLUSION OF THE PUBLIC

MOTION: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

For Decision

15. NON-PUBLIC MINUTES

To agree the non-public minutes of the previous meeting of the Epping Forest and Commons Committee held on 8 July 2019.

For Decision
(Pages 131 - 134)

16. LOUGHTON GOLF COURSE - SECTION 146 NOTICE (SEF 35/19)

Report of the Director of Open Spaces.

For Decision
(Pages 135 - 140)

17. USE OF FOREST FUND FOR CHINGFORD GOLF COURSE STAFF WELFARE FACILITIES (SEF 36/19)

Report of the Director of Open Spaces.

For Decision
(Pages 141 - 148)

18. LEASE RENEWAL – THE BOATING AND REFRESHMENT KIOSK, HOLLOW PONDS, LEYTON FLATS, E11

Report of the City Surveyor.

For Decision
(Pages 149 - 154)

19. LEASE RENEWAL – TEA HUT, HIGH BEECH, LOUGHTON, IG10 4AE

Report of the City Surveyor.

For Decision
(Pages 155 - 160)

20. LEASE RENEWAL – THE REFRESHMENT KIOSK, WANSTEAD PARK, LONDON, E11

Report of the City Surveyor.

For Decision
(Pages 161 - 166)

21. REPORT OF ACTION TAKEN BETWEEN MEETINGS

Report of the Town Clerk.

For Information
(Pages 167 - 168)

**22. 2019 COUNTRYSIDE STEWARDSHIP GRANT APPLICATION FINAL
BUDGETARY DETAILS (SEF 33-19B)**

Report of the Director of Open Spaces.

For Information
(Pages 169 - 176)

**23. NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE
COMMITTEE**

**24. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND
WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE
PUBLIC ARE EXCLUDED**

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EPPING FOREST & COMMONS COMMITTEE

Monday, 8 July 2019

Minutes of the meeting of the Epping Forest & Commons Committee held at
Committee Room - 2nd Floor West Wing, Guildhall on Monday, 8 July 2019 at 11.30
am

Present

Members:

Deputy Philip Woodhouse (Deputy Chairman)
Peter Bennett
Caroline Haines
Sylvia Moys
Benjamin Murphy
Verderer Michael Chapman DL
Verderer Nicholas Munday
Verderer Melissa Murphy
Verderer Dr. Joanna Thomas
Jeremy Simons
Alderman Robert Howard

In attendance:

Chief Commoner Deputy Tom Hoffman

Officers:

Richard Holt	- Town Clerk's Department
Nigel Lefton	- Remembrancer's Department
Carl Locsin	- Town Clerk's Department
Derek Cobbing	- Finance Manager, Chamberlain's Department
Alison Elam	- Group Accountant, Chamberlain's Department
Alison Bunn	- Assistant Director City Surveyor's Department
Nicholas Welland	- Principal Surveyor City Surveyor's Department
Paul Thomson	- Superintendent, Epping Forest
Andy Barnard	- Superintendent, The Commons
Helen Read	- Conservation Officer, Burnham Beeches and Stoke Common
Jacqueline Eggleston	- Head of Visitor Services, Epping Forest
Jeremy Dagley	- Head of Conservation, Open Spaces
Martin Falder	- Project Officer Open Spaces Department
Sally Gadsdon	- Environmental Stewardship Officer, Epping Forest
Jo Hurst	- Business Manager, Epping Forest
Gerry Kiefer	- Open Spaces Business Manager

1. **APOLOGIES**

Apologies were received from the Chairman Graeme Doshi-Smith, Gregory Lawrence and Alderman Robert Hughes-Penney.

In the absence of the Chairman the Deputy Chairman took the Chair for the meeting.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

Benjamin Murphy declared that he was acquainted with the Farm Business tenant of Copped Hall Park listed at item 24.

3. **MINUTES**

The Committee considered the public minutes and non-public summary of the Epping Forest and Commons Committee held on 20 May 2019.

The Deputy Chairman explained to the Committee that no delegated decisions would be approved without the Chairman and Deputy Chairman being consulted.

It was agreed to reconsider the membership of the Epping Forest Joint Consultative Committee, which was oversubscribed, when all the prospective representatives were present.

RESOLVED – That the minutes of the previous meeting be agreed as an accurate record.

Matters Arising

Sports Strategy: Members expressed dissatisfaction on recent Breakfast Briefing on the Sports Strategy and commented that it exposed the requirement for further input to the Strategy from the Epping Forest & Commons Committee, Open Spaces & City Gardens Committee and the Education Board. Further to this Members noted that the redrafted Sports Strategy should be received by all the relevant Committees including those relating to the City of London managed open spaces but also education and culture. The Deputy Chairman suggested that the minute from the previous meeting of the Epping Forest and Commons Committee be used to guide discussions at future breakfast briefing sessions on the Sports Strategy.

Election of Verderer: The Town Clerk informed the Committee of the dates of a number of meetings in February 2020 in connection with the election of Verderers. The Committee noted that the two nomination meetings were to be held on Monday 24 February, the election in the north would be held on Wednesday 26 February and the election in the south would be held on Thursday 27 February.

4. **BREXIT UPDATE**

Members noted that as the Director of Open Spaces was unable to attend the meeting no substantive update on Brexit would be received.

5. CYCLICAL WORKS PROGRAMME BID - 2020/21

The Committee received a report of the City Surveyor on the Cyclical Works programme bid for 2020/21. The report set out the provisional list of cyclical projects being considered for properties under the management of Epping Forest and Commons Committee.

A Member requested further information on the trend of spending and the volume and value of works deferred to future years, which the City Surveyor agreed to provide.

Replying to a Members query regarding the work at Great Gregories Farm Barn the Director of Open Spaces explained that a detailed survey completed on the site had confirmed the presence of white asbestos in the cement roofing panels. In addition, it was explained that a plan had been established for the careful removal of this dangerous material which would follow best practice procedures.

A Member of the Committee questioned if the appropriate level of assessment had been completed on the Timber Classroom refurbishment works. Replying to this the Director of Open Spaces confirmed that a full building assessment, provided by an external consultant, would take place to confirm the condition of the building.

Replying to a further query from a Member of a Committee concerning the nature of The Grotto consolidation work, the Director of Open Spaces explained that a report would be considered by the Epping Forest and Commons Committee in November which would outline the future plans for the Temple and Grotto Folly projects.

RESOLVED- That the report be noted.

6. OPEN SPACES DEPARTMENTAL BUSINESS PLAN 2018/19 - YEAR END PERFORMANCE REPORT

The Committee received a report of the Director of Open Spaces on the Open Spaces Department Business Plan 2018/19. The report provided key examples of some of the activities the Department undertook last year to achieve Department's three top line objectives: 'Open Spaces and Historic Sites are Thriving and Accessible', 'Spaces Enrich People's Lives' and 'Business Practices are Responsible and Sustainable'.

Replying to a Member's query it was confirmed that engagement with the staff survey in the Open Spaces Department had been comparatively higher than other Departments in the City of London Corporation.

A Member commended the Department for only having a £13,000 overspend and requested further information on the measures the department used to

assess success against the aims in the Open Spaces Department Business Plan 2018/19. The Director of Open Spaces confirmed that Officers were still waiting for the appropriated statistical information to be made available to measure against the aims in the Open Spaces Department Business Plan 2018/19. The Deputy Chairman requested that this information be circulated to all Members of the Committee once available.

Replying to a question from a Member of the Committee the Director of Open Spaces confirmed that a report on the Central Grants Programme have been considered by the Open Spaces and City Gardens Committee in April and was reported in the May Superintendent's presentation.

A Member of the Committee commented that the changing rooms at Aldersbrook were in desperate need of refurbishment. Further to this, a Member noted that this was an example of the exact grassroots issue that the Corporate Sports Strategy should engage with. The Director of Open Spaces confirmed that Stage II of the Parklife [™] proposal would address Pavilion conditions should the Fundamental Review of the Capital project be successful.

It was noted by a Member that the information on the City of London Corporation Website relating to Oak Processionary Moth (OPM) needed to be improved.

RESOLVED- That the report be noted.

7. **EPPING FOREST JOINT CONSULTATIVE COMMITTEE DRAFT MINUTES**

The Committee received the draft minutes of the Epping Forest Joint Consultative Committee meeting held on 26 of April 2019.

RESOLVED- That the draft minutes of the Epping Forest Joint Consultative Committee meeting held on 26 of April 2019 be noted.

8. **EPPING FOREST CONSULTATIVE COMMITTEE DRAFT MINUTES**

The Committee received the draft minutes of the Epping Forest Consultative Committee meeting held on the 12 June 2019. The Deputy Chairman noted that the minutes should list 120 acres not 120,000 acres.

RESOLVED- That the draft minutes of the Epping Forest Consultative Committee meeting held on 12 June 2019 be noted.

9. **SUPERINTENDENT'S UPDATE**

The Committee received a report of the Superintendent of Epping Forest which provided Members with a summary of the Epping Forest Division's activities across April to May 2019.

A Member of the Committee expressed concern with regard to the increase in OPM numbers within Epping Forest and questioned if monitoring inspections which had taken place in June were sufficient. The Director of Open Spaces explained that OPM was a significant issue for Epping Forest and was being addressed by scientific moth trapping to understand population changes

followed by survey inspections, leading to spraying and the mechanical removal of moths centred on popular areas within the Forest. In addition, replying to a query raised by a Member of the Committee, the Director of Open Spaces confirmed lessons learned were shared across different City Corporation Open Spaces as well as other Local Authority Open Spaces.

Replying to a Member's query the Director of Open Spaces explained that the use of new software to would be used to help record the contribution made by volunteers. A Member highlighted the potential issues GDPR compliance issues holding this data could cause.

A Member asked for further information on the methodology used by the Epping Forest Department to resolve issues with rough sleepers. The Director of Open Spaces explained that that the Epping Forest team worked closely with local authorities, enforcement authorities and homelessness charities to achieve positive outcomes for both rough sleepers and the Forest. In addition, it was explained that a Problem Resolution in a Multi-Agency Environment (PRIME) approach was used to resolve issue relating to rough sleepers in the Forest, working to the 'No Second Night Out' (NSNO) principles.

RESOLVED- That the report be noted.

10. HIGHAMS PARK, LITTLE SALE WOOD AND OAK HILL WOOD INDIVIDUAL SITE PLAN (SEF 21/19)

The Committee considered a report of the Director of Open Spaces on the Highams Park, Little Sale Wood and Oak Hill Wood Individual Site Plan. The report outlined the property management issues and significant management considerations described in the ISP along with management strategy proposed for the area.

The Deputy Chairman asked Members to note that the wording on delegated authority under Standing Orders in the following reports referred to the Town Clerk, in consultation with the Chairman and Deputy Chairman.

The Director of Open Spaces confirmed that the ISP would cover the Michael Mallinson Watersports Centre in more detail once Members had reviewed the current lease with Walthamstow Scouts and the potential for Scouts to invest further in the facility.

Replying to a query from a Member of the Committee the Director of Open Spaces agreed to identify a method for archiving Conservation Statements and ISPs in a format that can be accessed by Members online.

RESOLVED- That the draft documents for Highams Park, Little Sale Wood and Oak Hill Wood Individual Site Plan (ISP) be approved for public consultation.

11. THE DEER SANCTUARY, THEYDON BOIS - CONSERVATION STATEMENT (SEF 22B/19)

The Committee considered a report of the Director of Open Spaces on the Deer Sanctuary, Theydon Bois – Conservation Statement. The report sought the

adoption of the draft Conservation Statement for the heritage landscape of Birch Hall Park, also known as the Epping Forest Deer Sanctuary.

Member's attention was drawn to an error regarding the acreage of Birch Hall Park which should read 120 acres.

Replying to a query from a Member of the Committee the Director of Open Spaces confirmed that Committee consideration of the 2016 Conversation Statement had been delayed with the expectation of a companion report on the leaking dam. Members were also asked to that the forthcoming Deer Strategy Review would affect the management policy for the Deer Sanctuary.

Further to comment within the report a Member of the Committee the queried whether there were trees effected Ash Dieback Disease within Epping Forest. Replying to this the Director of Open Spaces confirmed that Ash Dieback Disease was present within Epping Forest.

RESOLVED- That the draft Conservation Statement be approved for consultation with key stakeholders.

12. EPPING FOREST BUFFER LANDS - ANNUAL AGRICULTURAL HOLDINGS REVIEW FOR 2018 AND PROPOSALS FOR 2019 (SEF 25/19)

The Committee considered a report of the Director of Open Spaces on the Epping Forest Buffer Lands Annual Agricultural Holdings review for 2018 and the proposals for 2019. The report provided a summary of the main agricultural land management activities completed in 2018/19 and previewed proposed management and wildlife conservation operation.

RESOLVED- That: -

- i. The procurement of land agency advice as required for negotiations with tenants be approved; and
- ii. That the procurement of contract services for the carrying out of agricultural management, including fencing and weed control, as required, following City Procurement procedures be approved; and
- iii. That general management proposals be approved; and
- iv. The Town Clerk, in association with the Chairman and Deputy Chairman, are delegated the responsibility to settle a tenancy dispute regarding boundaries and alleged damage by deer browsing.

13. APPLICATION FOR USE OF EPPING FOREST LAND AT WANSTEAD FLATS FOR A MUSIC CONCERT. SEF 29/19

The Committee considered a report of the Director of Open Spaces regarding the application for use of Epping Forest Land at Wanstead Flats for a music concert. The report outlined the key details of the proposed event and the feedback from stakeholders which have been received.

The Director of Open Spaces introduced the report and explained that a number of conditions would be placed on the event organisers Mama Festivals Ltd including meeting measures which Officers deemed necessary to limit the ecological impact of holding the event. In addition, the Committee were

reminded of a petition by residents local to Wanstead Flats opposing the event which had reached 450 signatures.

The Deputy Chairman reiterated the point made at item 10 that both the Chairman and Deputy Chairman would be consulted on the final negotiations and agreement of contractual terms in relation to the use of the land at Wanstead Flats.

Members discussed the Wanstead Flats, Epping Forest Preliminary Ecological Appraisal which had been published as a late appendix to the report. Members raised concern that adequate time had not been allowed to properly assess the Ecological Appraisal and noted that local authorities who would be considering licensing the event, if agreed, would expect the Committee to have properly assessed its ecological impact. Further to this the Director of Open Spaces explained that, while it was regrettable that the report had been finalised so late, its content had already largely been covered in the main report which members had received earlier. In addition, it was noted that the proposed event did not reach the statutory threshold for an ecological assessment and that the Epping Forest management team were confident that any ecological impacts were indirect and manageable with the suitable mitigation measures in place, as demonstrated by the organisation of similar events.

A Member raised that Members should consider the proposed event in their context as trustees of Epping Forest and, in this context, they felt that the report should be agreed. Further to this point a Member agreed, highlighting the extensive work completed by Officers on mitigation strategies and noted that London Borough of Redbridge would more directly assess the effect on local people.

The Chief Commoner emphasised that, while the City of London Corporation took the concerns expressed by local residents very seriously, he felt that the conditions placed on the event and the assurances by the Epping Forest management team were sufficient for the Committee to agree the report. Moreover, the Chief Commoner explained that within the context of the City of London Corporation's Fundamental Review process the income generated by the event would be extremely valuable for the continued support of Epping Forest by the City of London Corporation. Members agreed that a balanced view was required when assessing the decision taking into account all factors and requested that they remained informed of any substantive developments regarding the proposed event.

The Committee moved to vote on the recommendations. Members voted unanimously in favour of the recommendations in the report. There were no abstentions.

RESOLVED- That:

- I. The provision of a licence to use of land with Mama Festivals Ltd for an outdoor temporary event on land at Wanstead Flats for the purposes of a three-day music concert as proposed in this report and in line with the Epping Forest Events policy be approved, subject to:

- a. Mama Festivals Ltd mitigating against any environmental issues arising from the Preliminary Ecological Appraisal and undertaking any additional protected species surveys if required within the appraisal.
 - b. Mama Festivals Ltd successfully obtaining a Premises Licence for the event under the Licensing Act 2003 and any other necessary consents.
 - c. The Director of Open Spaces, in consultation with the Chairman and Deputy Chairman, being satisfied that the final proposals and agreed mitigating actions are consistent with the Events Policy and in compliance with the duties of the Conservators.
- II. That the authority be delegated the Town Clerk, in consultation with the Chairman and Deputy Chairman, to complete final negotiations and agreement of contractual terms; taking in to account the specific environmental considerations and constraints in relation to the use of this land.
- III. That the Comptroller & City Solicitor be authorised to enter into the necessary agreements on such as he and the Director of Open Spaces consider appropriate.

14. EPPING FOREST AND THE COMMONS RISK MANAGEMENT REPORT

The Committee considered a report of the Director of Open Spaces on the Epping Forest and Commons Risk Management Report. The report provided Members with an update on the management of risks undertaken by the Open Spaces Department and the Epping Forest and the Commons Divisions.

RESOLVED- That: -

- I. The Epping Forest Risk Register included at Appendix 2 be approved; and
- II. That the Commons Risk Register included at Appendix 3, including the removal of one green risk be approved; and
- III. The addition of one amber risk to The Commons Risk Register be approved; and
- IV. The Corporate Risk Matrix at Appendix 1 and the Current and Target Risk Score Grids for Epping Forest and The Commons at Appendices 4 and 5 be noted; and
- V. The Risk History report at Appendix 6 be noted.

15. 2019 COUNTRYSIDE STEWARDSHIP GRANT APPLICATION PROPOSALS

The Committee considered a report of the Director of Open Spaces on the 2019 Countryside Stewardship Grant application proposals. The Director of Open Spaces confirmed that the Epping Forest Management Plan Steering group would consider Countryside Stewardship Grant applications at the groups next meeting.

The Director of Open Spaces reassured Members that the proposed Management Strategy included a central objective of restoring wood pasture as promoted with the grant application.

Replying to a concern raised by a Member of the Committee the Director of Open Spaces explained that an in-depth pricing exercise had been undertaken with a number of external contractors assessed.

RESOLVED-That: -

- i. The progress of the developing the grant proposals as listed in Appendices 1-3, be noted; and
- ii. That the Director of Open Spaces be authorised, in consultation with the Chairman and Deputy Chairman, to complete the grant negotiations with the grant body (Natural England); and
- iii. That authority be delegated to the Town Clerk, in consultation with the Chairman and Deputy Chairman to sign the finalised grant application for income estimated around £5.5 million over 10 years; and
- iv. That the Comptroller and City Solicitor be instructed to undertake such documentation as necessary; and
- v. That limited changes can be made to the funding proposals after the end of August 2019 be noted; and
- vi. The predicted income and expenditure for the grant works as listed at Appendix 3, be noted; and
- vii. That the grant works will be delivered through a combination of in-house teams, contractors and volunteers coordinated by the Epping Forest Conservation Team be noted.

16. REVENUE OUTTURN 2018/19 - EPPING FOREST

The Committee considered a report of the Chamberlain on the Revenue Outturn 2018/19 for Epping Forest.

RESOLVED- That the report be noted.

17. SUPERINTENDENT'S UPDATE

The Committee received a report of the Superintendent of 'The Commons' which provided an update on the issues across the nine sites within The Commons division. The Director of Open Spaces explained that staffing replacements were being considered with regard to the Fundamental Review.

A Member of the Committee questioned why the report did not make reference to the Open Spaces learning programme. The Director of Open Spaces explained that the Commons Division was not currently included in the Learning Team's Work Programme.

RESOLVED- That the report be noted.

18. PROPOSED DEVELOPMENT AND SUBMISSION OF A PARTNERSHIP FUNDING BID TO HEATHROW AIRPORT LIMITED

The Committee considered a report of the Director of Open Spaces on the Proposed development and submission of a partnership funding bid to Heathrow Airport Limited. The report outlined a partnership proposal to develop a funding submission to the Secretary of State of Transport to create and

restore Habitats of Principle Importance (HPI) in and around the Burnham Beeches SAC.

The Deputy Chairman commented that he supported the report and requested that Officers look to achieve a significant financial contribution from Heathrow Airport Limited as they were the party requiring the assistance of the City of London Corporation.

RESOLVED- That: -

- I. The Delegated Authority be granted to the Director of Open Spaces, in consultation with the Chairman and Deputy, to agree a Memorandum of Understanding with Heathrow Airport Limited that will:
 - a. Guide the City's 'promotion and coordination role' during the development of the project
 - b. Lead to the submission of a collaborative bid to Heathrow Airport Limited to fund a landscape scale project that will secure 'net biodiversity gain' in and around Burnham Beeches SAC.
- II. That the indicative timetable (paragraph 12) provided by Heathrow Airport Limited be noted.

19. **REVENUE OUTTURN 2018/19 - THE COMMONS**

The Committee received a report of the Chamberlain on the Revenue Outturn 2018/19 for The Commons. The report compared the revenue outturn for the services overseen by the Committee in 2018/19 with the final agreed budget for the year.

RESOLVED- That the report be noted.

20. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no public questions received.

21. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There was no urgent business considered in public session.

22. **EXCLUSION OF THE PUBLIC**

RESOLVED: That under Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

23. **NON-PUBLIC MINUTES**

Members considered the non-public minutes of the Epping Forest and Commons Committee on 20 May 2019.

RESOLVED-That the non-public minutes of the meeting on 11 May 2019 be agreed as an accurate record.

24. **BUFFER LANDS AGRICULTURAL HOLDINGS REVIEW: REVIEW OF COPPED HALL NORTH FARM BUSINESS TENANCY (SEF 25/19C)**

The Committee considered a report of the Director of Open Spaces on the Buffer Lands Agricultural Holdings Review: review of Copped Hall North Farm Business Tenancy.

RESOLVED- That the report be agreed.

25. **ACCESS RIGHTS - MONKHAMS COTTAGE, AIMES GREEN, WALTHAM ABBEY, ESSEX SEF 30/19**

The Committee considered a report of the Director of Open Spaces on the Access Rights Monkham's Cottage, Aimes Green, Waltham Abbey.

RESOLVED- That the report be agreed.

26. **NON-PUBLIC APPENDIX: APPLICATION FOR USE OF EPPING FOREST LAND AT WANSTEAD FLATS FOR A MUSIC CONCERT. SEF 28/19B FINANCIAL PROPOSALS**

The Committee received a non-public appendix to be viewed in conjunction with item 13.

RESOLVED- That the appendix be noted.

27. **NON-PUBLIC APPENDIX: PROPOSED DEVELOPMENT AND SUBMISSION OF A PARTNERSHIP FUNDING BID TO HEATHROW AIRPORT LIMITED**

The Committee received a non-public appendix to be viewed in conjunction with item 18.

RESOLVED- That the appendix to be noted.

28. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no non-public questions received.

29. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There was one item of non-public business considered.

The meeting ended at 1.40 pm

Chairman

Contact Officer: Richard Holt
Richard.Holt@cityoflondon.gov.uk

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1. Committee(s):	Date(s):
Epping Forest & Commons Committee	9 September 2019
Subject: Superintendent's Update	Public
Report of: Superintendent of 'The Commons'	For Information
<p style="text-align: center;">Summary</p> <p>This report provides a general update on issues across the nine sites within 'The Commons' division that may be of interest to members and is supplementary to the monthly email updates.</p> <p>Recommendation Members are asked to note the contents of this report.</p>	

Burnham Beeches and Stoke Common

1. Dust and hydrology monitoring in relation to the quarry operations continued during the period. Levels of both continue to fluctuate but do not show any major concerns.
2. Comments were submitted on the Draft South Bucks District Council (SBDC) Local Plan following approval by the Chairman. The SBDC Officer working on this has since accepted a secondment to central Government and is no longer working on the plan and there are concerns over the consequence of this, as the mitigation schedule for recreation pressure has yet to be agreed. Questions were also raised over the work carried out by consultants working SBDC's behalf with regard to air quality modelling. At the recommendation of Natural England SBDC have employed another consultant to peer review both the air quality modelling and the proposals for mitigation. It seems likely she will find in favour of a lower level of mitigation being needed.
3. Officers have held meetings with Natural England, the Portman Estate and the National Trust in relation to the Heathrow Biodiversity offsetting project and are now working on detailed documents to use as a focus of discussion over individual land parcels. A further meeting with the Dorney Wood Trust is imminent. The Conservation officer attended a public consultation event about the Heathrow expansion. We await the draft Memorandum of Understanding from Heathrow Airport Limited. Further progress will be limited until that matter is approved.
4. Work is continuing on the management plan consultation event that will be held on 26, 27 and 28 October on the Main Common. The Burnham Beeches Consultation

Group meet on 17 July and were treated to a tractor and trailer ride to visit areas under discussion in relation to the management plan. The meeting was well attended, and positive discussions were held on key issues for the next 10 years. A similar event was held for members of this committee on 7th September.

5. The old pollards due for work this coming winter have been checked for condition. Due to the dry weather conditions 2018 - 2019, a modified/reduced programme is likely. Young, newly created pollards have been tagged and recorded. Other practical work has included bracken spraying on Stoke Common and minor control of Rhododendron regrowth in the Beeches.
6. The cattle and ponies have been grazing various parts of the Beeches over the last couple of months including another, larger, area of the Main Common. The ponies have recently moved to the North Common at Stoke Common and some of the cows are grazing a field at Penn for a short time. The grazier's cattle are still grazing the Main and West Common at Stoke Common.
7. There have been changes in the ecology volunteers with one graduate leaving for a full-time job in the sustainability sector and an 'A' level student joining for the summer. Tasks include the regular monitoring, sorting and identification of invertebrates, butterfly transects, vegetation monitoring and the recording of beech tree condition.
8. Practical volunteers have been 'bashing bracken', moving the temporary electric fences for the livestock and helping to replace a post and wire fence. The line of the latter is being moved slightly in order to include more land within the grazed area. The Friends of Stoke Common made a visit to some Surrey Wildlife Trust sites to look at heathland management there.
9. As part of a Nationwide survey, pheromone traps for a rare beetle, the Noble Chafer, were erected and one quickly visited by a beetle (sadly no others were seen!). This is a new species to the Beeches and is exciting because it has previously only been found in the UK in orchards with hollow trees. The fact that it has been found in the Beeches suggests it may be found on a wider range of tree species. We hope to run the traps again next year.
10. Both Stoke Common and Burnham Beeches achieved Green Flag Awards this year. Burnham Beeches also received the Green Heritage Award

PARTNERSHIPS

Kenley Revival update

11. The Buildings Research Establishment's final report on the performance of materials on trial has been received. It concludes that none of the test panels succumbed to thaumasite attack, even those that replicated the LBC commons (brick)/ Mastercrete (cement) combination that was subject to thaumasite attack in 2017. Unlike the 2017 works, the trial panels were all waterproofed and drained, and this may be the cause of the difference. Colleagues in the City Surveyor's Department are currently being consulted on how to interpret the report.
12. The City's legal advisors, Beale and Company, advised that proceedings initiated under the Pre-action Protocol for Construction and Engineering Disputes against the Principal Designer should wait until the outcome of the BRE report is established. A meeting with Beale and Co will follow once the issues raised by the BRE report have been carefully considered internally
13. The Kenley Revival Project travelling exhibition is nearing completion and is due to be delivered soon. Agreement on the installation of the site signage is making steady progress. A single example of each of the three sign types is being produced, and a proposed installation date is expected soon. Initially just three signs are being installed to discharge a planning condition to provide samples.
14. A total of 18,671 people have now been engaged directly by the project. This figure includes 30 school students from Kenley Primary School who visited on July 3.
15. Staff and volunteers participated in an event at Brookwood Cemetery on June 28 and 29 to tell the stories of the Kenley personnel who are buried there. A total of 121 people were engaged.
16. An additional community archaeology fortnight, made possible by the extension to the project, ran from July 15 to 26. Volunteers explored the eastern edge of the former airfield to better understand some of the features and how the airfield functioned. A total of 458 volunteer hours contributed to the project.
17. A youth volunteering programme was also made possible by the extension to the project. Participants between the ages of 16 to 18 have been involved in community archaeology, giving guided walks and using social media. They will also have the opportunity to do some hands-on practical conservation work.

The West Wickham and Coulsdon Commons

18. Following the recent dismissal of a ranger at West Wickham Commons, the resignation of another, the further loss of another due to a successful job application

and maternity leave, the team at WWCC is significantly depleted. In the short term, the Ranger team has been joined on secondment by a ranger from Burnham Beeches. It is intended to fill the remaining vacant posts with fixed term contract (FTC) staff until the implications of the Fundamental Review upon the structure of the Division are better understood. In the meantime, the remaining team continue to provide a first class albeit operationally reduced service and this will remain the case until recruitment is complete.

19. The South London Downs National Nature Reserve (SLD NNR) was officially launched at a 'Discovery Day' event on Thursday 25 July. Dignitaries, local volunteers and members of the public attended and took part in a variety of events including a guided walk of Farthing Downs and adjacent Happy Valley. Over 100 people including volunteers, staff, members of the public and dignitaries attended the event. Representatives from the co-hosts were invited to deliver speeches and interviews to media outlets. The WWCC team played a pivotal role in the organisation of this event, which went extremely well despite it being the hottest day ever recorded in the UK.
20. An inaugural meeting of the SLD NNR (Officer) Working Group will take place in September where a partnership opportunity with the London Wildlife Trust to deliver their 'Brilliant Butterflies' initiative, will be discussed. If successful, this will be an exciting and early opportunity to make use of the NNR's status and commence its ambition to engage visitors in environmental science projects.
21. The Ranger team have completed a survey for OPM across Spring Park. One nest was identified and removed.
22. The Merlewood Estate Office team rounded up the cattle on the main grazing area of Farthing Downs. Following a check-up by a vet, 21 cows are expected to calve in January and February next year.
23. All six of the West Wickham & Coulsdon Commons received Green Flag Awards for 2019/20. In addition, Farthing Downs, Riddlesdown Common, Kenley Common and West Wickham Common achieved Green Heritage Site Awards.
24. Hay-cutting has started in earnest across the commons with a contractor on site for much of August and September. The hay meadows are being cut at Kenley, New Hill, Coulsdon Common Spring Park, Farthing Downs and Riddlesdown Common.
25. Members of U3A Croydon have been conducting lowland grassland condition surveys at Riddlesdown Quarry.

26. Removal of Ragwort has almost finished across the Coulsdon commons with local volunteer groups and TCV volunteers carrying out most of the work. The removed plants have filled an 8m³ skip.
27. Burning platforms have been set up on Hilltop, Kenley Common so that contractors can carry burning of this year's brash produced by our chalk grassland habitat restoration work.
28. Visitors to West Wickham & Coulsdon Commons have been increasingly active in sharing interesting species records and photos on social media platforms. Notable sightings have included a Common Whitethroat at spring park, Wheatear at on Farthing Downs, Broad Leaved Helleborines at West Wickham Common and Dingy Skipper recorded, for the first time, on Kenley Common.

Ashtead Common

29. A significant increase in Oak Processionary Moth infestation is being recorded. At the time of writing approximately 1,000 nests have been identified in around 500 trees. This greatly surpasses last years' total of 264 nests. Nest removal has commenced using a risk-based approach to target areas with higher footfall. Elsewhere the nests will be left unless they are in an area due to be worked on during the autumn and winter.
30. The site successfully retained its Green Flag and Green Heritage awards.
31. Lepidoptera species generally appear to have had a good year, with a noticeable degree of defoliation evident on many of the oak trees. To an extent, the rainfall through June enabled the trees to counteract the effect. An assessment will shortly be made to determine if the veteran oak pollard programme should be modified considering the stress suffered by the trees earlier in the season.

Incidents

Burnham Beeches & Stoke Common

There were fourteen reported incidents during the period

32. In August five gates were stolen from a Cattle catch-up pen at Stoke Common. These gates were branded with Col information and were secured with welded hinges. However, the thieves cut the gate post holding the gates at ground level to remove them – in total about £1000 of damage caused - police informed,
33. Two incidents related to campfires at the Beeches that were both small scale and dealt with by the ranger team.

34. The other incidents include three minor fly tipping at roadsides (all dealt with by South Bucks District Council), unauthorised camping and a dog attack on another dog. Police are investigating the latter.

Ashted Common

35. Three cases of Lyme Disease have been reported. Two volunteers and one member of staff have been affected during the summer months. Fortunately, all three have since recovered. An investigation is underway and the City's Health and Safety Manager and OH are being consulted to establish what new controls and changes to working practice are needed.

The West Wickham and Coulsdon Commons

Nine incidents have been reported during this period.

36. Two incidents were related to quadbikes and off-road vehicles being driven across the Commons. Both were referred to safer neighbourhood team.
37. A stolen vehicle was deliberately driven into the electric gates at Farthing Downs and set alight in the early hours of July 9th. This incident was attended by the Fire Service and Police and Ranger team. The gate was damaged during the fire and the Rangers have since been opening the gate manually. Three persons involved in the incident were arrested shortly after leaving the area.
38. Three incidents took place in car parks across the Commons. One anti-social behaviour and drug use incident was reported at Riddlesdown and two incidents of vandalism were recorded at Farthing Downs causing minor damage a sign on the gate and a fuse box in the toilet facilities. Due to the incidents recorded here and in para 37 the Head Ranger is reviewing possible methods to reduce this type of incident.
39. Several cattle escaped the main grazing area on Farthing Downs through an open pedestrian gate and were found heading towards a road. Local residents and rangers managed to get them back into the grazing area. The number of gates in grazing enclosures is to be reviewed to reduce the likelihood of this type of incident. Youths were also witness by a member of the public chasing cattle on Farthing Downs.
40. A stray dog seen wandering around on Riddlesdown was seen and reported to the local council dog warden.

Filming, major events and other activities

Burnham Beeches

41. The Beeches hosted numerous external events: including with schools both before and during the summer holidays; running events including the Burnham Jogger's ½ marathon and JAWs 5K.
42. Events have included several guided walks including the themed 'On location' and the 'Plants at Burnham Beeches' and one focusing on the tree management for the Countryside Managers Association. The new self-guided trail for professional arborists (a joint project with the Ancient Tree Forum) was advertised through a day for professionals, with staff from Hampstead Heath joining those from the Beeches to explain in detail the management of specific trees. The summer children's 'wildlife wonders' activities have been popular and regular visits by Beavers and Cubs have continued.
43. Thee Beeches hosted 8 days of filming activity (3 actual filming days, 5 preparation and strike) in July and August with Netflix and Argos

The West Wickham & Coulsdon Commons

44. The Ranger team delivered several events including a series of wildflower walks across the commons, butterfly walks, a health walk and a grazing walk and talk. Two further events were cancelled because of bad weather.

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Committee(s)	Dated:
Epping Forest and Commons	09 09 2019
Subject: Epping Forest - Superintendent's Update for June to July 2019 (SEF 30/19)	Public
Report of: Director of Open Spaces	For Information
Report author: Paul Thomson – Epping Forest	

Summary

This purpose of this report is to summarise the Epping Forest Division's activities across June to July 2019.

Of particular note was higher than average summer rainfall which has restricted the Fire Severity Risk and a number of reported fires, a fall in the fly tipping across the Forest; the removal of 390 Oak Processionary Moth Nests; review and assessment of the Forest's invisible fencing system by DEFRA and APHA specialists; the launch of a new Veteran Tree Trial and the conclusion of the Woodford Green land claim dispute.

Recommendation(s)

Members are asked to:

- Note the report.

Main Report

Staff and Volunteers

1. A part-time Sports Booking Assistant, Casual Booking Assistant, Casual Football assistant and 4 x Casual Information Assistants have been recruited over the reporting period.
2. Recruitment is also underway for a Visitor Experience Manager, a Forest Keeper and two litter pickers.

Budgets

3. At end of July, Epping Forest Local Risk is on profile at 34% of budget, with HLS grant income for 2018/19 remitted in line with Rural Payments Agency commitments on farming debt. Countryside Stewardship grant income is approximately £100,000 lower in this financial year due to the more complex

application process, which has taken over 12 months to complete. In addition, a number of large in-year demands have been identified including building investment, legal and consultancy fees. Plans are being implemented to address these additional costs within the year.

Weather

4. June 2019 saw high amounts of rainfall in the first half of the month, with a total was 77.6mm of rainfall which is above the average of 49.4mm of rainfall for this time of year. There was a total of 10 days of rainfall with the wettest day being 9 June where 17.2mm of rain fell.
5. Overall, July had a good mix of wet and dry days scattered throughout the month, with a total of 59.6mm of rain fall slightly above the average of 49.5mm. There was a total of 11 days of rainfall with the wettest day being 26 July where 20.6mm of rain fell. A heatwave event in late July resulted in Very High Fire Severity Index and Heat-Health Watch level 3. Regular rainfall has reduced the risk of fires across the Forest.

Forest Services

Fly tipping

6. There was a total of 86 fly-tips recorded over the period of June-July 2019, this is a 22% decrease over the same period in 2018. Two of the fly-tips within this period required the assistance of an outside contractor due to the size (a large volume of roofing tiles) and tip contents (a 1000 litre container of motor oil).
7. Roadside locations represented 81% of the tip locations over the period, with furniture represented the largest category of items tipped over the period at 24 (28%), while builders waste represented 20 tips (23%). There was a decline the volume of household waste with only 8 tips containing this type of waste as the majority of the tip. Horticultural material associated with cannabis production was again high and represented 16% of all tips collected.
8. There were 21 fly-tips over the period. The Wanstead Flats area represents 24% of all tips. 8 of these tips were on Capel Road.

Fires

9. 11 fires have been recorded over the reporting period in a range of locations including Wanstead Flats, Fairmead, Wake Valley, Walthamstow Forest and Debden Slade.

Enforcement Activity

10. There were no prosecutions during the period under report. There were 3 verbal warnings, 3 written warnings and 1 conditional caution.

Rough Sleepers

11. A total of ten Rough Sleeper Camps were recorded over the period. These camps represented a 43% rise on 2017 where 7 camps were recorded (no camps were recorded in 2018). Seven camps were located in areas strongly associated with previous rough sleeping. Three camps were recorded further north at Chingford Golf Course, Pole Hill and Debden Slade, which are not areas typically associated with rough sleeping.

Licences

12. A total of 58 licences for events were issued during the two months being reported, which yielded an income of £32,891.54 plus VAT. 44 licences were issued during the same period in 2018 (income of £35,393.60).

Unauthorised Occupations

13. There were two unauthorised occupations by Travellers over the period.

14. On the 13 July 2019, Travellers, with 8 caravans and 9 vehicles, attempted to access Forest land off Oak Hill, then Mill Plain and then George Green. At the first location they were moved off by the Metropolitan Police, at the other two locations the Police worked in conjunction with Epping Forest Staff to apply the byelaws.

15. On the 22 July 2019, Travellers, with 3 caravans and 4 vehicles, attempted to access Bury Rd, Chingford, but left the site and occupied land on Buckhurst Hill Cricket Ground (EFDC).

Dog Incidents

16. During the period there were four reports of serious-dog related nuisance over the period. Three of these incidents occurred in Wanstead Park.

- After an altercation between two dogs, a member of the public was assaulted with a dog chain by the other dog owner.
- A lady felt threatened by a group of 13 dogs, but no physical attack occurred.
- A man was bitten by a dog whilst taking photos in Wanstead Park.
- At Connaught Water a dog attacked another dog.

Deer Vehicle Collisions

17. Epping Forest staff dealt with a total of 6 deer vehicle collisions (DVC) during this reporting period with three occurring on the 22 July.

Heritage; Landscape and Nature Conservation

Biodiversity

18. June and July saw very good numbers of butterflies in the Forest with numbers higher than for the last few years for most species, apart from Common Blue, which seemed to be a little reduced in abundance. In fact, 2019 seems to have been a good butterfly summer across southern England and the Forest trends reflect this.

19. Amongst the highlights the Forest breeding population of the impressive **Purple Emperor** still seems to be expanding, with new localities being recorded this year. Another large butterfly, **Silver-Washed Fritillary** was also in its highest numbers for many years and it was seen in more locations than in any year to date. However, this butterfly's populations seem to be transitory, with adults often moving through the Forest from further afield, and its breeding population is still small. A further exceptional record was of a **Dark-Green Fritillary**, a much rarer species for Essex, in the Buckhurst Hill areas of the Forest around North Farm.
20. Another transitory but very welcome addition to the butterfly species this year was **Marbled White**, a species of grassland habitats. Like the Silver-Washed Fritillary, this species does not seem to have a firm foothold in the Forest yet but the frequency of sightings from Leyton Flats to Fairmead were again the highest ever for the Forest for this species.
21. Of the more established species of butterfly, the populations of **Small Heath** and **Brown Argus** were very high with up to 25 individuals of the latter being recorded on one day by the Wren Group at the exchange Land at Wanstead. At Chingford Plain Small Heaths were recorded in double figures over several days amongst the grazing cattle.
22. In relation to other wildlife, **Red Kites** bred successfully for a second year in the NE of the Forest. This bird of prey now seems well-established as a Forest bird, as well as one in the surrounding countryside.
23. The ancient pollards of the Forest were also the focus for the launch of a national initiative by the Ancient Tree Forum (ATF), under its *VetTree* project. On 4th July the Forest Conservation and Operations teams co-led a walk with the ATF providing professional arborists with an opportunity to view our keystone tree and pollarding management work along a new Veteran Tree Trail. The trail's maps, web-site and information provision have all been funded by a City Bridges Trust grant. Epping Forest is one of three Open Spaces locations where such trails have been set up, and these City Corporation sites are able to continue their role as national exemplars of ancient tree conservation.

Agri-environment Schemes

24. The preparation of the Countryside Stewardship application has been the focus of the work of the Environmental Stewardship and Biodiversity Officers. This has required a considerable investment in time to meet all the requirements of the scheme's application process. The deadline is at the end of August 2019.
25. The long-delayed final payments for the last 18 months of the completed Higher Level Stewardship Scheme have now been received.

Grazing

26. Grazing has continued across Chingford Plain through to Fairmead and Bury Wood. Five animals were removed to the Buffer Lands in June due to the low growth rates from the sustained dry period.
27. The Head of Conservation and Grazing and Landscape Project Officer hosted a visit involving two DEFRA (Department for Environment, Food & Rural Affairs) officials and a senior vet from the APHA (Animal Plant Health Agency). The visit was to demonstrate how Invisible fencing works on cattle and the benefits it offers when grazing SSSI and public open spaces. Recorded data from Epping Forest grazing records as well as other sites were made available to help inform DEFRA on the technology's efficiency.
28. Miriam Parker MBE and Epping Forest appointed vet have also visited to consult, provide independent verification and record animal welfare data on cattle grazing on the Invisible Fencing.
29. Volunteer Wardens have been regularly assisting the Grazing Team on several hands-on cattle activities, including moving cattle between locations.

Heritage

30. A meeting was held on 5th June with Historic England officers to discuss the draft Copped Hall Parkland Management Plan. It was a constructive meeting during which some key issues were highlighted and possible options for the future conservation management of this protected area were prioritised. In the light of the discussions further amendments will be made to the draft, which will be brought to Committee soon.

Contractors

31. The new three-year haylage contract with a local contractor has begun and haylage was taken during this period from Great Gregories amongst other sites.

Land Management

Town & Country Planning – Forward Planning – Local Plans

32. Following the very eventful hearings in May into the Epping Forest District Council Local Plan, this period was relatively quiet while awaiting the Inspector's preliminary findings. However, a further document was submitted to the Inspector on behalf of the Conservators, detailing a chronological record of the many years of dialogue with the Council about the need to protect the Forest and promote it as a vital part of the Local Plan. This further submission also sought to answer some of the extra questions that the Inspector had raised with us during the Habitats Regulations Assessment hearing.
33. Towards the end of July, the London Borough of Waltham Forest published its new consolidated Local Plan document for a period of consultation ending on 22 September. This Local Plan will also require a detailed response to ensure that

the Forest's and the Special Area of Conservation's protection and enhancement are factored into the final policies.

34. In addition to the direct responses on the Local Plans, your officers were also involved with work to promote green infrastructure planning more widely. On 12th July the Head of Conservation took part in a new steering group meeting for the Green Arc project.

Town & Country Planning – Development Control

35. Objections for planning applications were registered with Epping Forest District Council for proposals at:

- Netherhouse Farm – Construction proposals for further buildings
- Cobbins End Farm – Construction of a 12 bay stable
- Lord Padgets Wood – Telecomms Mast

Land Registration

36. The Broomhill Road case was brought to a conclusion with a two-party agreement between the City of London Corporation and the other party over the registration of the land as Forest Land. As a result, the planned hearing at the Lands Tribunal was cancelled and the costs of this process avoided. The notice to allow registration of the land is now awaited from the Land Registry.
37. Further land at Mott Street has been registered with the Land Registry, while two verge claims have been abandoned based on further research.

Operations

Habitat Works

38. At Wanstead Park annual Floating Pennywort Control works were undertaken spraying and removing regrowth from the banks of Perch Pond. Work has also started in this period on clearing the proposed site for the play area. For some years the proposed area has been used as a receptor site for unsaleable logs and wood chip. New areas were found for this material to provide continued habitat benefits. The cleared site will be maintained in an open condition. Work has also been undertaken to remove vegetation surrounding park ditches to facilitate digger access to clear clogged ditches to encourage more surface drainage water to enter the lake system.

Subsidence/insurance works

39. Three new claims for subsidence were raised and staff provided reports for our insurers. One claim is for a residence where the City Corporation's Insurers have settled in the past for root nuisance and will serve as a test of our revised claims management process.
40. During the period we have had seven new public liability claims submitted. Four are linked to tree failures and reported below and two are linked to car tyre damage when crossing the alligator teeth at car parks in the Forest. A third claim

is a second attempt to claim for damages arising from a fall when riding in the Forest. Staff at Epping Forest are working closely with our insurance team colleagues to defend these claims.

Risk Management Works

41. Tree Safety – The main focus of arborist activity has been progressing the list of tree safety tasks which will be ongoing for the year. Over 600 tasks have been identified by our surveyors. Following tree failure incidents three investigations have been undertaken by staff and passed to the insurance team, one location had two incidents. In each case it was reported that the standard visual tree inspection undertaken on trees was unlikely to have identified the problems that led to the tree failures. More in-depth investigations given the scale of the annual survey task is not considered reasonable.
42. Fire Safety - Fire belts on Leyton and Wanstead Flats have been cut as in previous years. It is however expected that following the current review of fire safety protection this activity may be modified and extended.

Oak Processionary Moth (OPM)

43. Contractor-led OPM control works have ended for 2019 with a total of 390 nests identified and removed from 137 trees compared to a total of 68 last year. 11 nests in one tree was the highest number collected. Ongoing low level nest removal will be undertaken by Epping Forest Arborists with specialist equipment obtained to progress this.

Access Works

44. Staff commenced ride verge cutting during the period with more extensive works planned for August. Our contractor has started work on the road verge cutting with initial activity focused on the South of the Forest.
45. Living Symphonies: Arborist staff supported the London Borough of Waltham Forest's London Borough of Culture artistic team who undertook the successful music installation in Bury Wood. This involved site preparations and installation of speakers for the installation.

Visitor Services

Centenary celebration of King Carp, Monday, 8 July 2019

46. Special Monday opening to celebrate exactly On This Day 100 years since King Carp, 19 lbs 8 oz, was fished from Warren Pond by J. T. Fisher of the Lychnobite Angling Society (still operating) and stuffed by W.F. Homer, a notable Victorian fish taxidermist of Forest Gate. Attended by 27 visitors: about one third keen anglers who made the pilgrimage: one third drop-ins who happened to be anglers; one third families with children very happy to be impressed by 'big fish'. One keeper and volunteer fishing bailiff talked to anglers about what to fish where.

London Borough of Culture

47. **The Dark Outside** was a 24-hour broadcast hosted from QEHL on 20 June to midsummers day playing recordings of all types from local people and could be tuned in to on a special radio frequency.

48. **Living Symphonies** was a sound installation based in Bury Wood for one week using sound to interpret all the ecology of a square footprint of Forest flora and fauna.

The Wainwright Prize

49. Two books (from a shortlist of seven were set in Epping Forest) Robert Macfarlane's *Underland* and Luke Turner's *Out of the woods* (launched in January 2019 from the QEHL). Robert Macfarlane was the overall winner.

Learning and Education

50. The Learning Officer visited 37 schools reaching 1,000 students and 200 adults. The Learning Officer also worked with Forest School Preparation on a community project creating an online historic orienteering map of Wanstead Park. The year 7 and 8 students researched the local history getting stories/ memories, historical facts and used ArcGIS to create a map with QR codes at points within the park linking back to the online map.

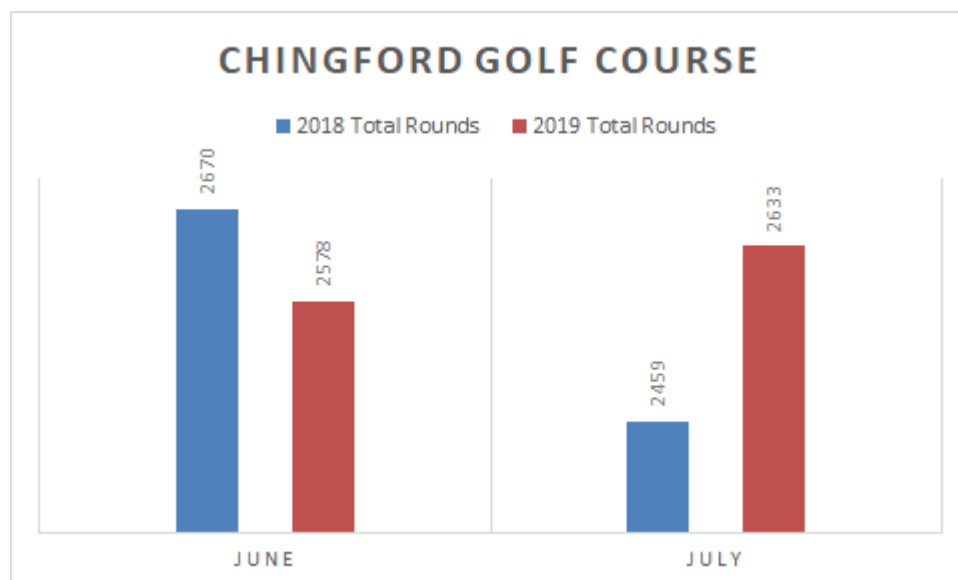
Chingford Golf Course

51. Greens have been sprayed 5 times in June and July following the soil biology programme to help with speed and trueness for visitors when playing. The green keepers were out watering daily to help keep greens alive and in a good standard. The irrigation system pump failed during this period. There was a two-week waiting time for the engineer to repair the pump resulting in greens damage. To help improve the pace of play the green keepers have been out strimming under trees. Greens were cut daily at 4.5mm to also help improve the pace.

52. Total revenue from online sales this period was £8977.50, total revenue from reception was £69,560.47 broken down into:

Breakdown of figures from Reception			
	2019/20	2018/19	Difference (+/-)
Green fees:	£55,833.06	£56,126.40	-£293.34
Drinks:	£2,026.10	£1714.40	£311.70
Hire Equipment:	£7,139.00	£7,399.50	-£260.50
Shop Sales:	£3,813.90	£3,799.24	£34.65
Wanstead:	£0.00	£120.00	-£120.00
Horse Riding:	£748.41	£1,041.38	-£292.97

53. Online bookings for the same period last year was £8539.50 compared to £8977.50 this year, an increase of £438 (5%). Total revenue from reception last year was £70,180.93 compared to £69,560.47 in the current year, a decrease amounting to £1,620.46. (-2%). Compared to last year the total difference in revenue equates to a decrease in income of £182.46 (<1%). The number of rounds for June & July last year was 5129. This year number of rounds for June & July was 5211. An increase of 82. (1.5%).



Wanstead Flats

54. Two large football tournaments were held in the summer off-season, one adult and one youth. Both were very successful with some 1,400 visits over the 4 days.

Parkrun

55. Parkrun had 2,057 runners attending during June and July 2019. One Parkrun was cancelled to allow adequate set up time for one of the previously mentioned football tournaments. The Parkrun organisers were understanding and despite the cancellation, the number of runners is still up by 182 on the previous period last year.

Visitor Numbers

56. Overall visitors increased 15% in June from 6395 in 2018 to 7361 for 2019 and decreased 10% in July from 7408 in 2018 and 6673 in 2019.

Visitor Numbers	QEHL 2018	2018	View	2018	Temple	2018	High Beach	2018	Total	Total 2018
June	↑ 1864	1526	↑ 3569	3079	↑ 110	0	↑ 1818	1790	↑ 7361	6395

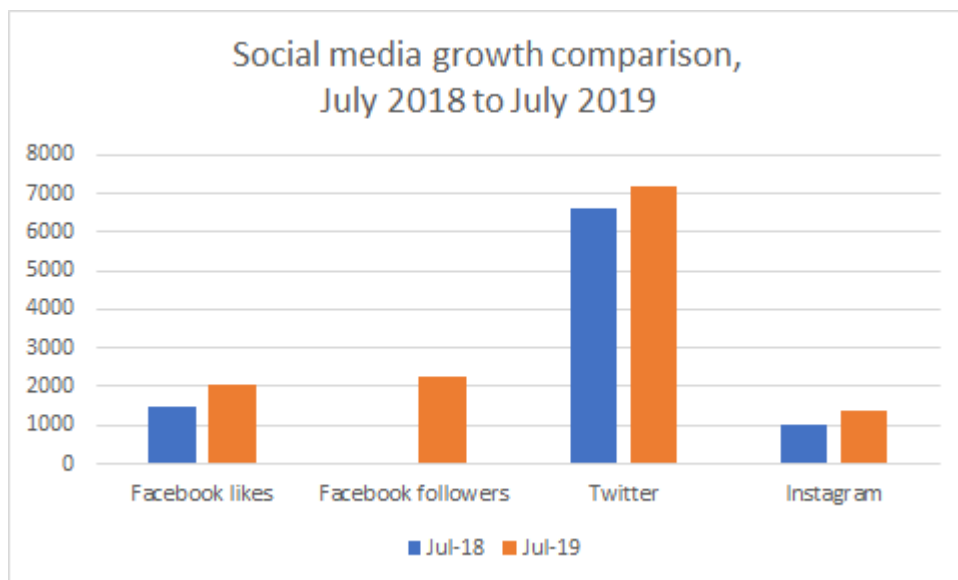
July	↓ 1334	2006	↑ 3710	3299	↑ 243	0	↓ 1386	2103	↓ 6673	7408
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Communication and Information

57. As of 1 August 2019 our social media following is:

- Twitter followers: 7208 (9% increase on year)
- Facebook likes: 2064 (37% increase on year)
- Instagram followers: 1386 (33% increase on year)

58. The chart shows a comparison of our figures at the same point in 2018:



59. The summer edition of Forest Focus was very well received with the usual wide distribution across the Epping Forest area. We are currently working on the autumn edition of Forest Focus.

Major incidents

60. None

Appendices

- None

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Committees: Corporate Projects Board Projects Sub Epping Forest and Commons Committee	Dates: 30 May 2019 19 July 2019 09 September 2019
Subject: Branching Out Project – Car Parking & Access Unique Project Identifier: 9794	Gateway 6: Outcome Report Regular
Report of: Director of Open Spaces Report Author: Laura Lawson	For Decision
PUBLIC	

Summary

1. Status update	<p>Project Description: <i>Epping Forest Branching Out Project</i></p> <p><i>Vision: ‘Innovative Open Spaces Management achieved through social inclusion, education and enjoyment’</i></p> <p>Project 4 of 4: Branching Out Project – Car Parks and Access – Make the Forest more accessible and improve the visitor experience by;</p> <ul style="list-style-type: none"> • improving car park surfaces and layout to provide optimum capacity, • installing two accessible trails, • installing ‘gateway’ signage to welcome visitors and • Improving orientation and interpretation signage <p>RAG Status: Green</p> <p>Risk Status: Low</p> <p>Costed Risk Provision Utilised: N/A pre-gateway process</p> <p>Final Outturn Cost: £2,367,761</p>
2. Next steps and requested decisions	<p>Requested Decisions:</p> <p>It is recommended that the Car Park and Access project be closed.</p> <p>Next steps:</p>

V5 April 2019

	<p>Submission of report - Gateway 6: Summary outcome report Branching Out Project.</p> <p>Project consisted of four separate project workstreams;</p> <ul style="list-style-type: none"> • QEHL Interpretation Centre (Out turn May 2014) • Butler's Retreat (Out turn May 2014) • Car Parks & Access • Grazing & Trees (March 2016) <ul style="list-style-type: none"> ○ Great Gregories
3. Key conclusions	<p><i>The overall objective of the project was; 'Improving access for all and working towards a more sustainable future'.</i></p> <p><i>Specifically, the proposals were to promote visitor access to the Forest, doing more to improve the visitor experience and appreciation of the Forest by creating 30 gateways across the Forest (to create a sense of arrival in the Forest), improving several car parks, creating access trails and providing waysigns and interpretation panels.</i></p> <p><i>This objective was achieved, and Epping Forest's visitors increased during the project period.</i></p> <p><u>Key lessons learned</u></p> <p>Car parking is in high demand at the Forest's most popular sites, the increased capacity of improved car parks was quickly occupied. Demand was underestimated due to the lack of accurate visitor data available during the project planning phase and the impact of new catering facilities (Branching Out – Butlers Retreat - 2 of 4) on visitor dwell time.</p> <p>More effective horizon scanning & project planning across the Department – this may have reduced the impact of the Open Spaces Identity (OSID) project on the gateways and interpretation workstream. It would also have allowed for all regulatory processes to be carried out at the appropriate time.</p> <p>At High Beach the required stopping up order to remove the highway status of land now forming part of the car park could not be undertaken retrospectively due to statutory restrictions. This means part of the car park is still technically highway and its obstruction is therefore unlawful. Trying to regularise this after the event has already taken significant resource in legal time including Counsel's fees and is no nearer being resolved.</p> <p>Allow significant additional time in project programme for planning permission when seeking non-standard consent from multiple local authorities.</p>

Main Report

Design & Delivery Review

4. Design into delivery	<p>This project consisted of two workstreams;</p> <ul style="list-style-type: none"> • Car Park, Access Trails and Landscaping • Gateways, orientation, interpretation & waymarking signage <p>The design of the project adequately prepared for the delivery although the ‘front-loaded’ programming for delivery of the project was optimistic.</p> <p>The project plan did not make allowance for the important dependency of the gateway/signage on the Open Spaces Identity project, the influence of which had significant impact on delivery. However, the OSID project was conceived only once the project delivery had commenced.</p> <p>The project plan was to employ staff to fabricate the gateways and signage in-house. This was not realised in delivery. The design and fabrication was undertaken by specialist contractors to guarantee the quality and safety of this work.</p>
5. Options appraisal	<p>An options appraisal recognised the importance of these key car parking locations. The appraisal indicated that improving and bonding the surfacing would eliminate annual maintenance of previously gravelled surfaces, eliminating summer dust generation, while improving parking discipline on marked bays and improving overall appearance.</p>
6. Procurement route	<p>Services were procured for the construction work* (tender), gateway design and fabrication (tender extension from interpretation display Branching Out – QEHL Visitor Centre), signage design (tender extension from OSID) and signage fabrication (RFQ).</p> <p>On reflection, a tender exercise for signage fabrication would have been preferable due to the Branching Out Project informing future signage replacement where funding allows across the Forest.</p> <p><i>*Procurement 48100008 – Tender report 7 June 2011</i></p>
7. Skills base	<p>The City of London project team had most of the required skills and experience to deliver the project. External consultants were engaged for the hard-surfaced car parks and access trails elements of the work.</p>
8. Stakeholders	<p>Stakeholders were engaged throughout the project at all stages. Several visitor forums were established, and existing local community groups consulted.</p>

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	There was some opposition to the gateway design at the planning stage from the Epping Forest District Council community. Objections centred around the design, material selection and size of the signs but work with Essex Highways to guarantee safety and provided justification for the reasonable objections made.
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Variation Review

9. Assessment of project against key milestones	Delivery of improved hard landscaping was on schedule but the gateway/signage project was not completed within the agreed programme.				
	Car Park, Access Trails and Landscaping				
		Complete design	Tender Report	Works Start	Works Complete
	Evaluation Report (May 2008)	Oct, 2008	May, 2009	Oct 2009	Oct 2013
	Branching Out Project Update report Number 6 (September 2011)	Complete	June, 2011	July, 2011	Oct, 2013
	Branching Out Project Update report Number 9 (July 2013)	Complete	Complete	No revision stated	November, 2014
	Branching Out Project Update report Number 10 (Jan 2014)	Complete	Complete	Complete	Complete
	Gateways, orientation, interpretation & waymarking signage				
		Complete design	Tender Report	Works Start	Works Complete
	Evaluation Report (May 2008)	Oct, 2008	May, 2009	Oct, 2009	Oct, 2013
	Branching Out Project Update report	Decision made to contract out rather than employ specialist staff as originally planned.			

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	Number 7 (May 2012)				
	Branching Out Project Update report Number 9 (July 2013)	To be informed by OSID*	July, 2013	Jan, 2014	Nov, 2014
	Open Spaces identity report* (November 2013)	Approval of the new visual identity for City of London Open Spaces, on which the Epping Forest Branching Out project signage was dependant. 'Tool Kits' available for use from April 2014.			
	Branching Out Project Update report Number 10 (Jan 2014)	Nov 2013	Complete	Spring, 2014	Nov, 2014
	June 2014 July 2014	Project Manager resignation New PM appointed			
	EFCC (July 2015)	Revised design approved and planning submitted to LBN, LBWF, LBR and EFDC	The significance of compliance with highways safety was identified by the new PM and concept design process restarted. New design incorporating OSID, approved highways specification and HLF funding legacy requirements of 20 years.		
	HLF grant extension request 1	Design delay			Oct 2015
	HLF grant extension request 2	Planning consent delay* (granted Nov 2015)			Dec 2016
	Out turn	Complete	Complete	Nov 2015	Nov 2016
	*Planning consent was required from four local planning authorities; Epping Forest District Council (EFDC), London Borough of Waltham Forest London (LBWF), London Borough of Redbridge (LBR) and London Borough of Newham (LBN). LBWF considered the pre-planning document for five months and, upon submission of full planning, EFDC escalated to district planning Committee delaying the decision by a further two months.				
10. Assessment of project against Scope	Four visitor hubs created at Jubilee Pond, Connaught Water, High Beach and Chingford (including The View, Queen Elizabeth's Hunting Lodge and Butler's Retreat) with an improved visitor welcome and first impression of the Forest.				

	<p>Hard surfaced car parks reduce damage to Forest land (gradual encroachment) and allow savings of approximately £10k per annum in annual maintenance. Cycle storage installed to encourage access via bicycle and accessible parking included at each hub.</p> <p>Installed the following; Two Accessible trails (Jubilee Pond and Connaught Water) totalling over 1.5 miles/2km, nine waymarked trails and informative visitor signage including; Seven site identification signs, seven orientation panels, four interpretation panels, nine waymark trail signs and eleven directional fingerposts.</p> <p>Installed twenty gateways to the Forest, marking the most prominent Forest entrances/egresses by highway. Design of gateways includes 'Thank you for driving carefully' message encouraging responsible driving in the more rural environment.</p> <p>Forest Transport Strategy delivered road closures, traffic calming, speed reductions and improved public transport links in partnership with Essex Highways.</p>
11. Risks and issues	<p>The significant risk for this project was the funding body (HLF) not approving work carried out or granting a deadline extension to the project and withholding funding.</p> <p>Several delays were caused by; the gateway and signage design became dependent on the Open Spaces Identity Project (OSID) and the wider Branching Out Project. The design of the gateway and interpretation signage was pushed back to enable influence by this departmental project.</p> <p>In May 2014, the Branching Out Project Manager resigned with 4 weeks' notice. The appointment of a new Project Manager and the adjustment period caused a whole project delay of around two months.</p> <p>Essex County Council (ECC) imposed a higher level of highways safety compliance during the project. In earlier conversations, the need for shear bolts and suitable positioning of the gateways identified. Later the requirement was altered and the concept designs altered to comply with weight limits, material use and limited component parts. Visual disparity between concept design and detailed design as a result of highways imposed required further work to gain your Committees approval.</p> <p>The gateways required planning permission consent from four local planning authorities; Epping Forest District Council (EFDC), London Borough of Waltham Forest London (LBWF), London Borough of Redbridge (LBR) and London Borough of Newham (LBN). LBWF considered the pre-planning document for five months and, upon</p>

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	<p>submission of full planning, EFDC escalated a decision to district planning Committee delaying the decision by two months. Finally, a supplier's factory flooded which delayed the supply of the vitreous enamel panel parts to the signage fabrication company.</p> <p>The funders were consulted heavily throughout, and Officers secured agreement for work proposed and extension to the original project/funding deadline.</p>
12. Transition to BAU	There was not a clear plan for transfer to BAU. Not considered fully at inception, probably due to the number of EF Officers involved in the project, from the outset, responsible for existing operations in most improvement areas.

Value Review

13. Budget		Evaluation (£000)	Outturn (£000)	Variance (£000)
	Works	1,887	1,668	-219
	Purchases	0	249	249
	Fees	198	127	-71
	Staff costs	127	167	40
	Sundry (bid prep.)	45	45	0
	Development	112	112	0
	Total	2,369	2,368	-1
	Please confirm whether or not the Final Account for this project has been verified.*			
	Verified			
14. Investment	This project intended to deliver several visitor improvements to the Forest which were aspirational but at the time inhibited due to funding constraints. The City received HLF grant aid totalling £1,761,000 (74%) for this Car Parks and Access element.			
15. Assessment of project against SMART objectives	Objective NB: SMART objectives were not set at planning phase		Delivered	
	Creation of four visitor hubs (car park remodelling and resurfacing works and visitor arrival enhancement)		Created visitor hubs at The View (including Chingford Plain & Barn Hoppit), High Beach,	

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		Connaught Water and Jubilee Pond
	Re-connect the whole Forest with 20 gateways to the Forest.	Installed 20 distinct entrance gateways to the Forest
	Provide over 1.5km of accessible paths	Created nearly 2km of accessible paths
	Install six way-marked trails	Created and installed 9 way-marked trails including 'start point' route identification panels and downloadable maps. Installed way-markers and fingerpost signage to link visitor hubs
	Install 12 interpretative panels	Installed 7 orientation panels Installed 5 interpretation panels Applied site specific Open Space identity to all interpretation
	Install signage to the Forest from transport links.	Worked with TFL to include the Forest as a destination at Forest transport hubs
	N/A	Installed low impact natural play areas at Connaught Water and Jubilee Pond hubs
16. Key benefits realised	<ul style="list-style-type: none"> • Maximised capacity for parking at 4 visitor hubs • Improved the CoL image at Forest parking facilities • Reduced annual maintenance costs for car park repairs • Improved sustainability by installing cycle parking, encouraging visitors to travel by bike to Forest hubs • Provided specific disabled access parking to comply with statute and to meet the needs of all visitors. • Improved the Forest's identity and visitor's sense of arrival by applying the OSID which follows the visitor journey from start to finish. • Reinforced Epping Forest as part of CoL Open Spaces and highlighting the charity status on all permanent signage. 	

	<ul style="list-style-type: none"> Highlighted the transition between urban and rural environment Improved access to areas of Epping Forest, particularly for visitors with access needs who can now enjoy the easy access trails at 2 additional sites. Encouraged visitors to explore the wider Forest with confidence. Installed natural play at hub sites to encourage play in the wider Forest and give parents confidence to encourage play exploration and adventure in the Forest. Encourage visitors to travel from hub to hub within the Forest, rather than driving. Provide detailed site information to educate visitors and influence behaviour. Facilitate visitors arriving by sustainable transport options thereby encourage health and wellbeing of our visitors. Positive promotion of Epping Forest as a visitor destination at local TFL stations.
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Lessons Learned and Recommendations

17. Positive reflections	<ul style="list-style-type: none"> Regular meetings with the major funders (HLF) and the Project Board were helpful in ensuring the project remained on track. Rationalised car parking, with marked parking bays, increases feasibility to apply parking charges in the future to fund car park maintenance Speed reductions on Forest roads via the successful Forest Transport Strategy Addition of two low impact natural play areas at Connaught Water and Jubilee Pond to add value to the project and further improve the visitor experience. Reduction of future costs by selecting quality 'off the shelf' rather than bespoke interpretation signage. Developing working partnerships with Essex County Council, Epping Forest District Council, Epping Forest District Museum & London Transport Museum Development of an Access Forum to guide access improvements for those with access needs
18. Improvement reflections	<ul style="list-style-type: none"> Control of bird feeding or the installation of a sacrificial / hard standing area for feeding birds could have been incorporated into the path design, something which was not considered during project planning. Demand modelling based on historic visitor data and existing usage lacked evidence base. We could improve understanding of visitor numbers, dwell time and behaviour.

	<ul style="list-style-type: none"> • The factors which led to the gateway/signage delay could not have been mitigated without a greater impact on cost/quality of the project or ongoing operations. Had the gateway design been approved outside of the OSID, then the newly fabricated and installed signs would have been inconsistent with the new OSID and would not meet the objective to improve the customer experience. Furthermore, the life expectancy of the gateway signs is 25 years and the orientation/interpretation signs 15 years. Had the OSID superseded the installation, the signs would have been 'out of date' significantly before the life expectancy expired. • Securing planning permission for roadside signage. • Staff retention
19. Sharing best practice	<ul style="list-style-type: none"> • Experience of signage and design work has been shared with colleagues across Open Spaces at the Interpretation Improvement Group. • Project management experience shared via the Heritage Lottery Fund for similar projects.
20. AOB	N/A

Appendices

Appendix 1	Project Coversheet
Appendix 2	Before and after images of works undertaken

Contact

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Appendix 1

Project Coversheet

[1] Ownership

Unique Project Identifier: 9794

Core Project Name: Branching Out Project – Car Parking & Access 4/4

Programme Affiliation (if applicable): Branching Out Project

Project Manager: Laura Lawson

Next Gateway to be passed: 6

[2] Project Brief

Project Description: Improve car park surfaces and layout; install two accessible trails; installing 'gateway' signage and to improve orientation and interpretation signage.

Definition of need: Make the Forest more accessible and improve the visitor experience

Key measures of success: Completion and visitor satisfaction.

[3] Progress Status

Expected timeframe for the project delivery: Completed

Key Milestones: Achieved

Are we on track for completing the project against the expected timeframe for project delivery? N/A

Has this project generated public or media impact and response which the City of London has needed to manage or is managing?

N/A

[4] Finance and Costed Risk

Headline Financial, Scope and Design Changes:

Project planning and start date were pre-gateway process. Various changes were made throughout the duration of the project and approved/documentated via nine 'update' reports submitted to EFCC between 2008 and 2014. Additional Committee approvals were sought via delegated approval, particularly in relation to the gateway design.

[5] Member Decisions and Delegated Authority

As per previous EFCC reports;

November 2008, May 2009, Jan 2010, July 2010, March 2011, Sept 2011, May 2012, Nov 2012, July 2013, Jan 2014 & July 2015.

Appendix 2

Before and after images of works undertaken.

Jubilee Pond Car Park

Before



After



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Connaught Water Car Park

Before



After



V5 April 2019

High Beach Car Park

Before



V5 April 2019

After



V5 April 2019



V5 April 2019

Chingford (Bury Road)

Before



After



V5 April 2019

The View/Barn Hoppit Car Park

Before



After



V5 April 2019

Jubilee Pond Easy Access trail

Before



After



V5 April 2019

Connaught Water - Car Park and Easy Access Trail

Before



After



V5 April 2019

Gateways/Site Welcome signage



Large Gateway example



Site welcome sign examples

Orientation Boards/ Interpretation Boards

Existing*



New



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Waymarked trails & Fingerposts



V5 April 2019

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Committee(s): Epping Forest and Commons	Date(s): 09 09 2019
Subject: City of London Corporation response to the London Borough of Waltham Forest 'Shaping the Borough Draft Local Plan 2020 – 2035 consultation document (SEF 31/19)	Public
Report of: Director of Open Spaces	For Decision
Report author: Jeremy Dagley – Open Spaces Epping Forest	

Summary

The London Borough of Waltham Forest Draft Local Plan for 2020 – 2035 sets out the long-term development strategy for the Borough and is one of the Council's most important corporate strategies making provision for new housing, employment and other development needs, together with key policies for Heritage and Environmental protection which directly impact upon Epping Forest.

The new 255-page Local Plan is being prepared to respond to local requirements and to reflect national and London Plan policy changes that have emerged in recent years. The timing of the consultation running between 22 July and 30 September prevents a detailed report being considered by your Committee and therefore delegated powers are sought to ensure that a comprehensive response regarding the potential impact on Epping Forest is made within the consultation period.

Recommendation(s)

Members are asked that:

- Authority be delegated to the Town Clerk, in consultation with the Chairman and Deputy Chairman and Director of Open Spaces, to provide detailed comments regarding the Local Plan's impact on and protection of Epping Forest.

Main Report

Background

1. Parts of Epping Forest fall within the jurisdiction of 4 Local authorities including the London Borough of Waltham Forest. Some 427 hectares or 17% of the Forest is within the Borough and contributes to 31% of the Borough's total Public Open Space provision. Key sites include Highams Park; Walthamstow Forest and some the Forest's most visited areas including Leyton Flats.

2. Recent changes to planning legislation set a period of 5 years within which Councils must review their Local Plans. The Council's lead development plan document, the Core Strategy, was adopted in March 2012 and is therefore considered to be becoming increasingly out-of-date. A new Local Plan is being prepared to respond to shifting local pressures and requirements and to reflect national and London Plan policy changes that have emerged in recent years, such as the borough's housing target.

Current Position

3. The London Borough of Waltham Forest Local Plan for 2020 – 2035 sets out the long-term development strategy for the Borough and is one of the Council's most important corporate strategies making provision for new housing, employment and other development needs, together with key policies for Heritage and Environmental protection which directly impact upon Epping Forest.
4. The public consultation for the plan runs from Monday 22 July 2019 until midnight on Monday 30 September 2019. In addition to the online plan, 10 public engagement events are scheduled and an introductory leaflet has been delivered from Monday 22 July 2019 to households and businesses across the borough. The timing of the consultation period prevents a detailed report on the Plan being considered by your Committee.

Options

5. Your Committee has two options;
 - 5.1 To not to comment on the Local Plan and forgo the opportunity to influence Local Authority for 17% of the Forest for the next 15 years.
 - 5.2 To provide detailed comments on the Local Plan ensuring that the public, landscape and conservation value of the Forest are fully represented and protected in the new Local Plan, alongside proposals for the Special Area of Conservation (SAC) Mitigation Strategy.

Proposals

6. Officers will make detailed comments on the Local Plan, particularly on policies for (8) 'Decent Homes for Everyone'; (16) 'Enhancing and Preserving our Heritage'; (17) 'Protecting and Enhancing the Environment' and (18) 'Ensuring Climate Change Resilience'. Officers will place particular emphasis on the Borough's role as a 'Competent Authority' in relation to the Special Area of Conservation, and the consequent Mitigation Strategy, alongside requirements for appropriate assessment through a Habitats Regulation Assessment (HRA).

Corporate & Strategic Implications

7. The recommendations of this report support the Corporate Plan with particular reference to the following aims:

a. Contribute to a flourishing society

- i. People enjoy good health and wellbeing
- ii. Communities are cohesive and have the facilities they need.

b. Shape Outstanding Environments

- i. We inspire enterprise, excellence, creativity and collaboration
- ii. We have clean air, land and water and a thriving and sustainable natural environment
- iii. Our spaces are secure, resilient and well maintained.

8. And supports the Open Spaces Business Plan as follows:

a. Open Spaces and historic sites are thriving and accessible.

- i. Our open spaces, heritage and cultural assets are protected, conserved and enhanced
- ii. London has clean air and mitigates flood risk and climate change

Implications

9. **Financial:** In addition to considerable officer time required to respond to the Local Plan, the costs of representation through the Local Plan process, particularly at the inspection of the Local Plan, could reflect the £55,000 recently spent engaging on the Epping Forest District Council Plan.

10. **Legal:** The Planning and Compulsory Purchase Act 2004 (as amended) (“the 2004 Act”) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (“the 2012 Regulations”) set out the requirements and the statutory procedure for the preparation of a Local Plan.

11. Regulation 18 of the 2012 Regulations requires the local planning authority to notify and invite representations on the content of the draft plan to:

- (i) such specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan;
- (ii) such of the general consultation bodies as the local planning authority consider appropriate; and
- (iii) such residents or other persons carrying on business in the local planning authority’s area as the local planning authority consider appropriate.

12. The next stage, after this consultation, is for the local planning authority to prepare a submission draft of the local plan. All representations received during this consultation stage must be taken into account when preparing this submission draft. The submission draft will then return to Cabinet for further consideration.

13. **Equalities & diversity:** An initial screening exercise of the equality impact of this decision has been undertaken by the London Borough of Waltham Forest. At this stage, it is considered that there are no negative impacts on the protected equality groups.
14. **Exiting the European Union (EEU):** The main influence of EU law on plan making in the UK relates to the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') and the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna & Flora, which is incorporated into UK law as the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'). The future influence of existing EU Directives and the Regulations may be affected by the EU and will also be consequent on the terms reached with the EU as part of Brexit negotiations and the future governments views on 'Retained EU law' contained within the EU (Withdrawal) Act 2018.

Conclusion

15. The London Borough is an important strategic partner for the City Corporation and the Local Plan consultation process provides an important opportunity to both draw together City Corporation and Borough aspirations for the area over the next 15 years while also ensuring the continued protection and conservation of Epping Forest.

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Committee(s)	Dated:
Epping Forest and Commons	09 09 2019
Subject: Proposal for art installation at Leyton Green (SEF 32/19)	Public
Report of: Colin Buttery - Director of Open Spaces	For Decision
Report author: Jacqueline Eggleston - Head of Visitor Services	

Summary

Your Committee is asked to consider a proposal by the London Borough of Waltham Forest for a light-based art installation on an outlier of Forest Land at Leyton Green. The construction and installation costs of £120,000 will be entirely funded by the Mayor of London and the London Borough of Waltham Forest and will form part of the legacy of the London Borough of Culture 'Welcome to the Forest' celebrations of 2019. The installation will be semi-permanent and will remain in place for a minimum of five years.

Recommendation

Members are asked to:

- i. Approve the provision of a licence to the London Borough of Waltham Forest for the use of land at Leyton Green for a semi-permanent art installation.
- ii. Delegate authority to the Town Clerk, in consultation with the Chairman and Deputy Chairman and Director of Open Spaces with the City Surveyor, to complete final negotiations and agreement of contractual terms; taking in to account the specific environmental considerations and constraints in relation to the use of this land.
- iii. Authorise the Comptroller & City Solicitor to enter into the necessary licence on such terms as are approved under (ii) above.

Main Report

Background

1. The London Borough of Waltham Forest (LBWF) became the first ever London Borough of Culture in 2019.

2. Throughout the year, the City of London Corporation has been key supporters of the initiative, in particular, through hosting several events in Epping Forest.
3. The appropriately named Leyton Green (B159) Road has two outliers of Forest Land - Knotts Green located at the junction with Lea Bridge Road (A104) and Leyton Green located at the junction with Leyton High Road (A112).
4. Leyton Green is a small area of public open space, surrounded by busy roads and consisting of formal brick planting beds, mown grass and standard trees.
5. The Green is entirely surrounded by urban streets and is a location for several bus stops associated with the adjacent bus garage.
6. The Green's high standard of horticultural maintenance is funded through a care and maintenance agreement with the London Borough of Waltham Forest.

Current Position

7. One of the legacy proposals for the 2019 London Borough of Culture is the installation of a new piece of public artwork. The intention behind the installation of the artwork is to create a beautiful and impactful artwork that will enhance and become an icon for wider regeneration initiatives.
8. LBWF has identified the high-profile Leyton Green as a potential location for the artwork and is seeking your Committee's approval for the installation of a sculpture by the artist Jason Bruges, winner of the Light Art Project of the Year at the Lighting Design Awards 2017.

Options

9. Your Committee are asked to consider two options:

- 9.1 **Option 1.** To agree to the proposals for a light -based art installation at Leyton Green. The whole life costs of the project will be met by LBWF. The lifespan of the sculpture will be 5 years initially and would be reviewed at this point.

The sculpture will provide a legacy for the London Borough of Culture. It will not detract from the 'natural aspect' of this area of Forest land which is already highly urbanised.

- 9.2 **Option 2.** Do not approve the proposed installation. This would prevent LBWF from placing the sculpture in this location requiring the Local authority to locate another suitable visible and accessible location or abandoning the project.

Proposals

10. LBWF have proposed a light-based art installation to be situated on Leyton Green triangle in Leytonstone. The land at Leyton Green is part of Epping Forest but is cared for under a care and maintenance agreement with LBWF.
11. An outline proposal from the artist, Jason Bruges, with drawings, is attached at Appendix 1. Please note that the proposal is an indication – the work is designed to be site specific so the proposal indicates design principles, but the final artwork may be different to the drawings shown on the proposal.
12. Jason Bruges Studio is internationally renowned for producing innovative installations, interventions and ground-breaking works. This practice involves creating interactive spaces and surfaces that sit between the world of architecture, site specific installation art and interaction design. Jason Bruges trained as an architect at Oxford Brookes University and the Bartlett School of Architecture, (UCL). He worked with Foster + Partners for three years before moving to Imagination to become a Senior Interaction Designer. In 2002 Jason set up his own practice and now works with a talented team of people to develop and deliver interactive projects worldwide. The studio comprises of an experienced team of architects, engineers, industrial designers and computational designers as well as specialists in electronics, programming and project management.
13. The design will be developed specifically for the site. Jason Bruges Studio are internationally renowned for their public art and design projects and will ensure that all materials selected and used for fabrication of the work are suitable for the installation of a semi – permanent artwork in the public realm.
14. The artwork is being designed specifically for the site and in partnership with LBWF regeneration team priorities. LBWF will provide information about the proposed work and undertake all consultation and correspondence with the local community including setting up an open day where the designs can be viewed in nearby Market Parade.
15. The work will enhance the local area by creating a beautiful site-specific artwork that responds to the forest, leaf swirl patterns and the work of William Morris to create high quality contemporary sculpture for Leyton Green that will become a visual marker and icon for the local area and community

Location (see map and image in Appendix 2)

16. The proposed location will be in the middle of Leyton Green. The Green is in the centre of an urban residential and commercial area.
17. The installation will take up an area of between 5-10sqm.

Safety

17. Installation methodology will be dependent on the final agreed design however a full method statement and RAMS will be produced for the finished design. An indicative RAMS and installation method statement is attached in appendix 3.
18. Public liability insurance will be indemnified by LBWF to the satisfaction of the City of London.

Corporate & Strategic Implications

18. Hosting a semi -permanent art installation will support Corporate Business Plan aims, in particular:

To support a thriving economy

- We are a global hub for innovation in finance and professional services, commerce and culture.

Shape outstanding environments

- We inspire enterprise, excellence, creativity and collaboration

19. It will also deliver the Open Spaces Departmental Business Plan top line objectives:

- A. Open spaces and historic sites are thriving and accessible.
- B. Spaces enrich people's lives.

Environmental Implications

20. The location for the art installation is a sterile location with little or no ecological value.
21. The lighting of the art installation is not considered significant as the location is already well lit and has road noise.

Legal

22. The art installation will require planning permission which will be sought from LBWF and will be installed under the Council's General Permitted Development Powers. Therefore, the permission to use the land will be conditional on planning permission and any other relevant consents being obtained.
23. Subject to the provisions of the Epping Forest Act 1878 the Conservators have a duty to keep Epping Forest unbuilt on as an open space for the recreation and enjoyment of the public and to preserve its natural aspect as far as possible. It is considered that permitting the art installation for an initial period of 5 years, subject to review thereafter, in this location would enhance this particular area of open space consistent with its use for public recreation and enjoyment and not unduly detract from the natural aspect and that therefore the grant of a licence in

this particular case would be consistent with the Conservators' duties and powers under the Act.

24. The grant of a licence or licence agreement with LBWF, so far as the law allows, proposes to cover liability and financial arrangements.
25. Epping Forest is a registered charity (number 232990). Officers have been asked to remind Members that decisions they take in relation to the Charity must be taken in the best interests of the Charity and within their powers (i.e. consistent with the charity's objects and powers).

Financial

26. All costs associated with the purchase, installation, maintenance, promotion, insurance, services, decommissioning and reinstatement will be met in full by LBWF. The total cost of the artwork development and installation is £120,000 which is being funded by LBWF through Great Places and Section 106 funding. This includes design, fabrication, installation and maintenance for a minimum 5- year period.
27. Any agreement to the proposal will dependent on a written undertaking from LBWF that the whole life costs including decommissioning and reinstatement are met in full and on time by LBWF.

Reputational

28. Approval of the proposal will demonstrate the City Corporation's ongoing support of LBWF as London Borough of Culture 2019 and help to enhance the area for the benefit of the local community.
29. The installation of the public art may be considered a precedent for future proposals. However, any future proposals must be considered specifically in relation to the Conservators' statutory functions in respect of Epping Forest and the requirement to act in the best interests of the charity and are unlikely to be recommended in the majority of the Forest.

Property

30. The proposed installation on the Forest should be governed by suitable licence terms to ensure that the City Corporation is suitably indemnified and that consent to use represents best value according to the charitable operating requirements.

Equality

31. LBWF has completed an equalities screening process for all its commissions.

Conclusion

32. The installation of the public art will be conditional on obtaining planning permission. The whole life costs of the installation will be met by LBWF. The proposals meet local regeneration aims and do not unduly detract from the 'natural aspect'.

Appendices

- Appendix 1 – Artistic proposal
- Appendix 2 - Location

Jacqueline Eggleston

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WFC_CS
WALTHAMSTOW CENTRAL STATION
April 2019

Aeolian Forest

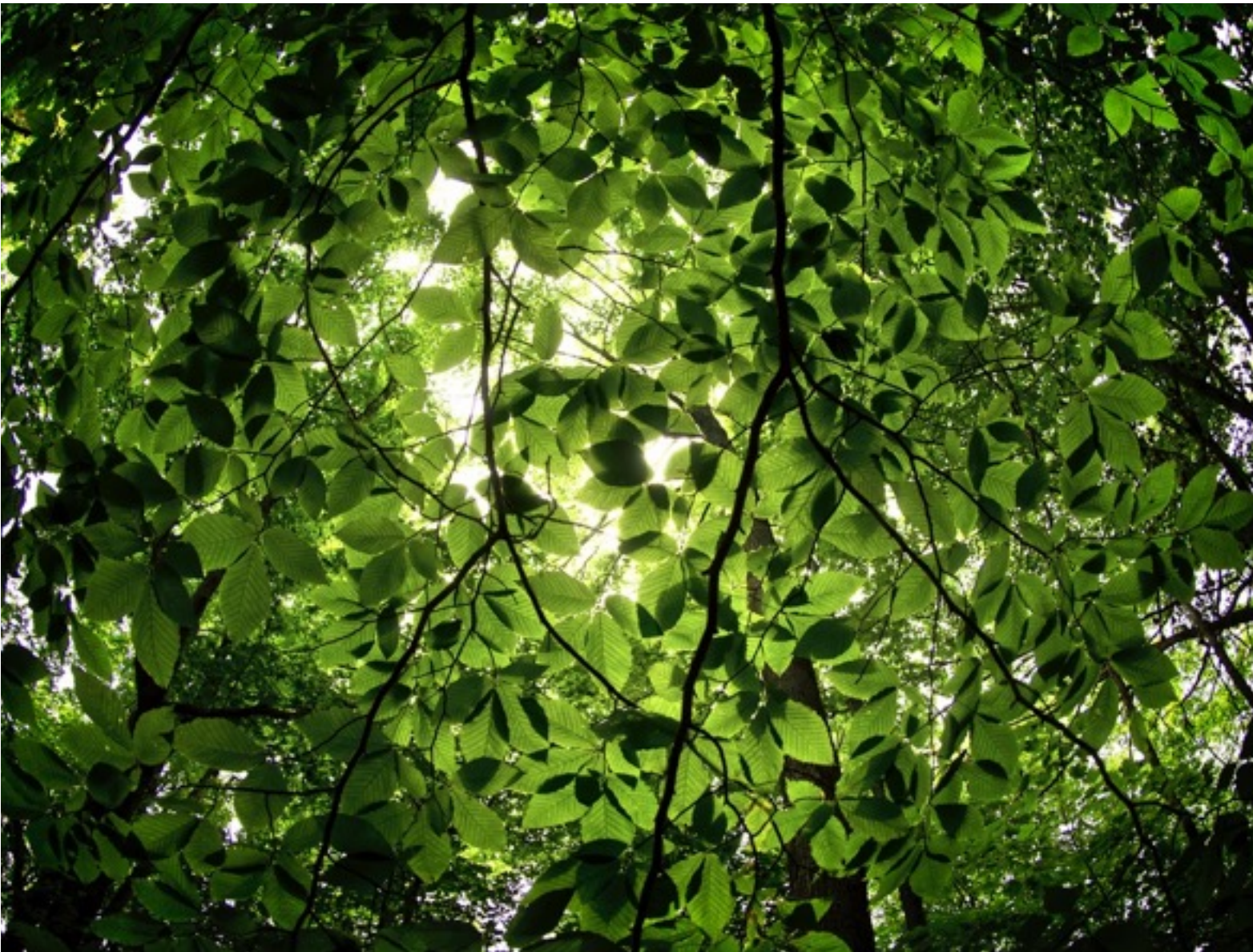
Concept

Page 68



Aeolian Forest

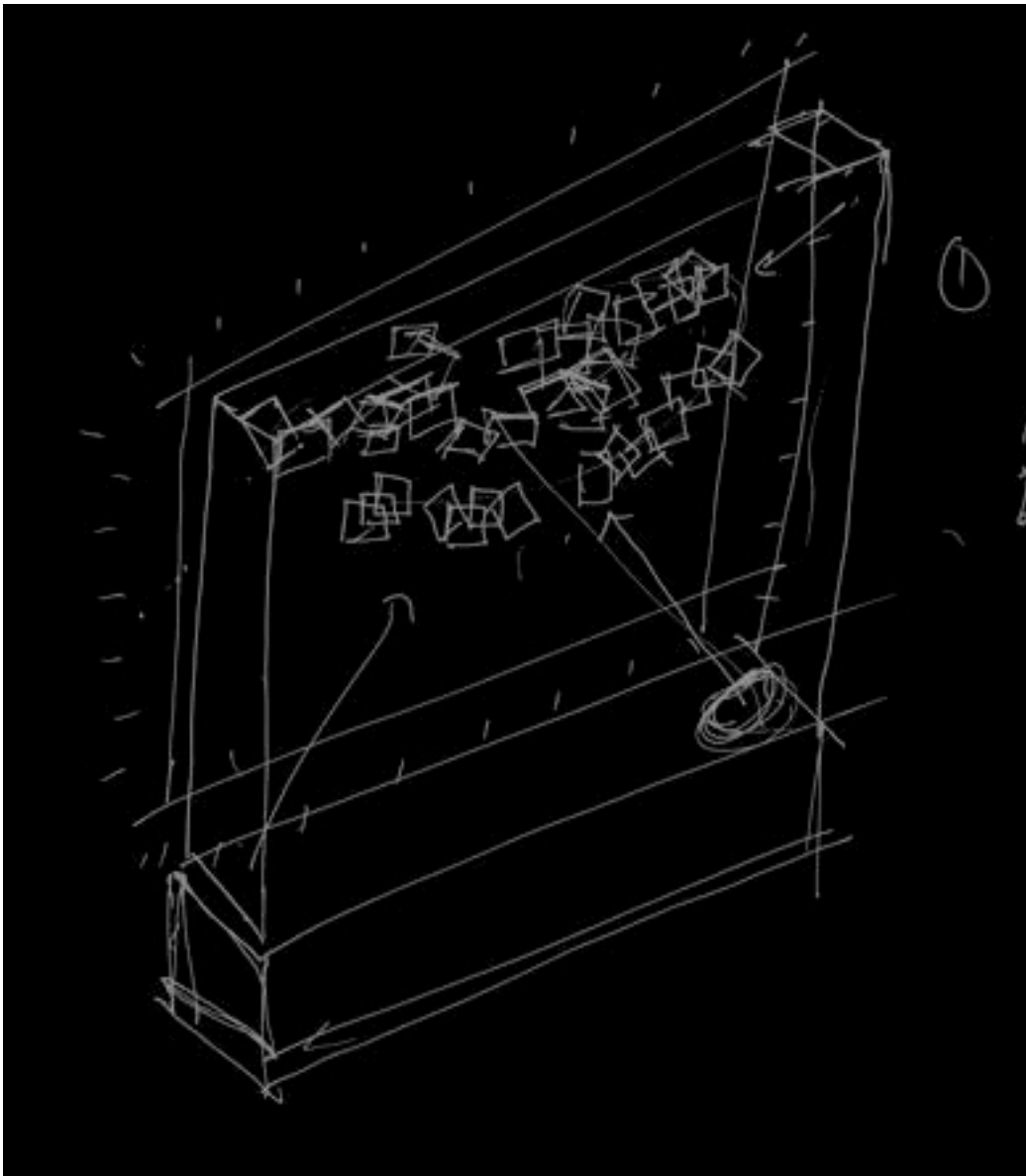
Concept



Overlapping Transparencies



Dynamic Sculpture



Adapted to site environment

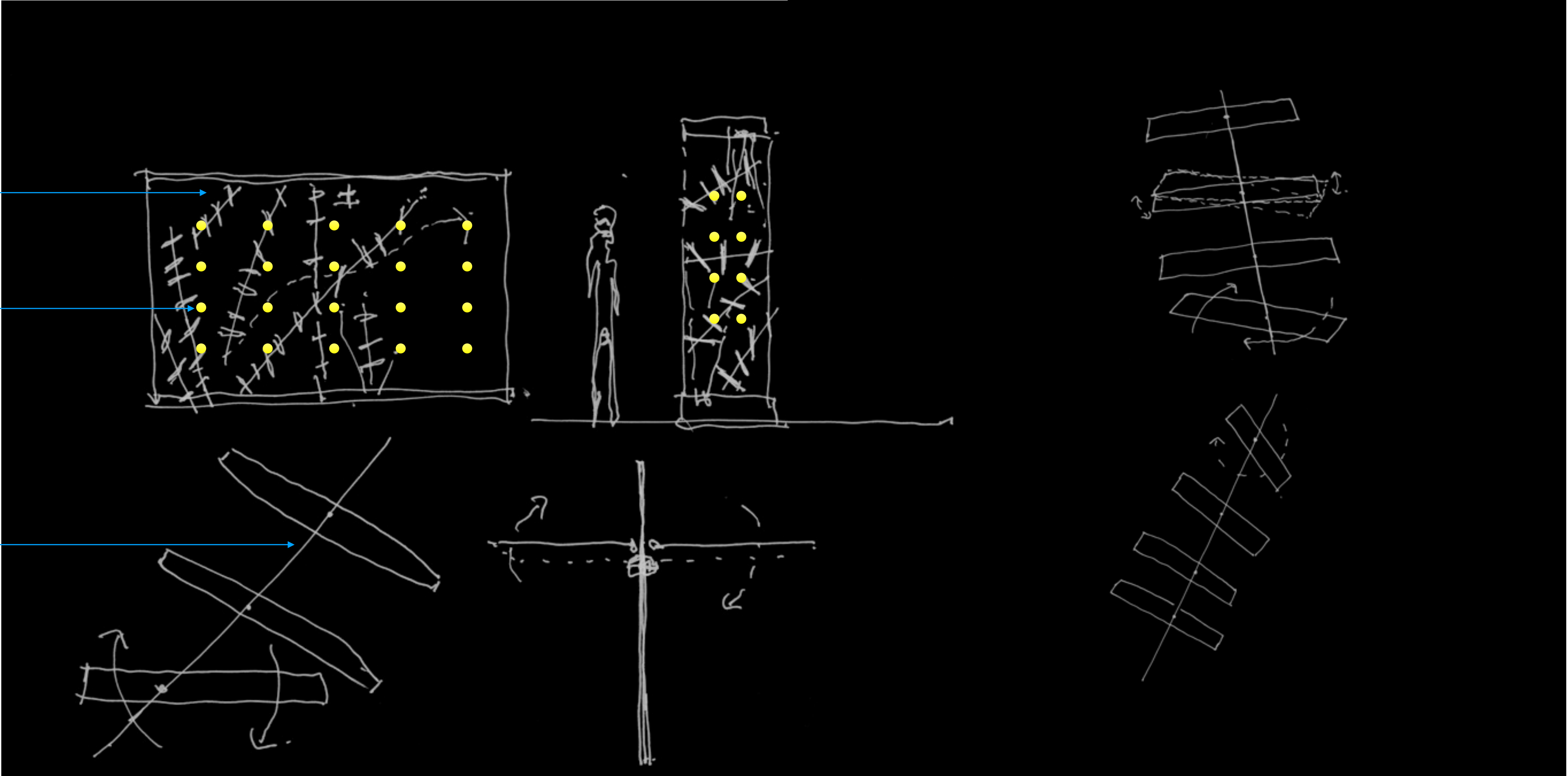
Aeolian Forest

Design Development recap

Glass Vitrine

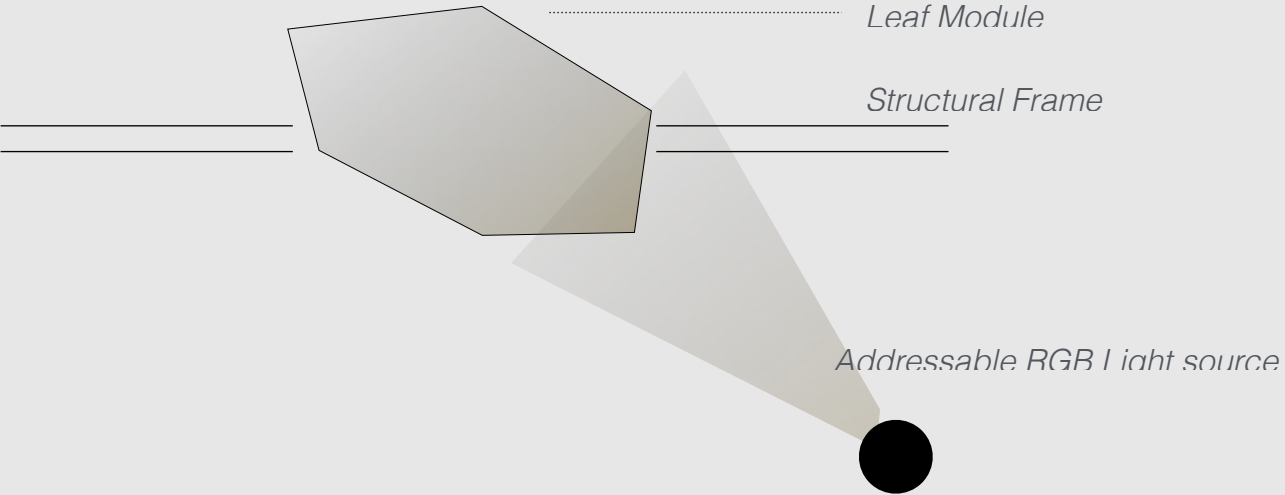
Embedded animated lights

Parametric dynamic layout fixed

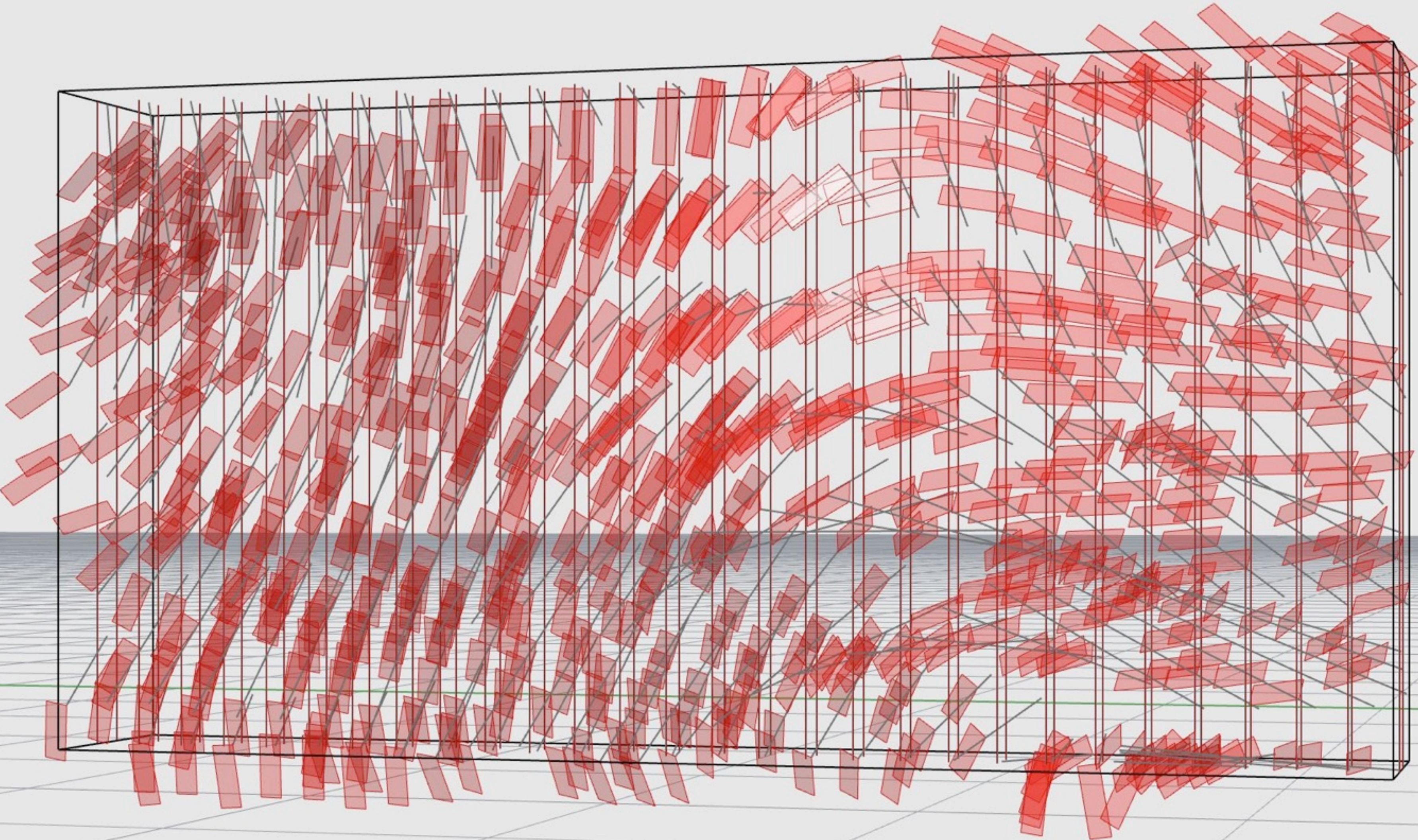


Aeolian Forest

Design Development recap

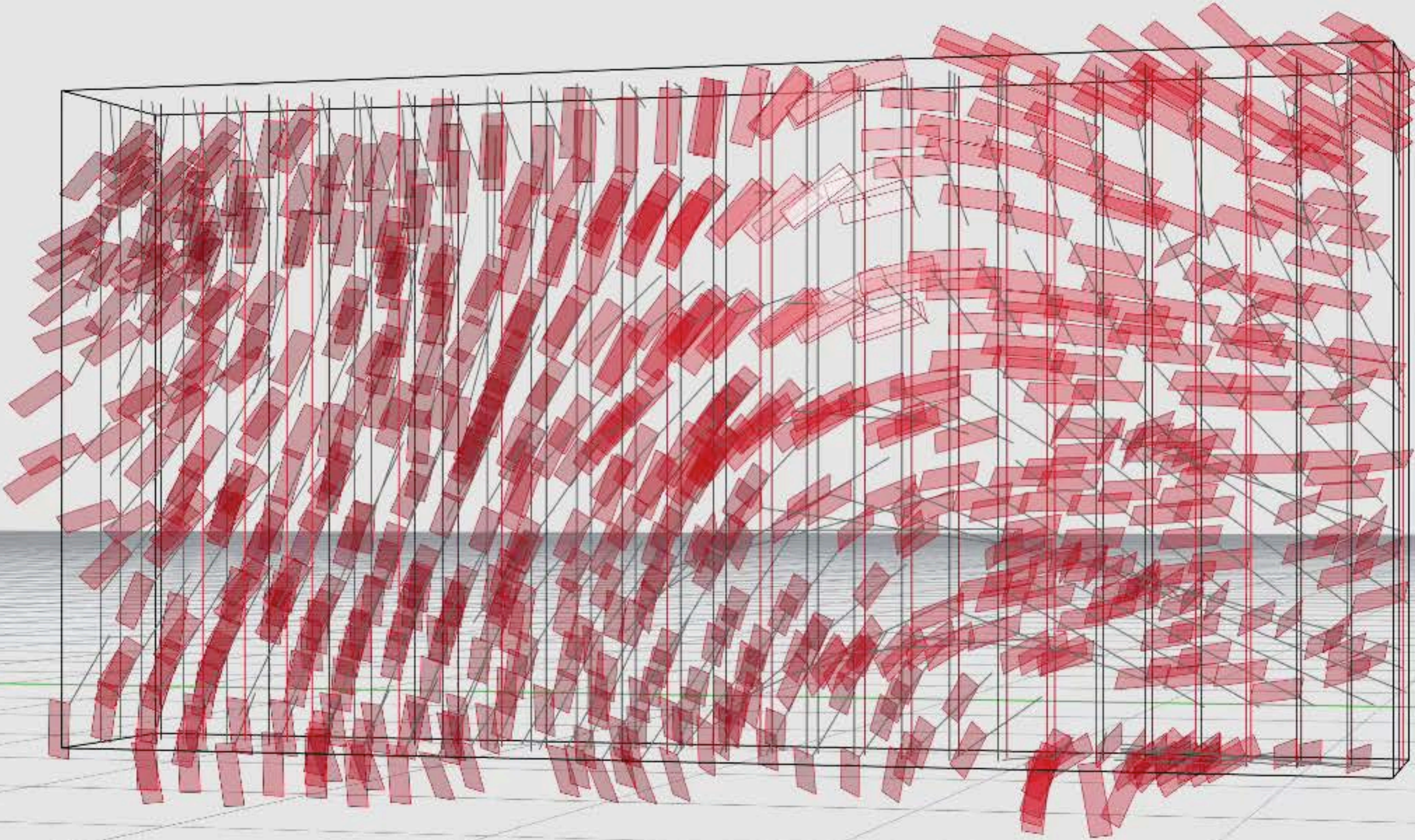


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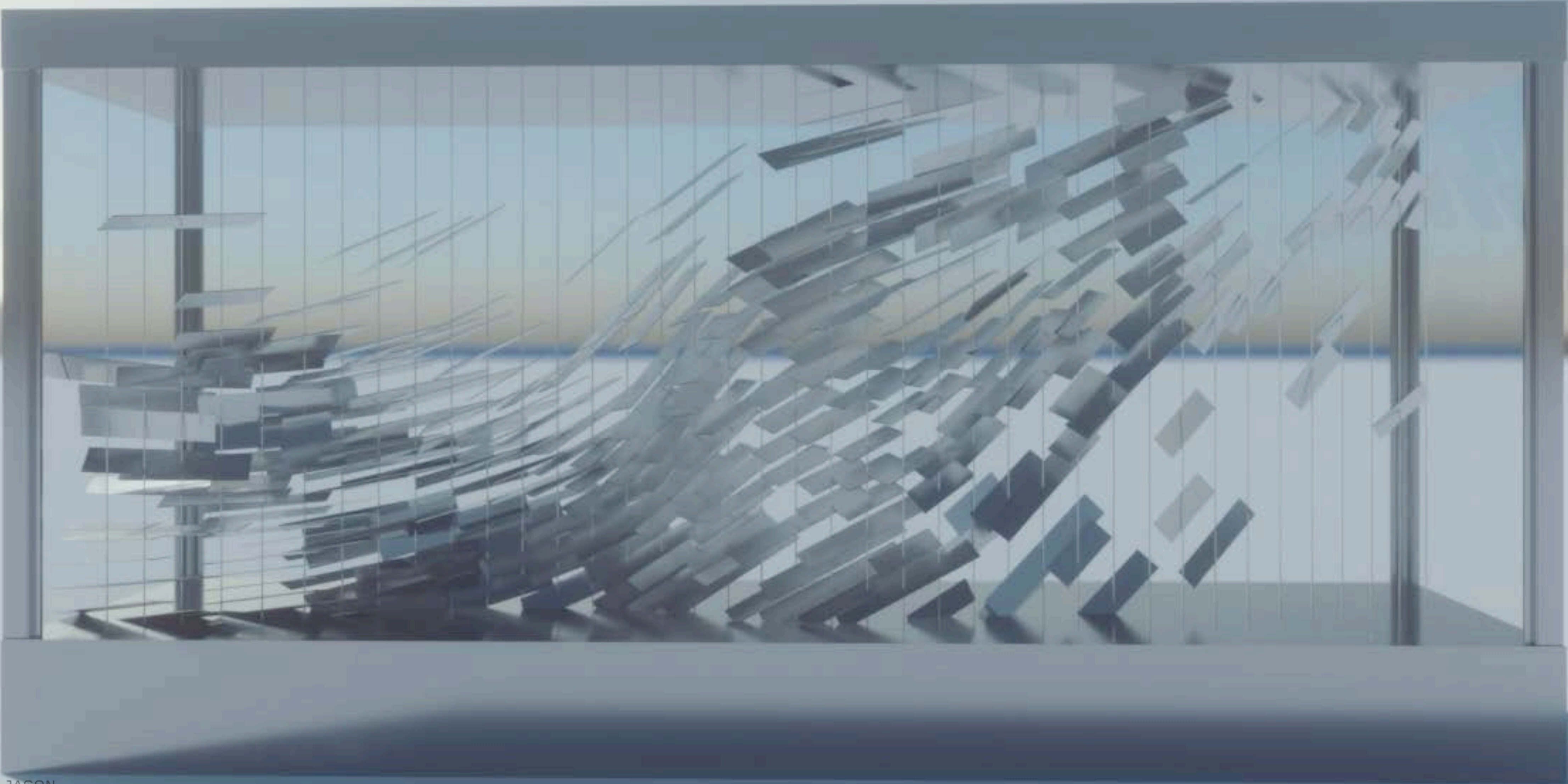
Aeolian Forest

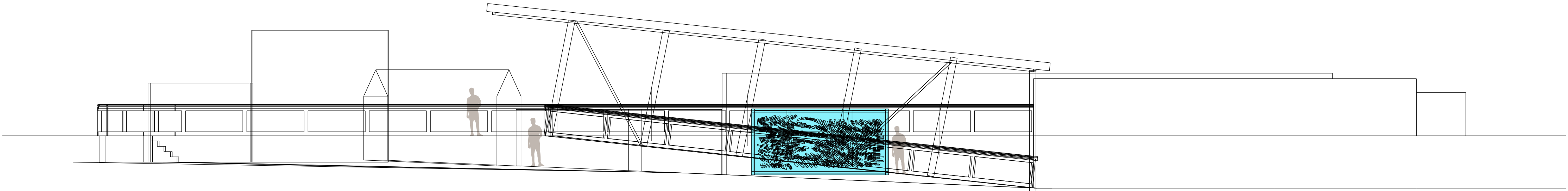
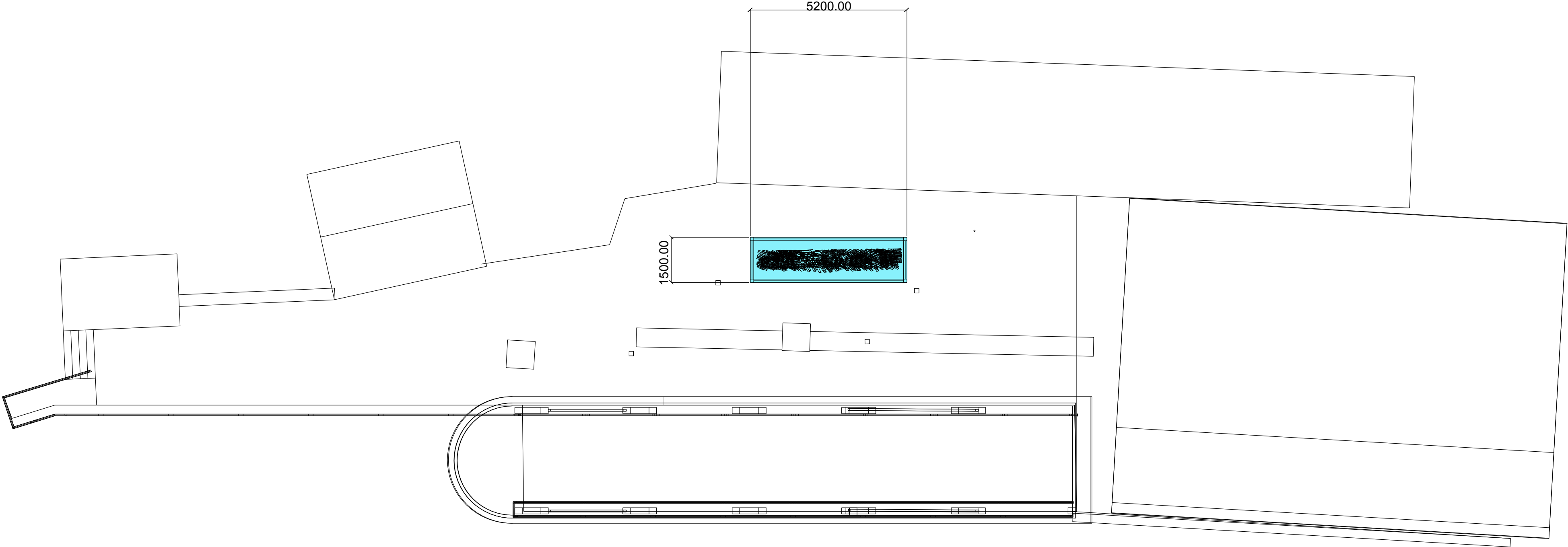
Design Development recap



Aeolian Forest

Design Development recap





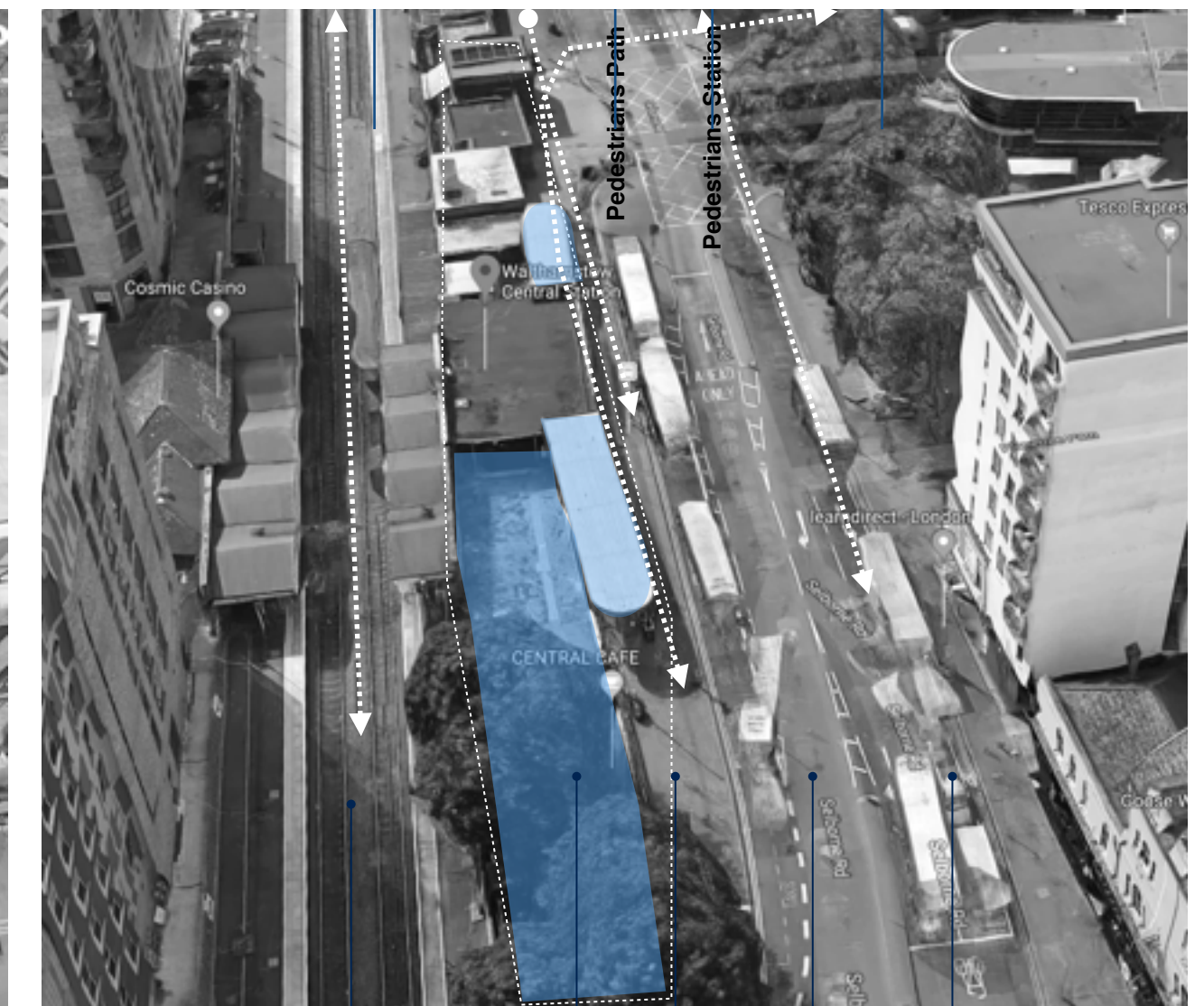
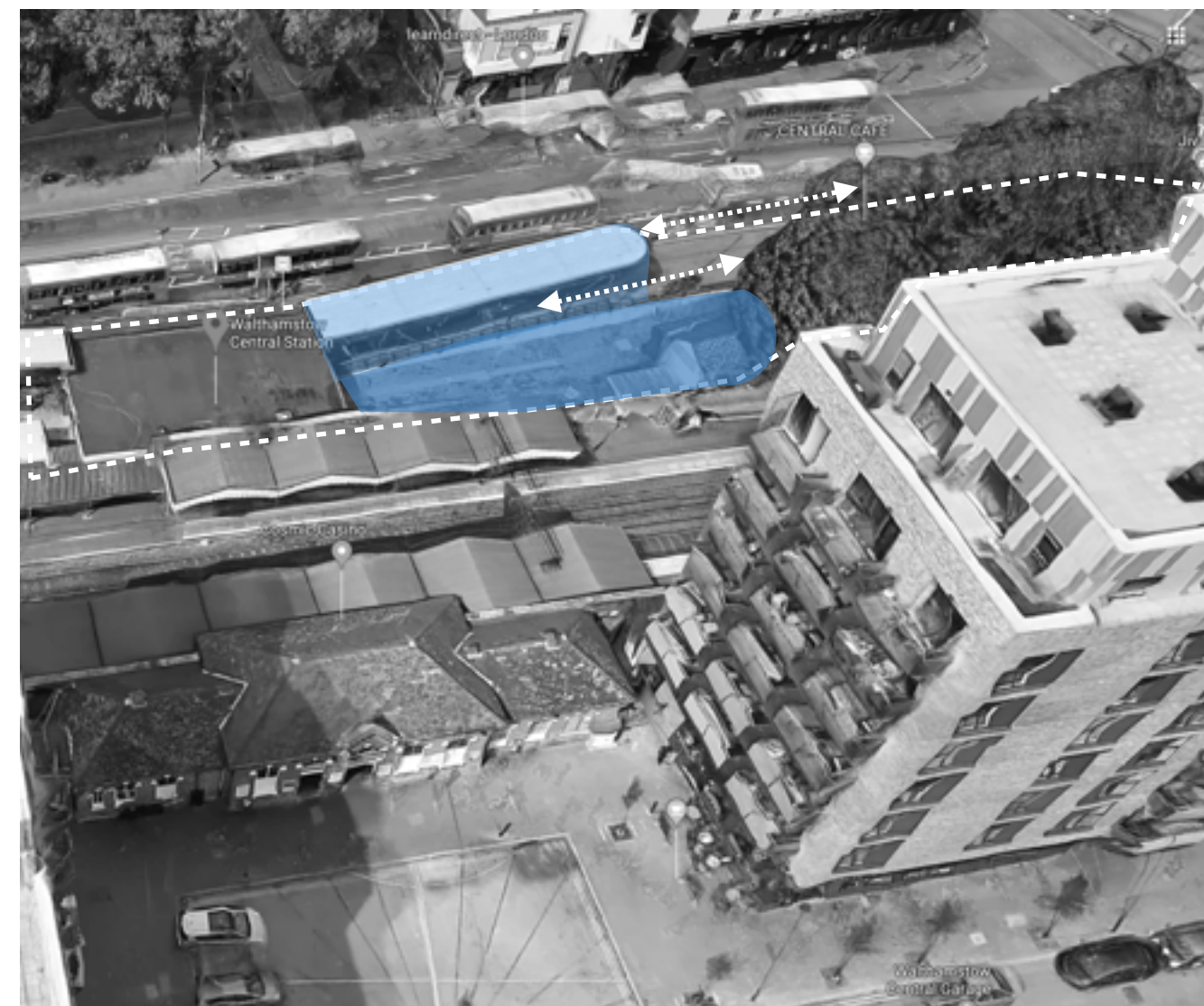
Site Analysis

Context

Flow

The Artwork will mainly be experienced by the pedestrians walking by or through the station and using the public path and the cars and busses passing on the road.

A secondary flow in close proximity and relation to the site is the trains passing on the tracks behind the artwork location.



Trains

Public space

Pedestrians

Busses

Cars

Artwork Location

Context

Page 76



Pedestrians to and from station



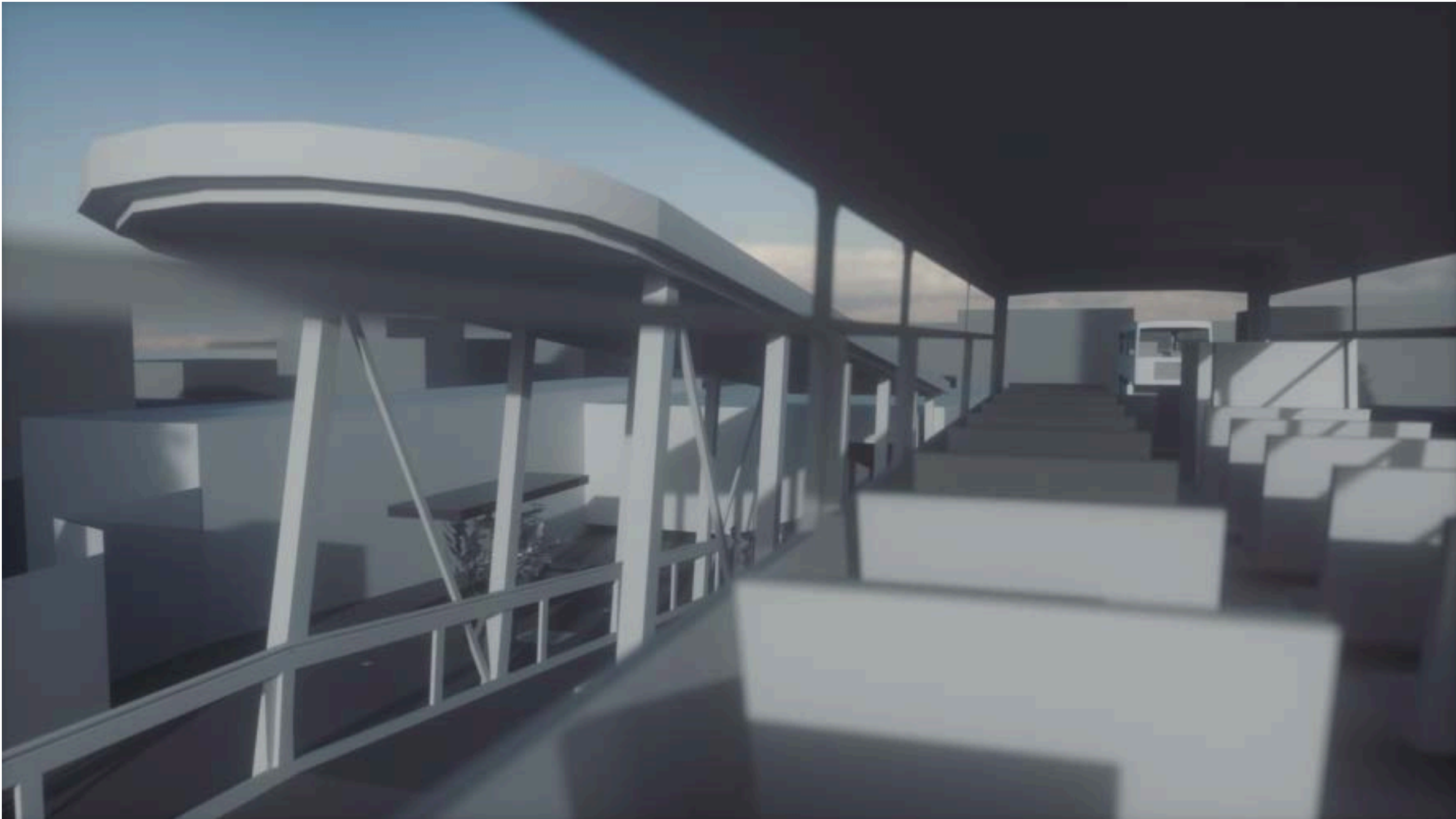
Artwork Location

Context

Page 77



Passing the station



Design

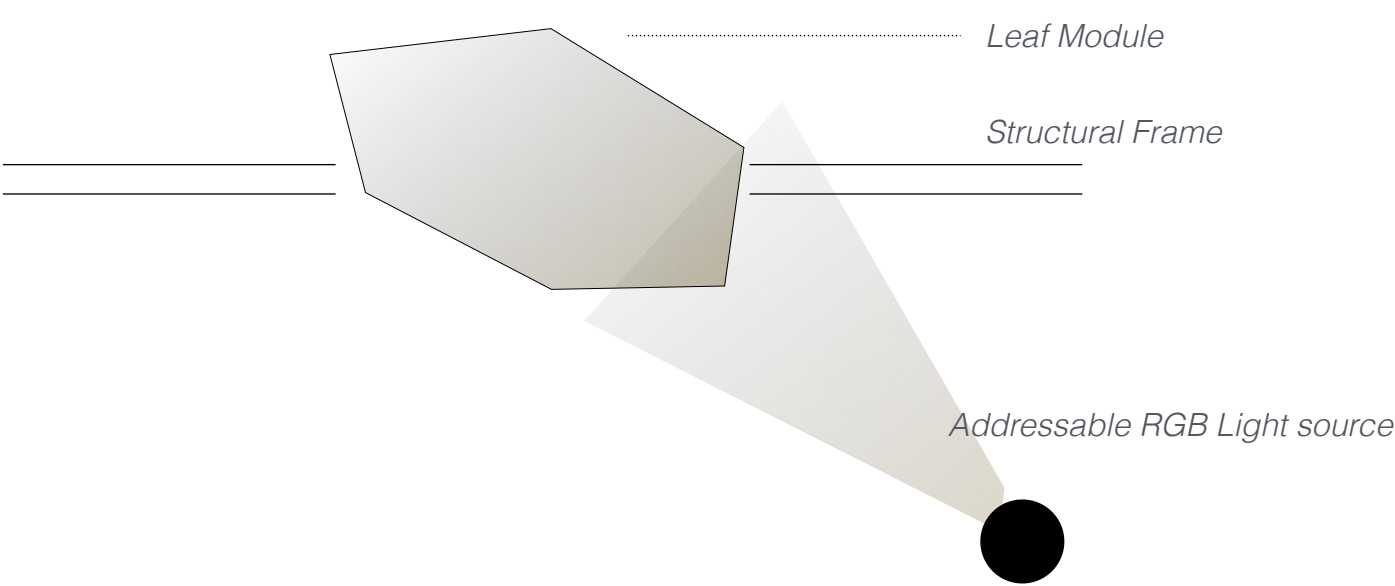
Modular Approach

Modular design

William Morris was a master of creating elaborate and lively patterns. His works was not only pieces of stand alone art, but cleverly designed for production of wallpapers and textiles. He was a believer in understanding his medium of designs working as a craftsman inspired his work through out.

Jason Bruges Studio, has a long history of designing through making and creating bespoke innovative artworks through prototyping.

Morris' working methods is a source of inspiration in developing an artwork that is a living sculptural piece, design as models that can cleverly be rearranged and adapt to suit it's future location.



Technology and materials;

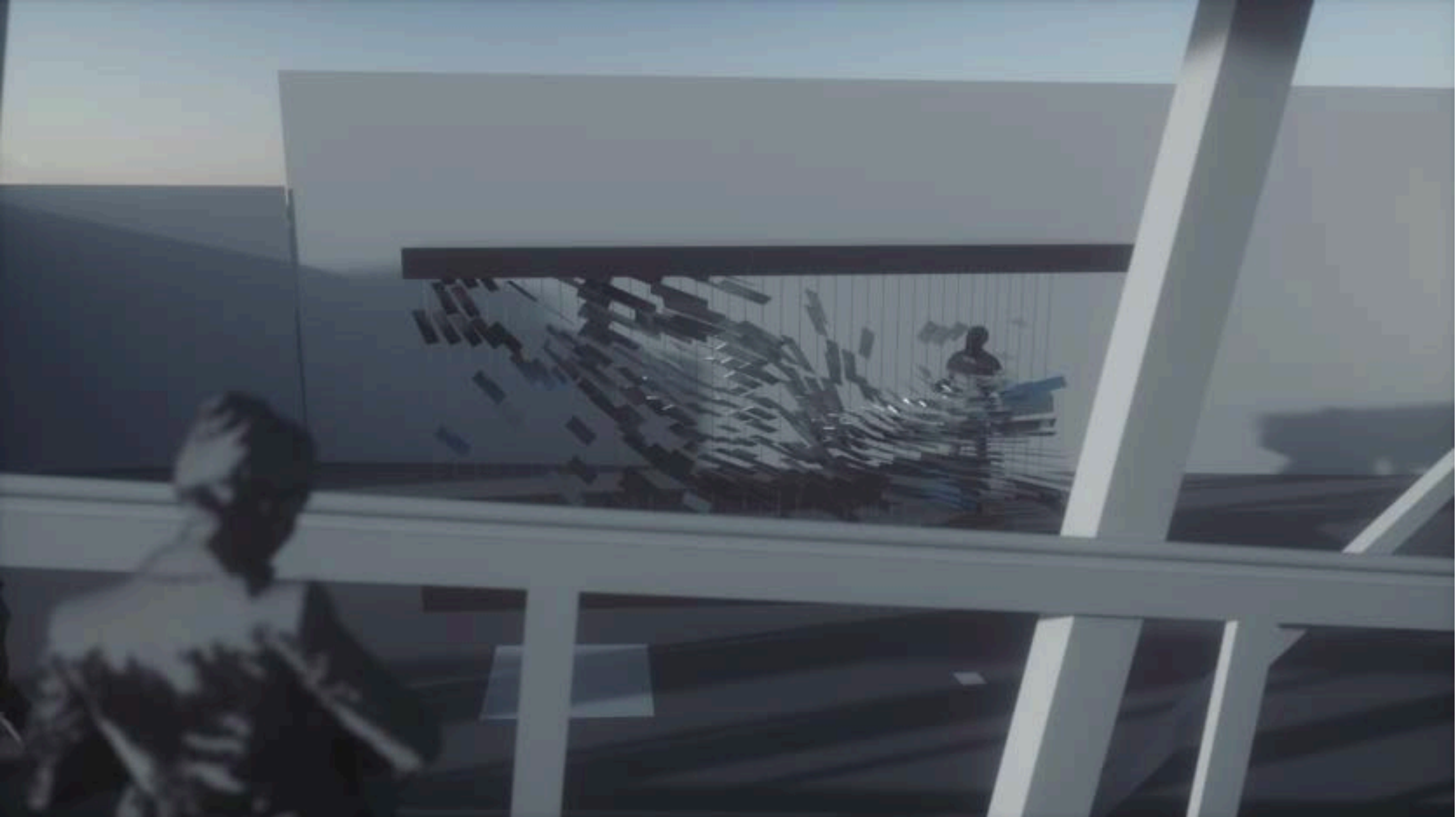
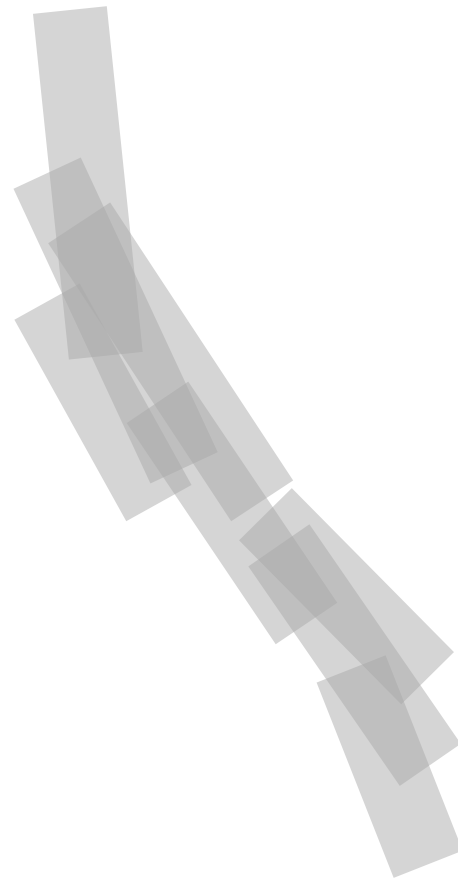
RGB addressable light source on abstract metal leaf module.
Modules will be fixed to a base structure on a base structure with a pivot point that allows for natural movement in the wind. The light modules are fixed separately.
The modules will be made to be reconfigurable for future relocation of the artwork.



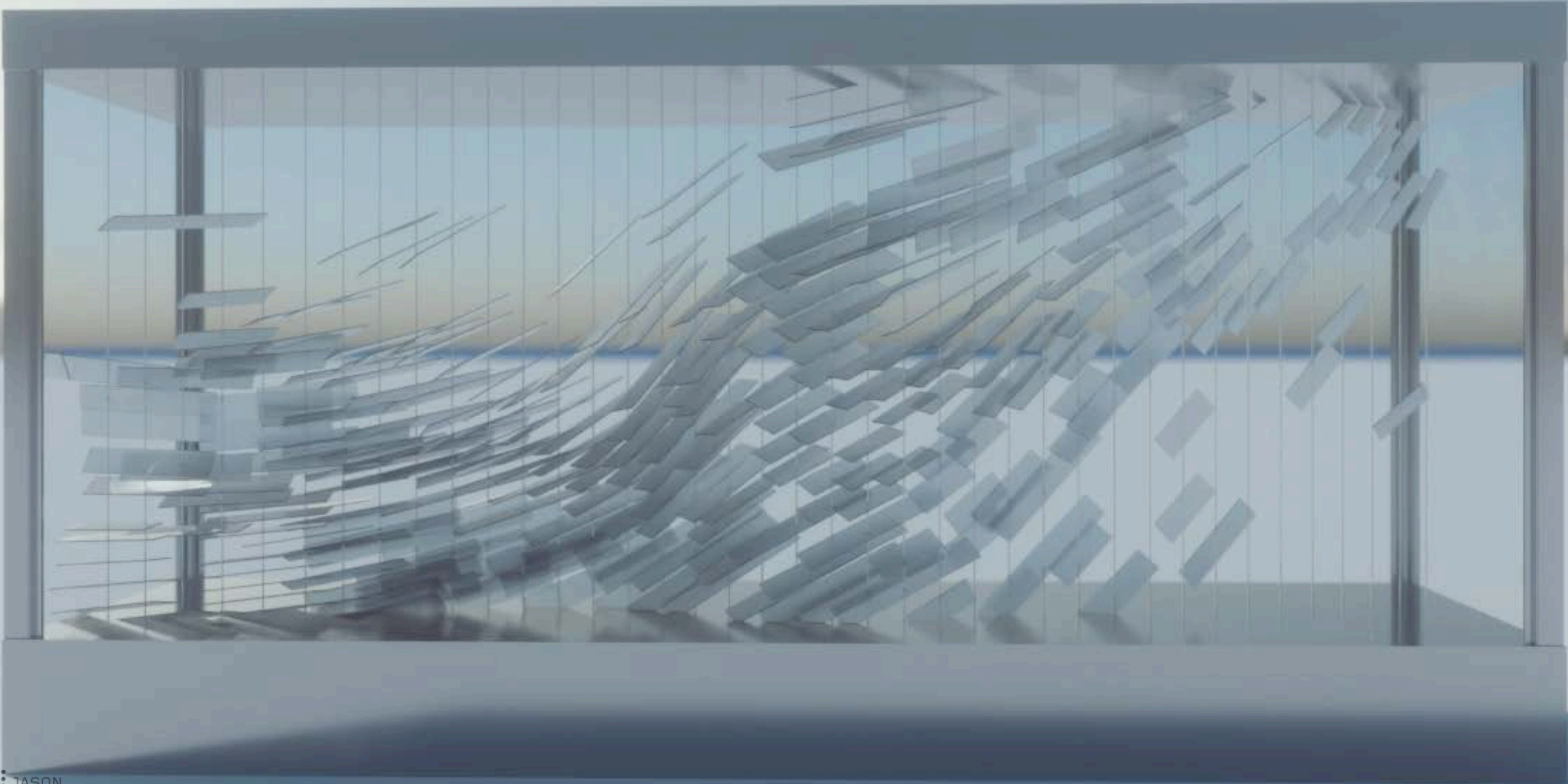


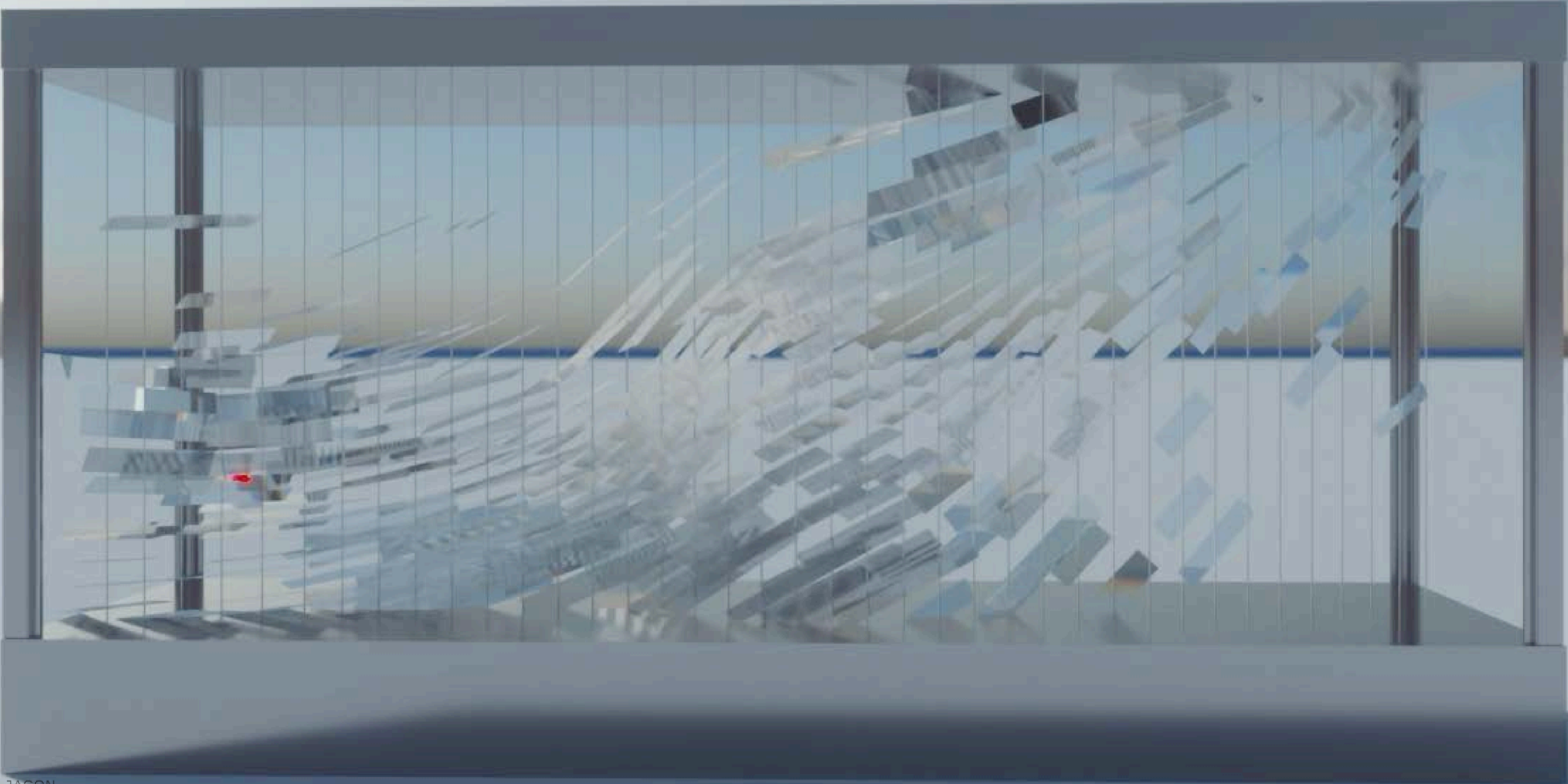
Natural dynamic effects

Material Layering



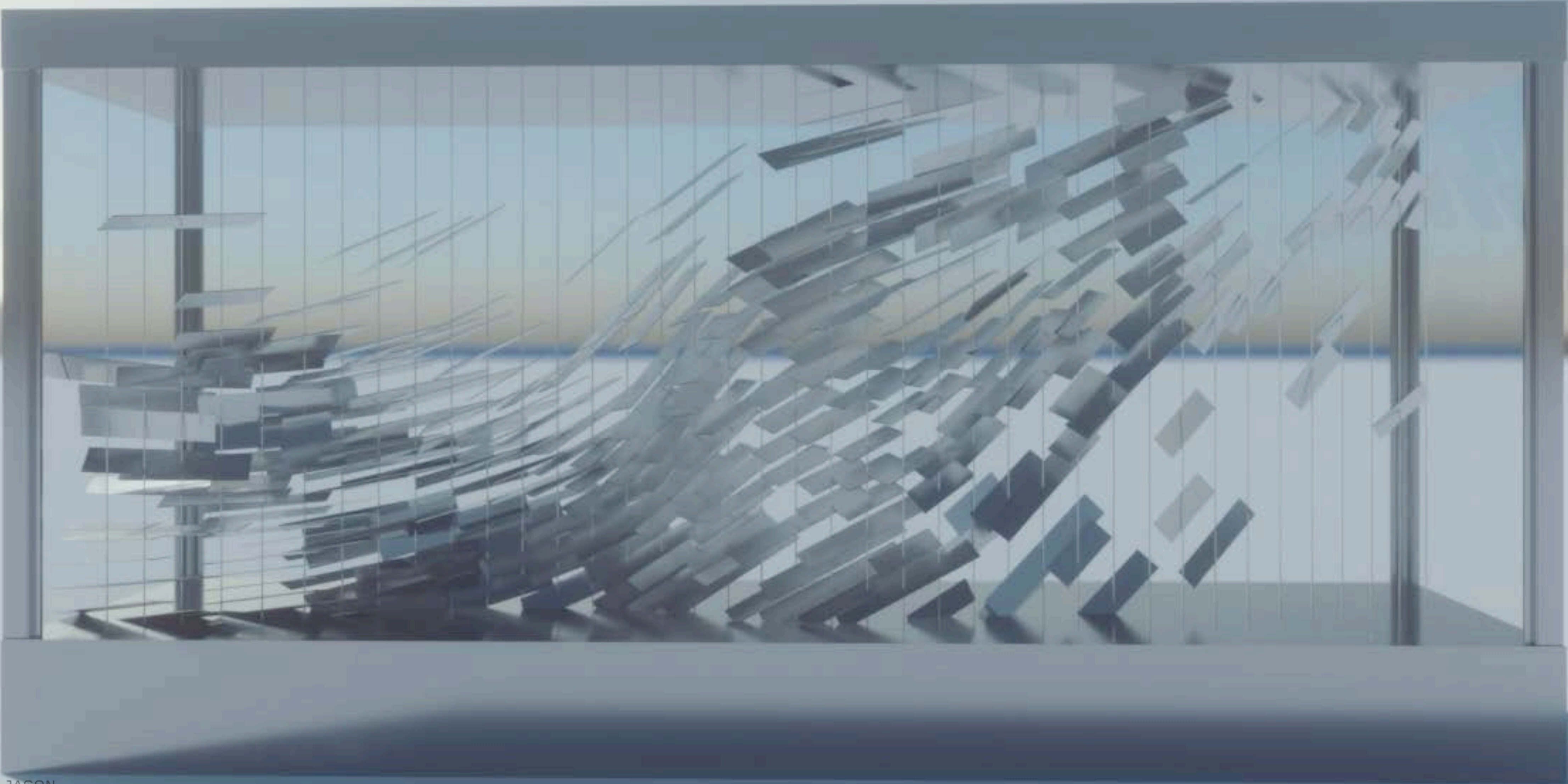
Contrast against environment

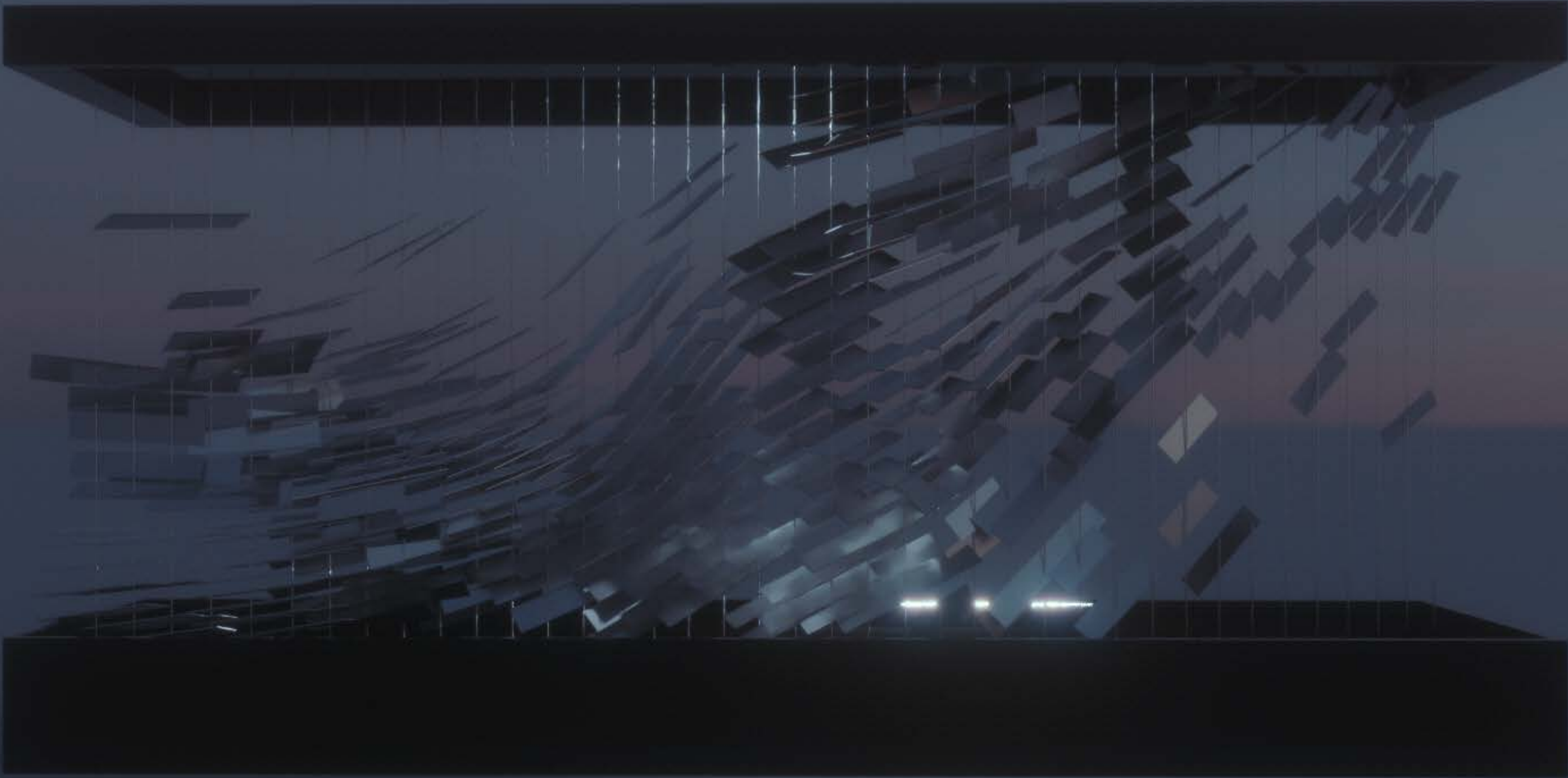


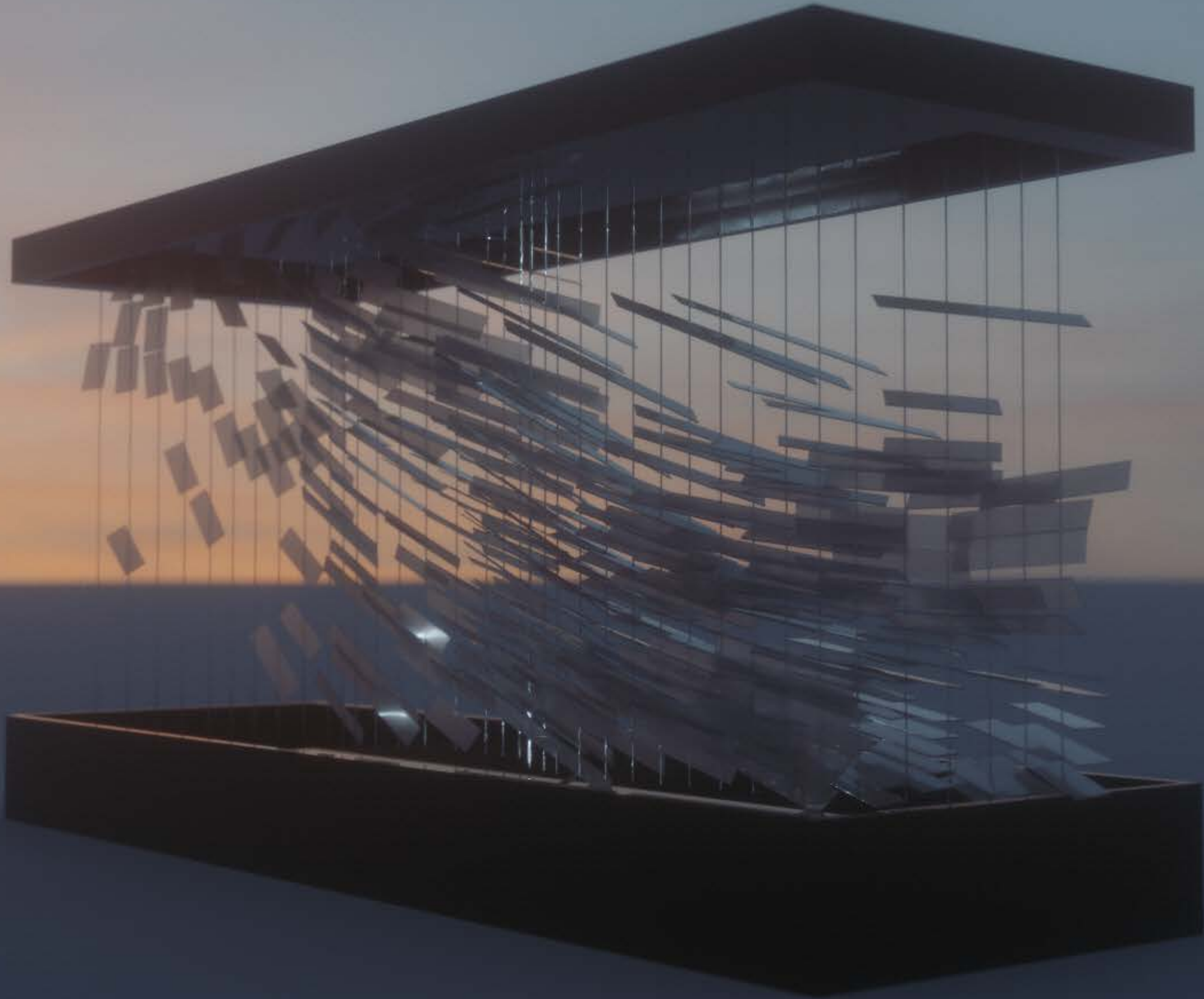


Design Development

Material Studies







Design Development

Material Studies

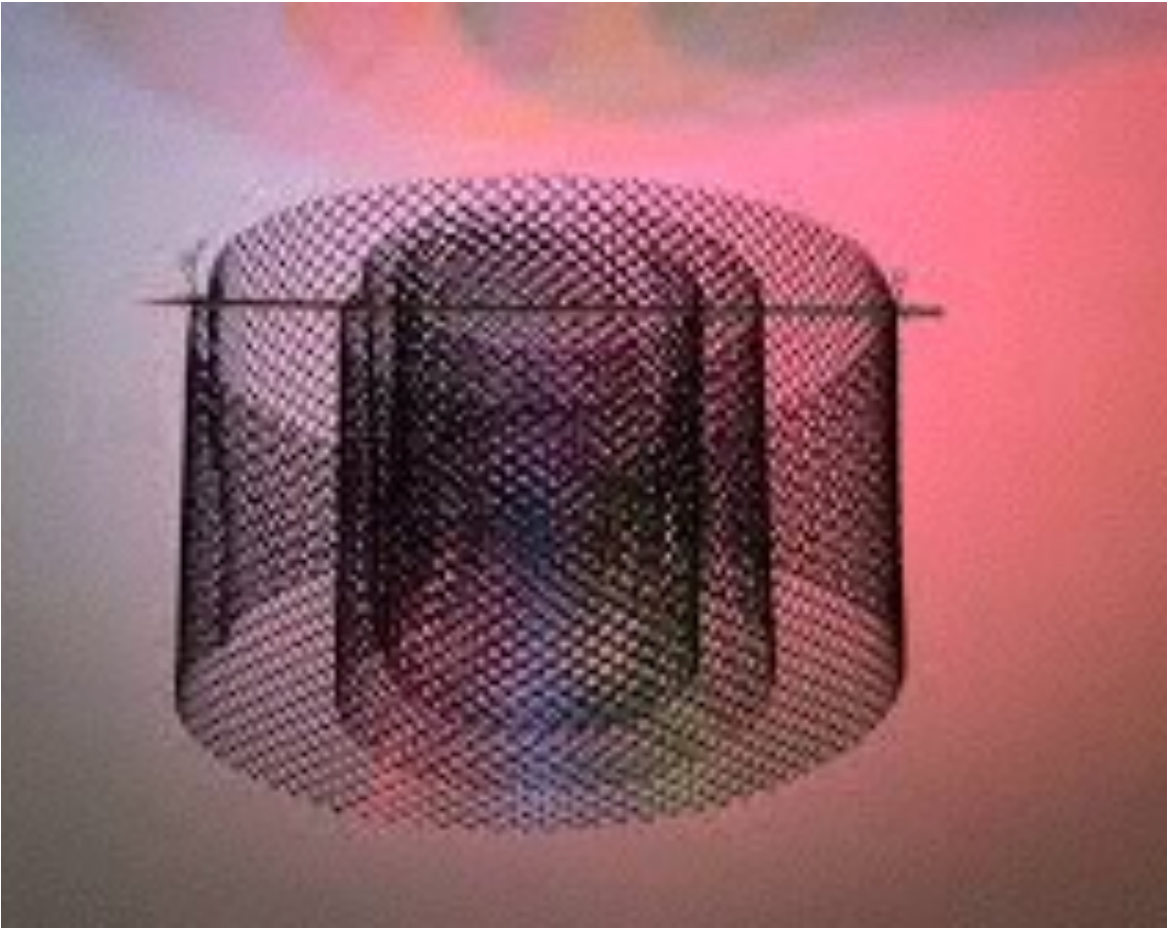
Polarisers



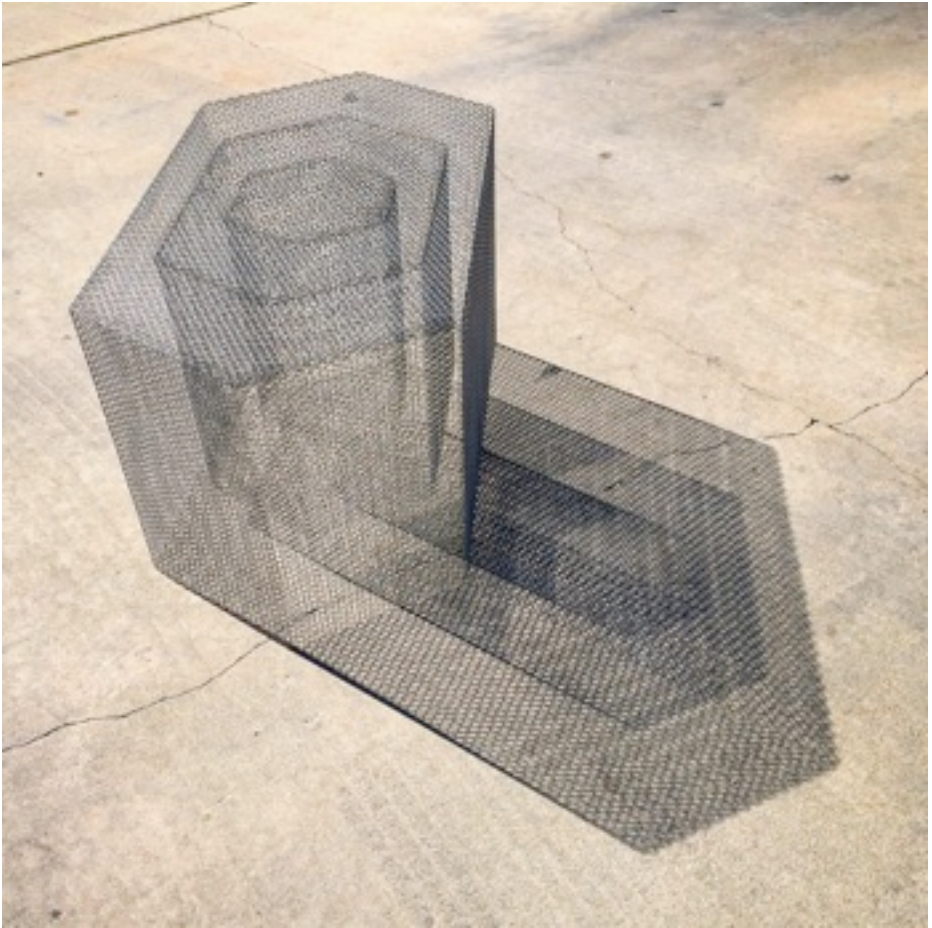
Light Shutters



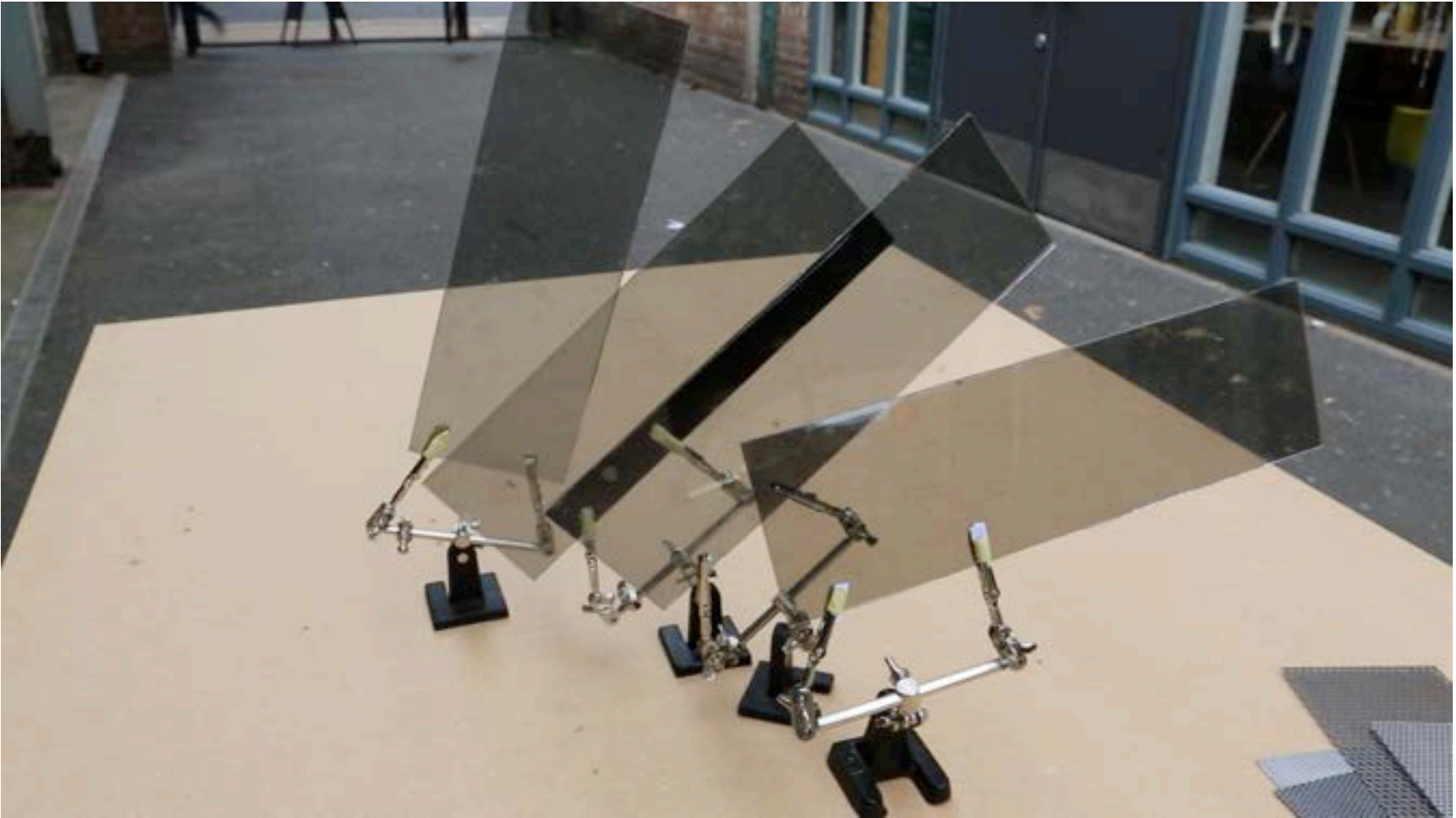
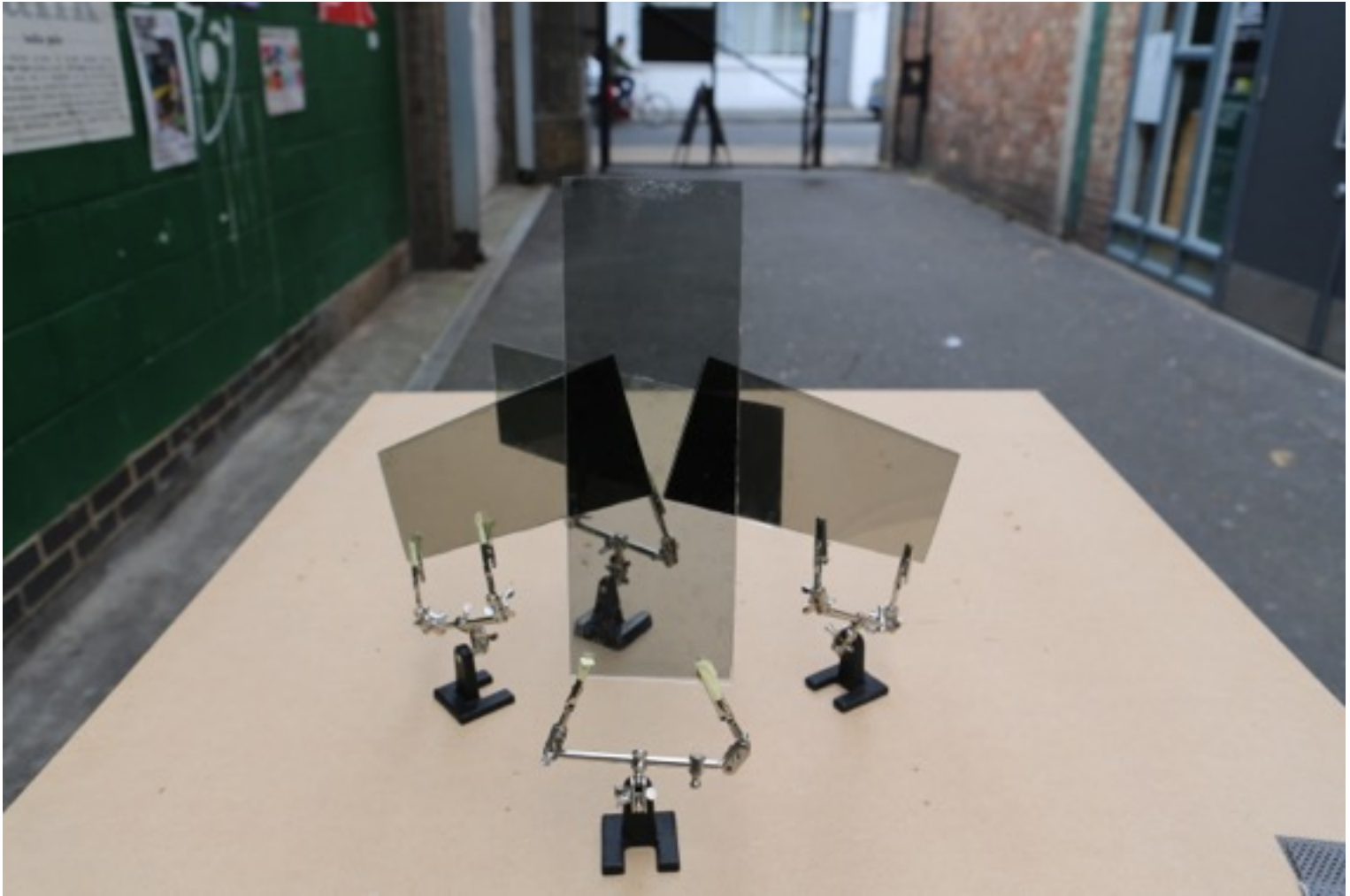
Mesh



Moire effects



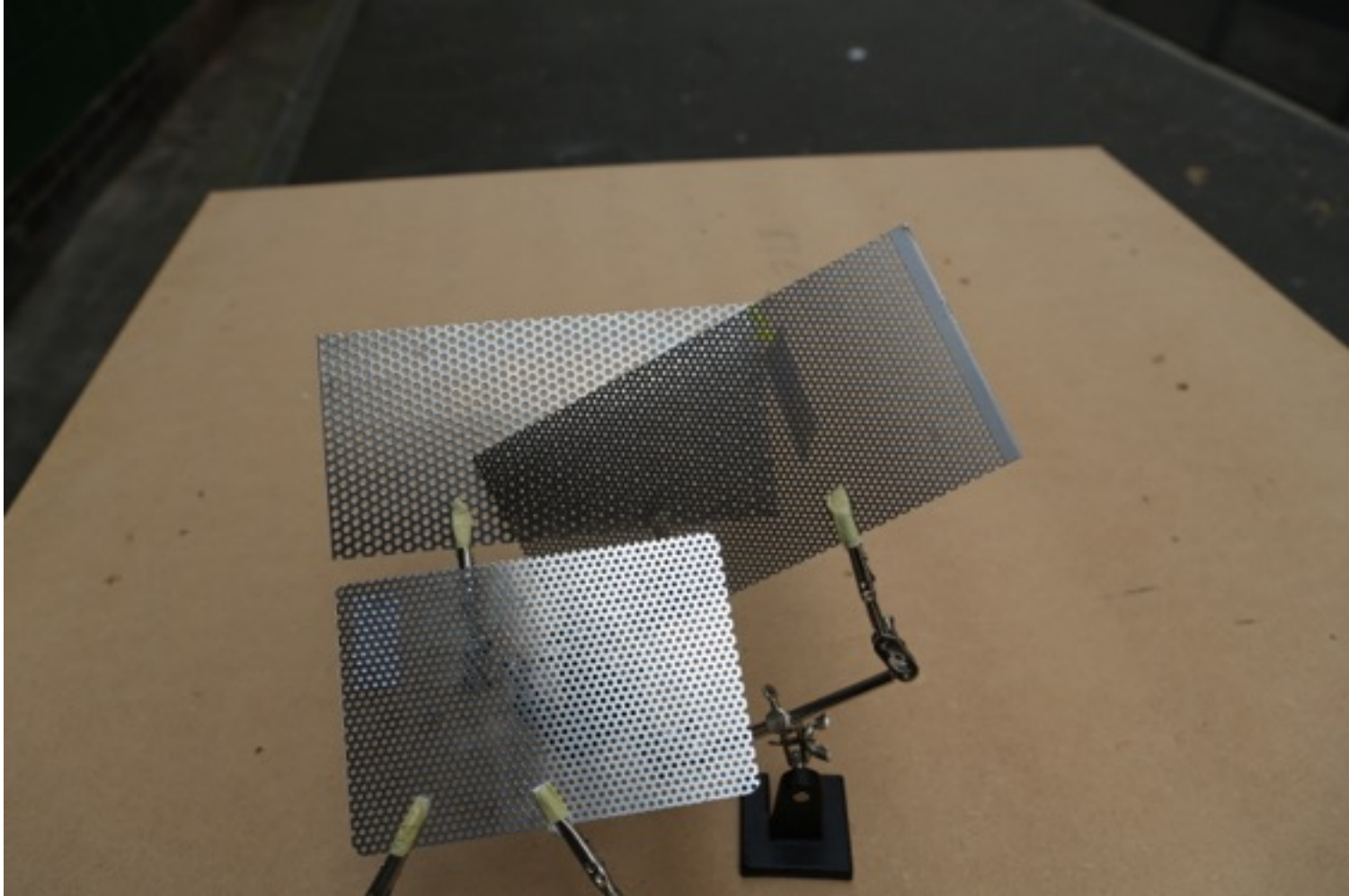
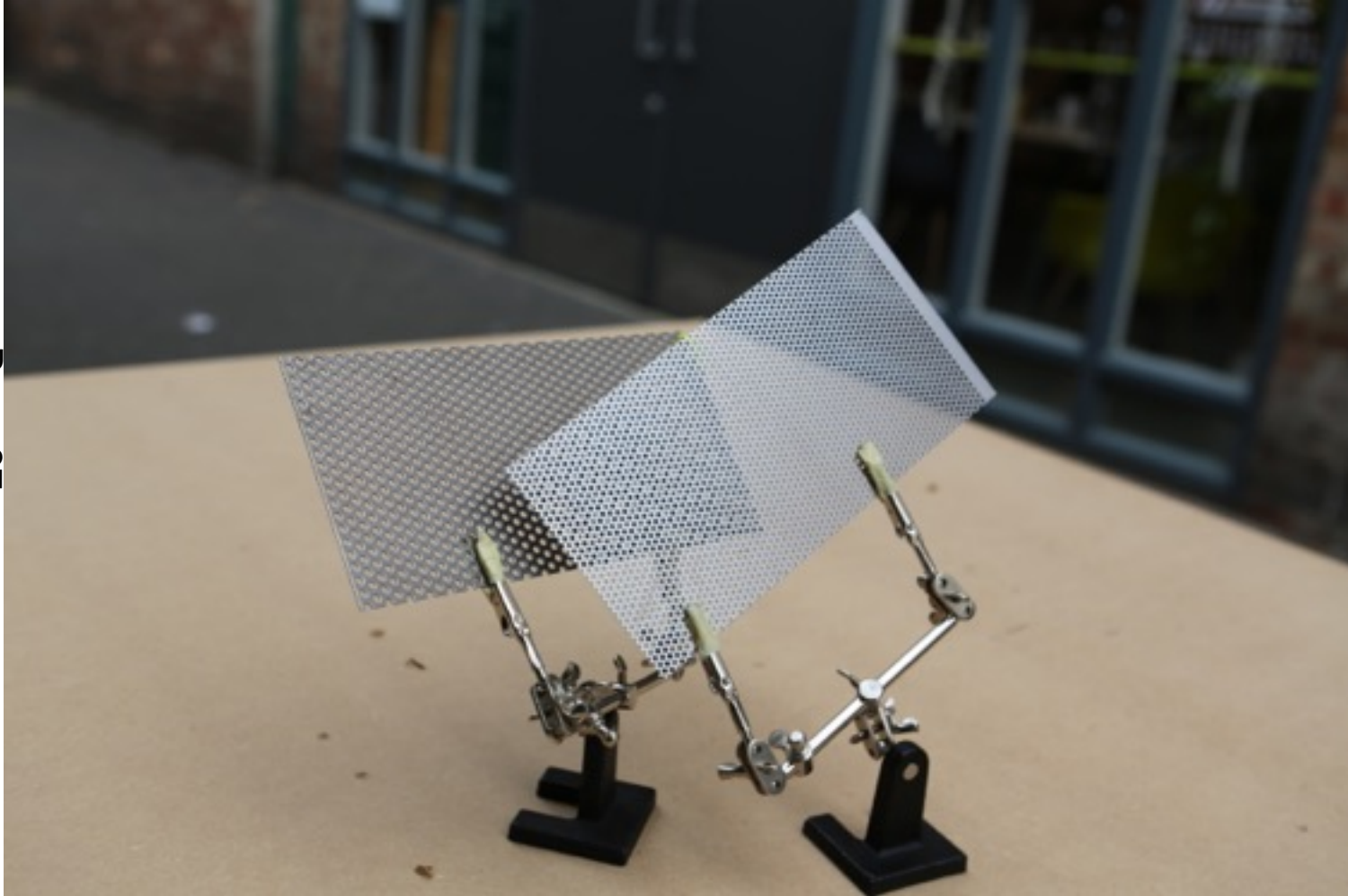
Polarisers



Design Development

Material Studies

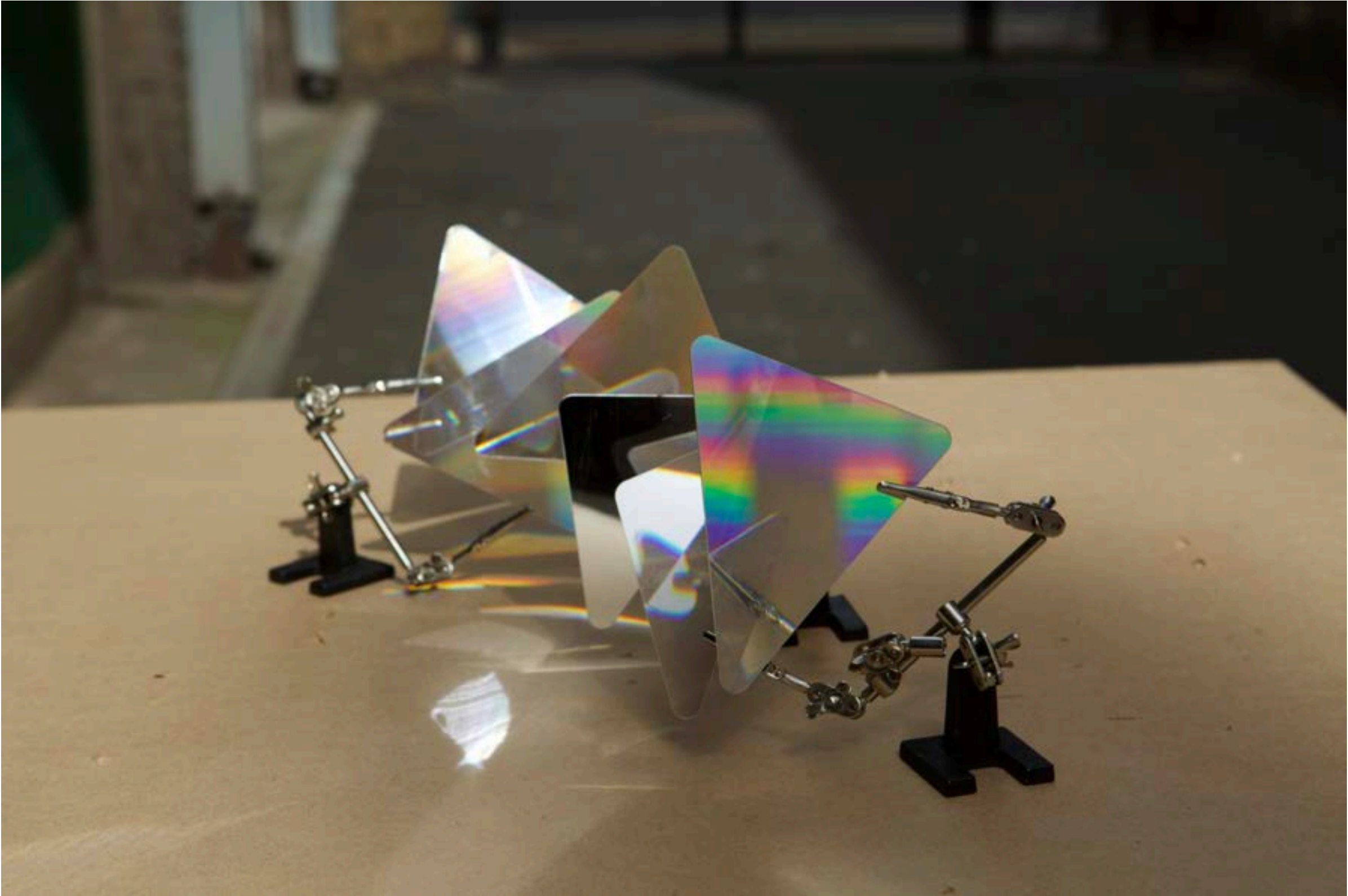
Mesh

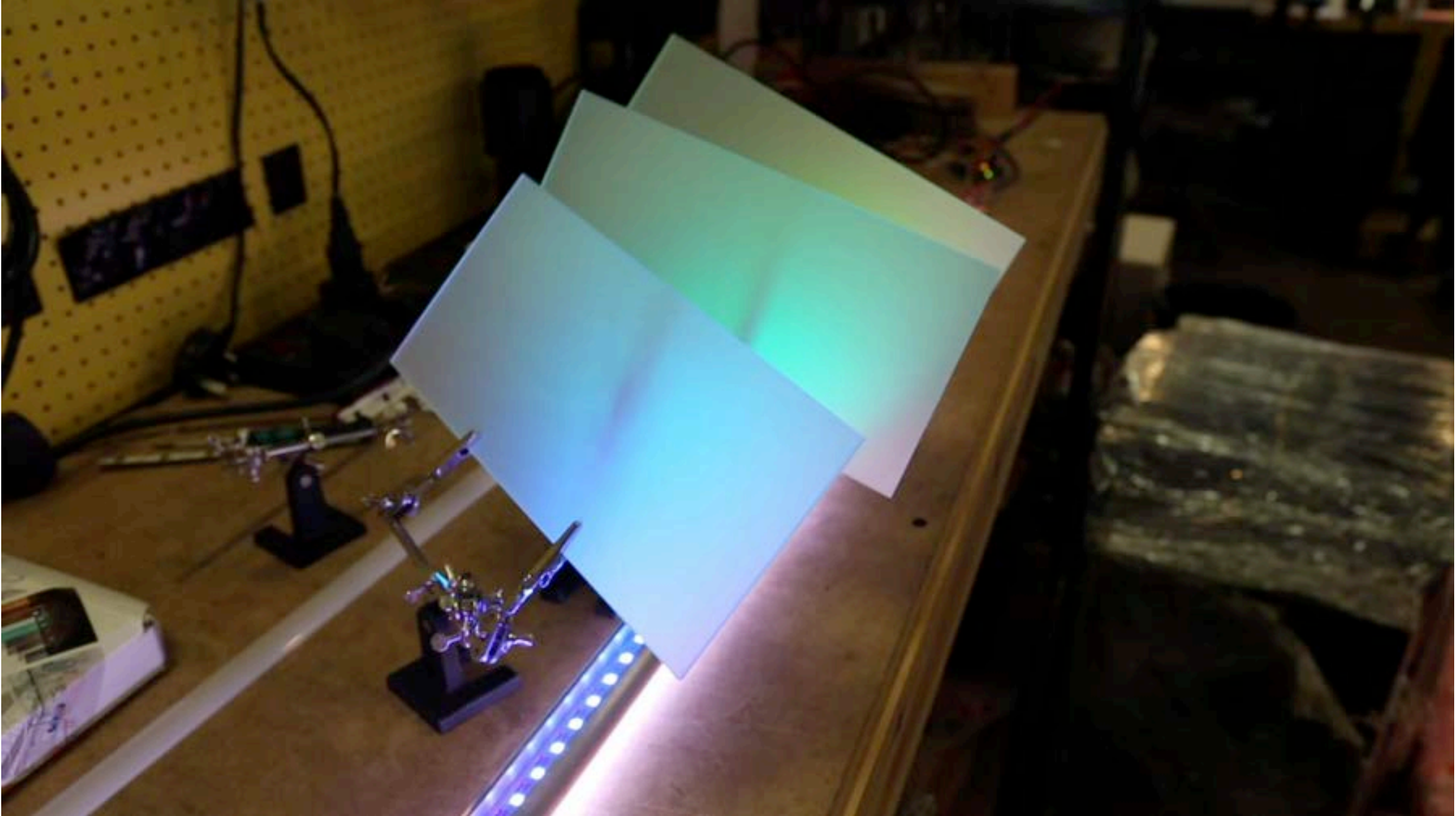
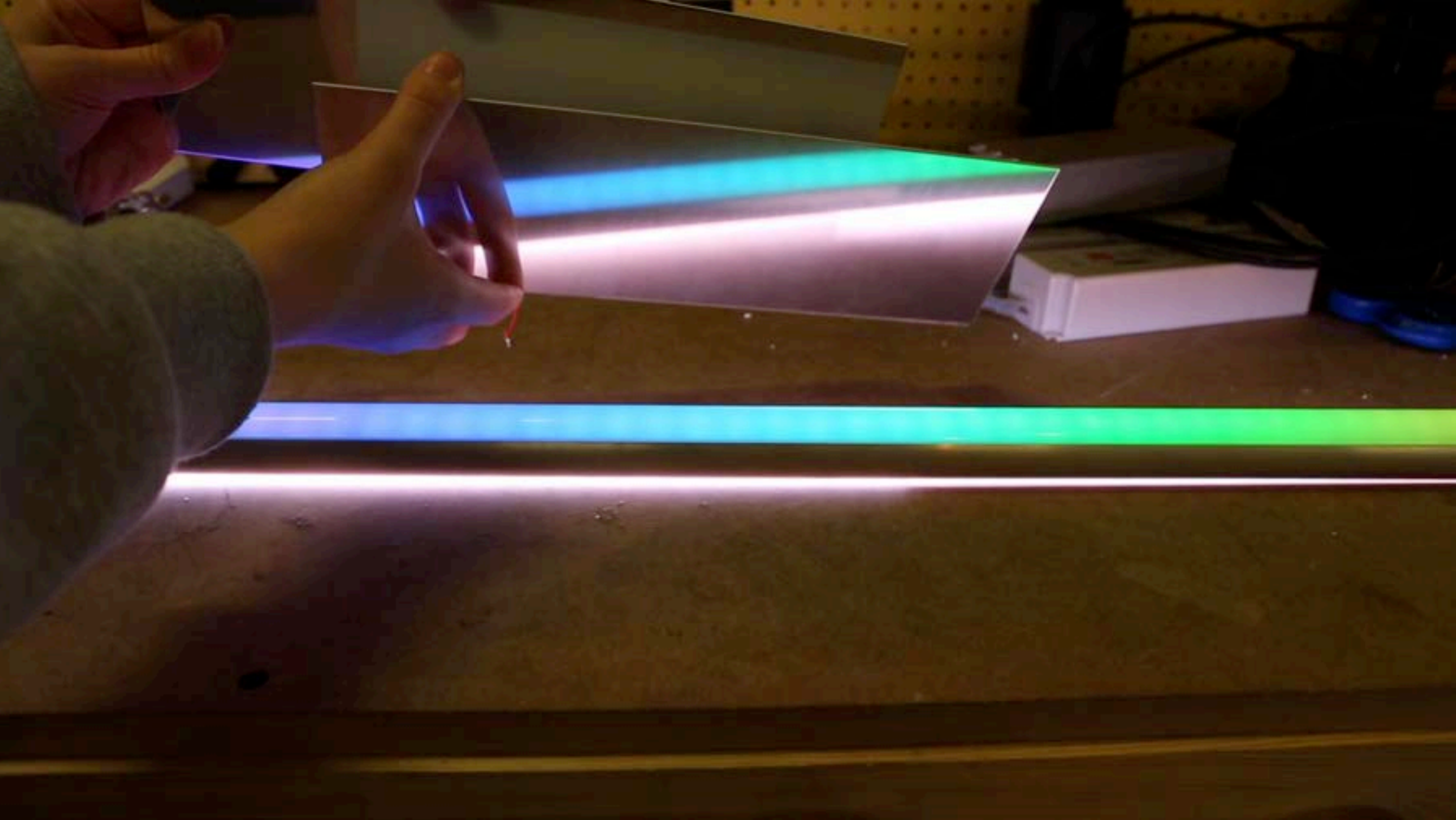


Design Development

Material Studies

Lenticular film

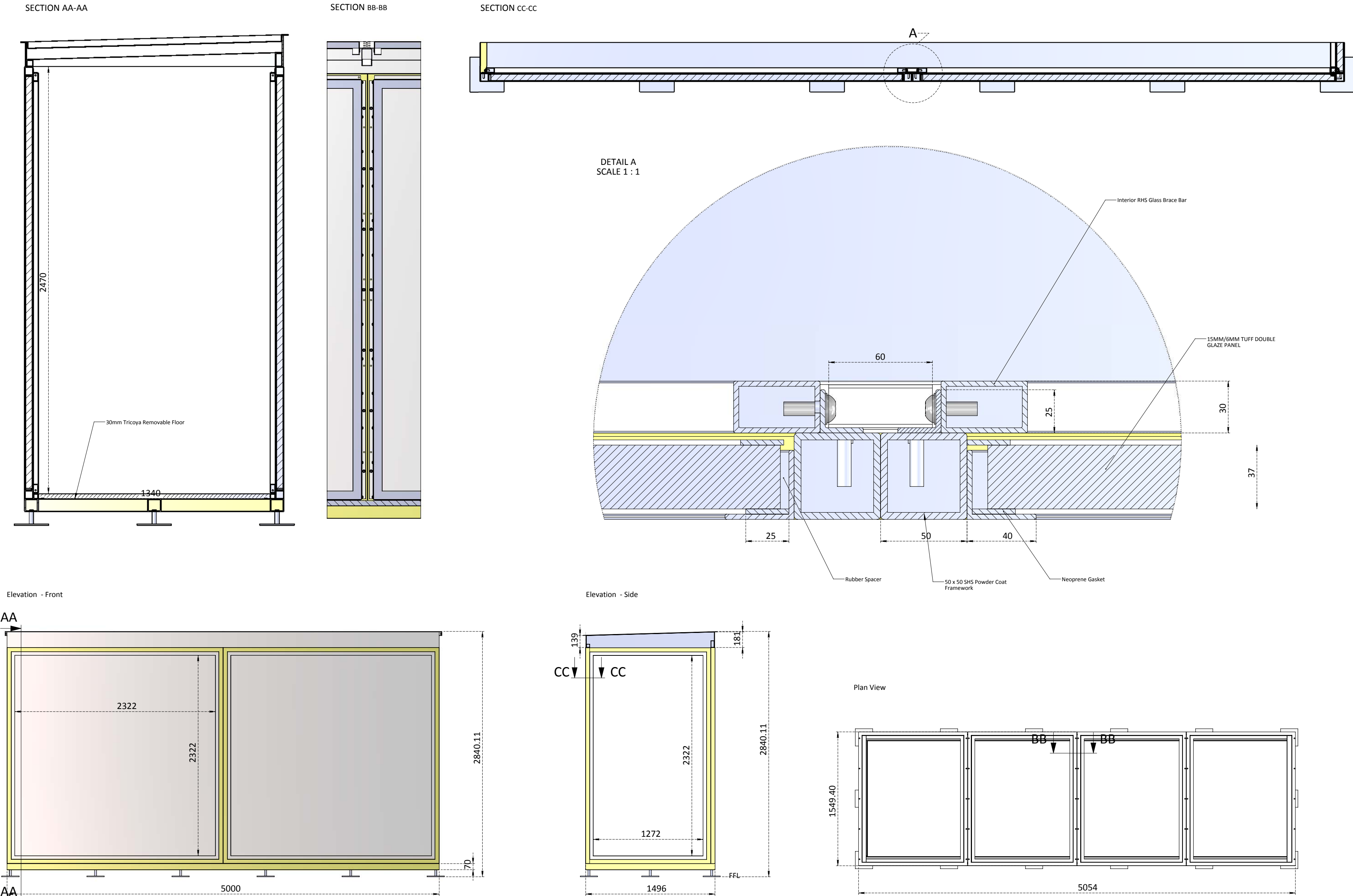






Design Development

Vitrine



Next Steps

Context

- Background contrast
- Landscaping
- Power and Data connection

Glass Vitrine

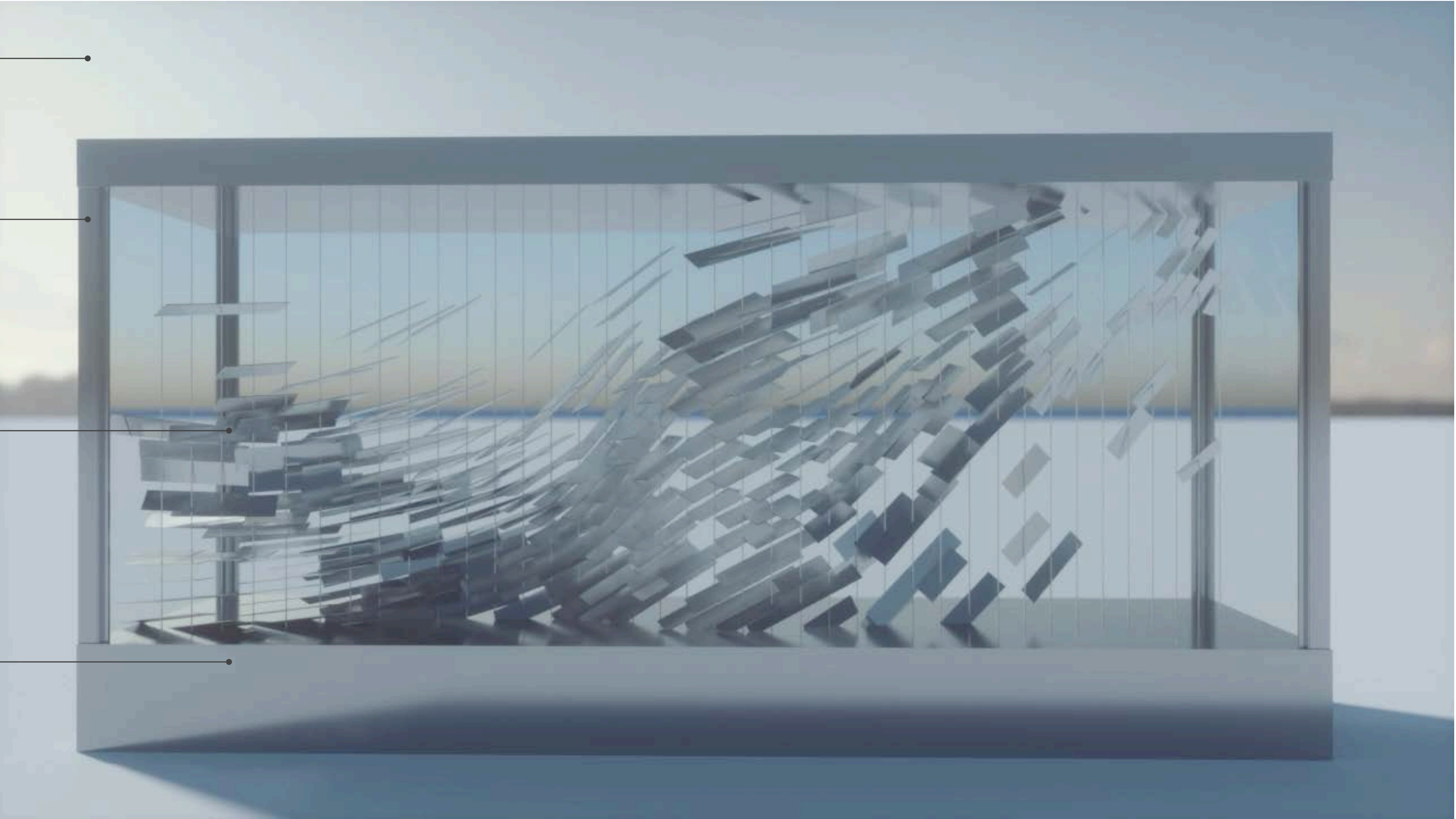
- To be updated to match quoted design
- Coordinate integration on site

Sculptural Element

- Fixing detail to be confirmed and tested (mechanical or fixed)
- Density (cost balance)
- Material quality and effect (cost balance)

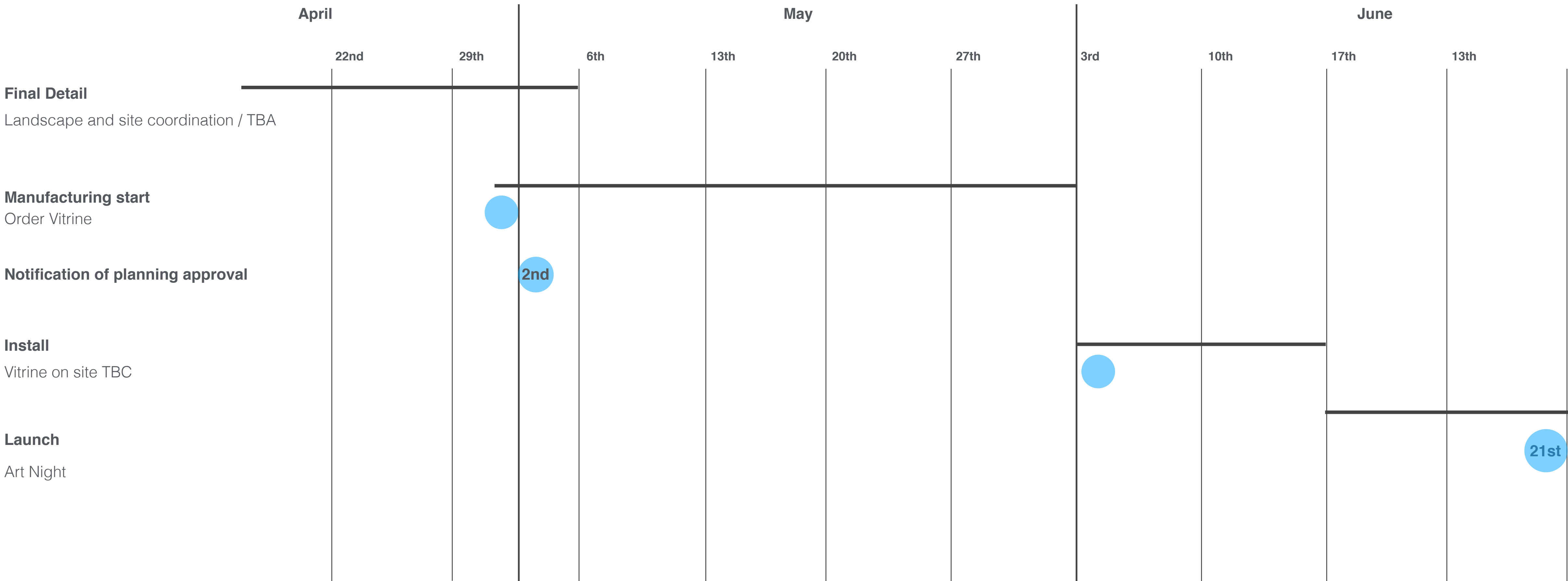
Technology

- External Light (feasibility to be explored)
- Internal Light based effects (basic option)
- Wind movement (advanced option)

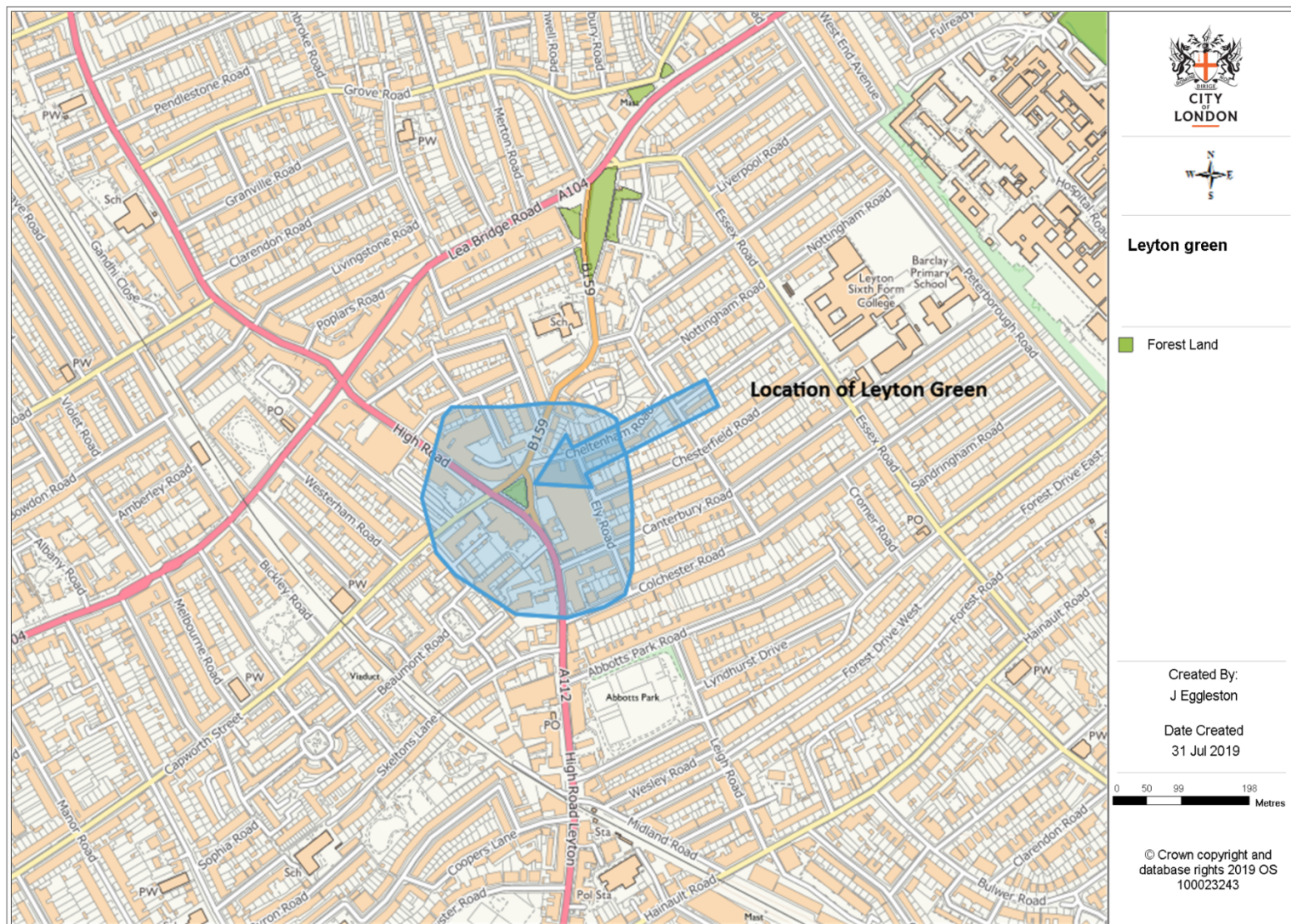


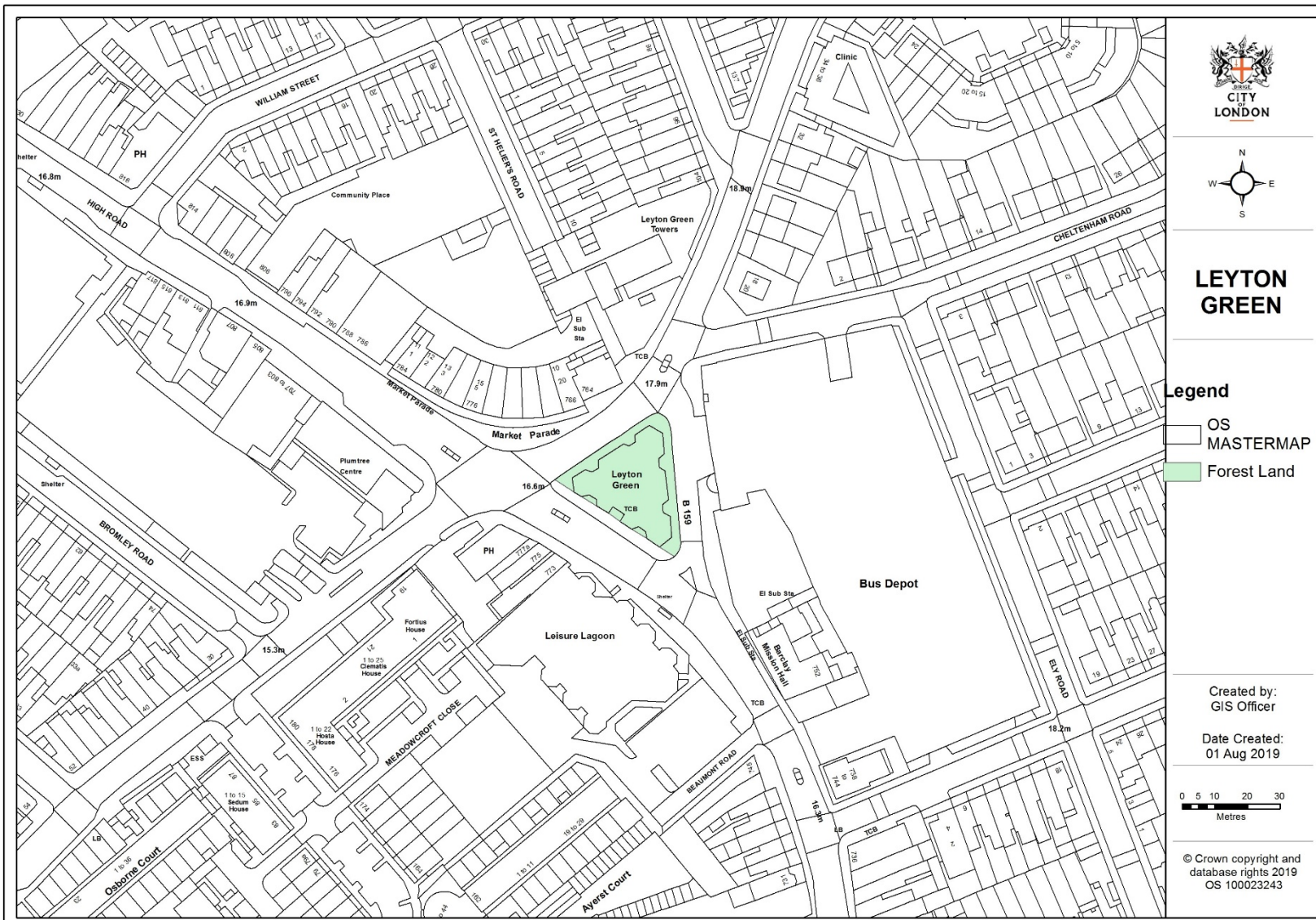
Next Steps

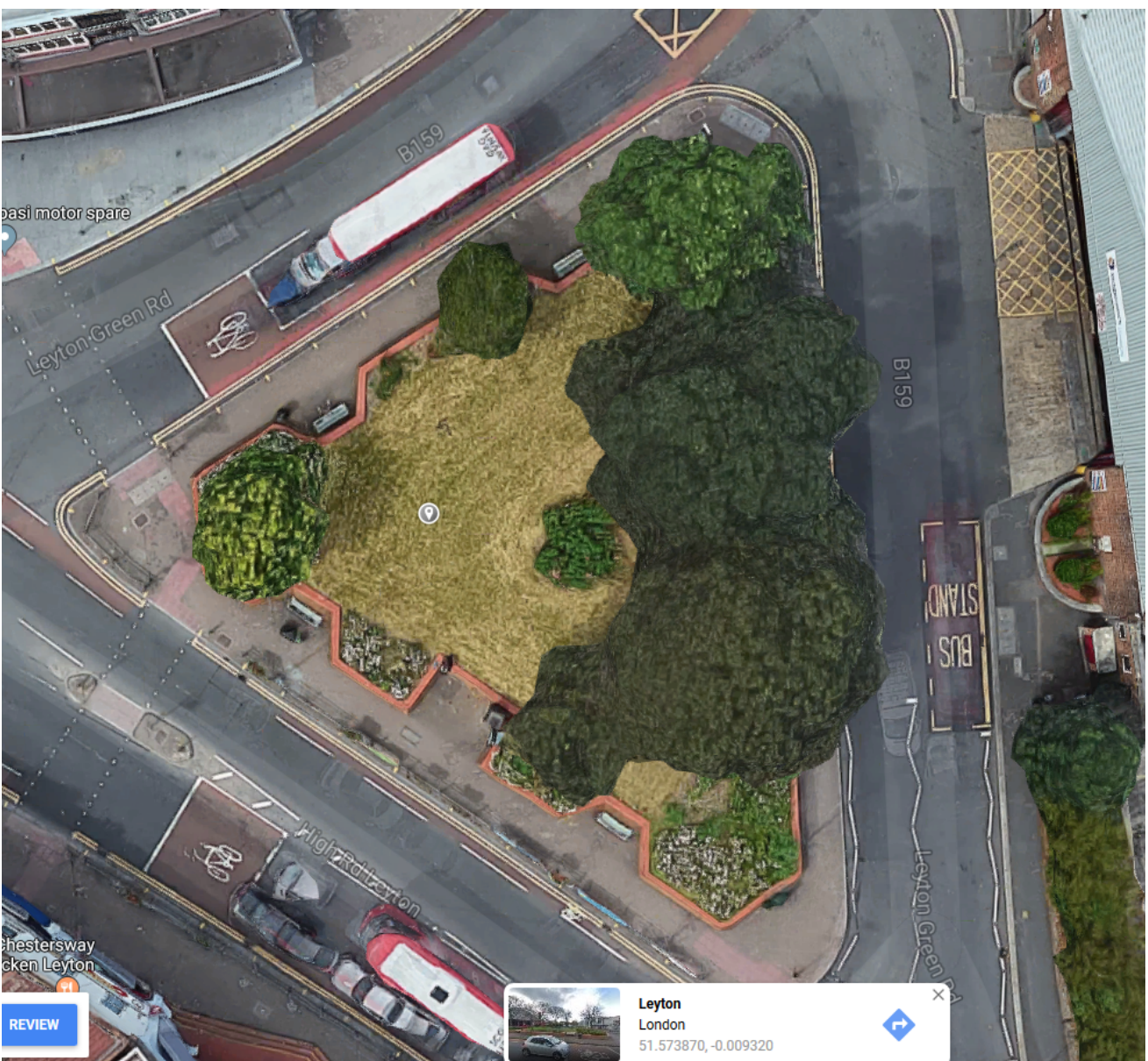
Timeline



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London
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Committee(s): Epping Forest & Commons Committee	Date(s): 09 09 2019
Subject: Epping Forest Countryside Stewardship Grant application 2019 (1 st application) – sign-off on the final details of management options (SEF 33-19)	Public
Report of: Colin Buttery, Director of Open Spaces	For Decision
Report authors: Sally Gadsdon, Environmental Stewardship Officer Jeremy Dagley, Head of Conservation	

Summary

External funding to support the City Corporation's continuing restoration and management of Epping Forest's internationally important habitats is being sought from the government's Countryside Stewardship Scheme (CSS). The funding would provide a stable source of external income for essential conservation management across a ten-year period (2020-2029). This report outlines the changes to the application since the last report to your Committee in July 2019 (SEF 28-19).

The main change to the previous report (SEF 28-19) is the inclusion of proposed heritage conservation work to Loughton Camp Scheduled Ancient Monument following discussions with, and at the request of, Historic England. This work would involve the removal of scrub that has the potential to cause damage to the buried archaeology of this nationally-important Iron Age hill-fort.

Recommendation(s)

Members are asked to:

- note the changes to the application details;
- approve the completion and signing of a CSS application for submission to the Rural Payments Agency for its determination.

Main Report

Background

1. A previous Committee report in July (SEF 28-19) set out detailed proposals for a Countryside Stewardship Scheme (CSS) grant application to provide 10 years of funding for conservation and access work on the Forest. The grant application process is complex and, as a result, agreement was reached with Natural England that there should be two separate applications for the Forest. This application covers the key areas that were worked under the previous

Environmental Stewardship Scheme and overall encompasses 41% of Forest Land (1,029 hectares).

2. Since the July report, Epping Forest officers have been working with Natural England to develop and refine the grant application. This work has included agreeing detailed prescriptions for each parcel of Forest Land for which funding for conservation management is being sought. As a result of these discussions there have been modifications to some of the management proposals and some of the areas being included. This report presents an overview of the changes that have been made to the proposals and presents a high-level summary of the application.

Current Position

3. During July and August 2019 Epping Forest officers engaged in highly detailed discussions with both Natural England and Historic England. Natural England accepted the vast majority of the proposals. Historic England were consulted about the management options for the Scheduled Ancient Monument at Loughton Camp to ensure its protection, pending agreement on a full Conservation Management Plan.
4. The final version of the application, with these amendments, was submitted to the Rural Payments Agency on the 31st August 2019 for its verification and cross-checking process. The RPA will prepare a final version of the application to be checked and then signed by Director, to be submitted back to them by 30th September 2019.
5. Subject to a successful application, an agreement for CSS funding would be signed by the Director of Open Spaces between October and December 2019, with a 10-year CSS agreement start date of 1 January 2020.
6. The list below itemises the most significant and key changes (compared to the proposals presented to your Committee in July 2019) that were made to the application.
 - a. It was decided not to apply for funding for Butler's Retreat Pond because the level of funding was very low and the management prescriptions were restricted by tight compliance rules, which would have prevented the most appropriate management for this habitat given the problems of invasive species. Other resources will be investigated to manage this pond.
 - b. Loughton Camp will be included in the application for management of this Iron Age hill-fort. The monument is currently assessed as *vulnerable* by Historic England. The works are aimed at protecting this nationally-important heritage site and preventing an assessment of *at risk*. The management will reduce the risk to the integrity of the earthworks as well as increasing the legibility, or distinctness, of the monument in the landscape for Forest visitors. Management over 10 years would involve the removal of holly, bramble and bracken from within and up to 15m from

the earthworks. There will be proactive public communication to inform visitors of these changes well in advance.

7. Noting that this application is for part of the Forest (see paragraph 1 above), the final headline application details in the August submission were:
 - a. 2,182 ancient pollards to be managed, including 29 ancient beeches specifically for the rare and legally-protected *Zygodon forsteri* moss
 - b. 36 hectares of grassland management
 - c. 10 hectares of heathland management
 - d. 215 hectares of wood pasture management
 - e. 133 hectares of cattle grazing
 - f. Management of scrub on Loughton Camp
 - g. 3 hectares of scrub management
 - h. 4 hectares of bracken management
 - i. Small vegetation scrapes at 3 heathland sites
 - j. Rhododendron clearance at Paul's Nursery
8. The work listed above is essential to the conservation of the Forest and to maintain its internationally-important biodiversity. With the current losses of biodiversity globally this conservation work is becoming even more significant.
9. Epping Forest is also one of the most important sites for ancient tree conservation in western Europe. The ancient tree work being proposed is key to maintaining these trees, preventing the selected *keystone* beech and oak pollards collapsing or being out-competed by other vegetation. The tree-work would also ensure that the hornbeam pollards can continue to re-grow with vigour across a regular pollarding cycle, a traditional practice that, along with grazing and coppicing, has shaped Epping Forest's landscape for over one thousand years.

Options

- 10.
11. Option 1: Approve the signing and completion of the application by the Director of Open Spaces for submission to Natural England and Rural Payments Agency by 30th September 2019. **This option is recommended.**
12. Option 2: Approval withheld and the final signed application not submitted. **This option is not recommended**

Proposals

13. It is proposed that your Committee approve Option 1 to allow the application to be submitted by the Director of Open Spaces.

Corporate & Strategic Implications

14. The Countryside Stewardship Scheme is the UK government's main grant funding scheme to promote protection of the UK's important habitats. CSS is one of Defra's main mechanisms for delivering its Strategic Objective of "a cleaner, healthier environment benefiting people and the economy." It also supports the strategic vision for the 25-year Environment Plan.
15. Our Corporate Plan (2018-2023), whose vision includes "To shape outstanding environments", aims to:
- a. Provide thriving and biodiverse green spaces and urban habitats
 - b. Provide environmental stewardship and advocacy, in use of resources, emissions, conservation, greening, biodiversity and access to nature
 - c. Protect, curate and promote world-class heritage assets
16. The Open Spaces Business Plan 2019-20 includes the outcomes and departmental activities:
- a. Outcome: Our habitats are flourishing, biodiverse and resilient to change
 - b. Outcome: Our open spaces, heritage and cultural assets are protected, conserved and enhanced
 - c. Outcome: Nature, heritage and place are valued and understood
 - d. Activity: Protect and enhance our sites' biodiversity
 - e. Activity: Improve the visitor and cultural offer
17. The works that could be funded by the CSS grant would contribute to fulfilling Our Corporate Plan and the Open Spaces Business Plan:
- a. Work would be undertaken to manage internationally important SAC habitats and populations of veteran trees as well as nationally important SSSI habitats. The aims are to see an improvement in condition of all of these.
 - b. Populations of the rare moss *Zygodon forsteri* will be conserved.
 - c. Work would be undertaken to benefit several scarce species that have increased in number during the time HLS work was undertaken. The aim is that biodiversity will continue to increase during the work funded by CSS and, in so doing, contribute to S41 (UKBAP) priority habitats and species targets.
 - d. In 2020, funding to help conserve a number of historic features will be investigated.
18. The work funded by CSS would help to increase habitats' resilience to environmental change by improving their condition and making them more stable to adapt to future conditions

Implications

19. **Financial:** If successful, the grant will contribute to the Epping Forest Local Risk Budget, which would be used directly to help deliver the works outlined in the

application. The accompanying non-public report (SEF33/19b) provides a revised budgetary forecast, using indicative and tendered costings from contractors, who would provide specialist assistance with the management operations.

20. In the light of the City's current Fundamental Review process, the CSS grant would be a very significant contribution to the provision of long-term, external financial support, enabling the continuation of essential conservation management for this internationally-important site.
21. **Legal:** The Comptroller & City Solicitor has reviewed the governing terms and conditions of CSS, and its application form, and is satisfied that these are all reasonable.
22. A Habitats Regulation Assessment, to identify any possible detrimental impacts on the SAC, has been undertaken by Natural England. This has determined that the proposed works are entirely consistent with the conservation of the *favourable conservation status* of the site and do not present a risk to the site's qualifying SAC features, on the proviso that all the works are implemented to CSS compliance rules.
23. The proposed works have been granted SSSI consent in anticipation of a succession application.
24. **Charity:** Open Spaces Charity. Epping Forest is a registered charity (number 232990). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity.
25. **Exiting the European Union (EEU):** The main EU Directive relating to Epping Forest's conservation management is the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna & Flora, which is incorporated into UK law as the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'). The future influence of existing EU Directives and the Regulations may be affected by the EU and will also be consequent on the terms reached with the EU as part of Brexit negotiations and the future governments views on 'Retained EU law' contained within the EU (Withdrawal) Act 2018
26. The UK Government has confirmed that it will guarantee funding for Countryside Stewardship agreements if they are agreed and signed before 31st December 2020.

Conclusions

27. The Countryside Stewardship grant presents a valuable opportunity to obtain funding to manage internationally important habitats in Epping Forest to continue and progress the work undertaken through the 10-year Higher Level Environmental Stewardship agreement.

28. Subject to a successful application, an agreement for CSS funding would be signed by the Director of Open Spaces between October and December 2019, with an agreement start date of 1 January 2020.

29. This application covers part of the Forest. A second application for the remaining areas of the Forest will be made in the next few years, along with a third application for the Buffer Lands.

Appendices

- None

Background Papers

- SEF 03-18 Countryside Stewardship Grant Scheme Application
- SEF 22-18 CSS Update May 2018
- SEF 18-19 Countryside Stewardship Grant 2019 application
- SEF 28-19 2019 Countryside Stewardship Grant application proposals

Dr Sally Gadsdon, Environmental Stewardship Officer, Epping Forest
E-mail: sally.gadsdon@cityoflondon.gov.uk

Dr Jeremy Dagley, Head of Conservation, Epping Forest
Email: Jeremy.dagley@cityoflondon.gov.uk

Committee(s): Epping Forest and Commons	Date(s): 09 09 2019
Subject: Epping Forest District Council: Examination of the District Local Plan, 2011-2033 (SEF 34/19)	Public
Report of: Director of Open Spaces	For Information
Report author: Jeremy Dagley – Head of Conservation, Epping Forest	

Summary

The hearings stage of the Inspector's examination into the soundness and legal compliance of the Epping Forest District Local Plan 2011-33, which involved 17 hearings held between February and June this year, closed on 11 June 2019. The Inspector advised participants in her closing statement that the Inspector would provide interim advice on the plan, which was published on the District Council website on 8 August.

The interim advice recommends 39 actions for the District Council, including responses to the City Corporation's representations. Three actions address concerns regarding compliance with The Habitats Regulations Assessment (HRA) regarding the impact of the plan on the Epping Forest Special Area of Conservation (SAC). A further three actions relate to disturbance from recreation and urbanisation with regard to Sustainable Alternative Natural Greenspace (SANG), amendment of main modifications and a request to seek alternative sites given the impacts on the SAC. Two more general actions refer to a review of developments in the Open Space Strategy and the deletion of the proposed housing allocation on Public Open Space at Jessel Green, Loughton.

Recommendation(s)

Members are asked to

- Note the Inspector's Advice to the District Council included at **Appendix 1**.

Main Report

Background

1. Epping Forest District Council (the Council), whose boundary includes 64% of Epping Forest, submitted its Local Plan to the Secretary of State on 21 September 2018.
2. The Local Plan addresses the next phase of the District's development for the 15 years to 2033, including the allocation of 11,400 new homes, of which nearly 4,378 units are currently allocated within 3km of the Forest's boundaries and the majority, over 6,000, are within 5km. The Conservators'

overall response to the Plan concluded that it is not consistent with national legislation, including The Conservation of Habitats & Species Regulations 2017 (The Habitats Regulations) and does not do enough to protect Epping Forest as a whole.

3. At the January Epping Forest & Commons Committee (Report SEF 03/19) approval was given for officers to attend the hearings for the Local Plan's Examination-in-Public, to continue to advocate for changes to the Plan and to respond to the Matters, Issues and Questions (MIQs) from the Inspector.

Current Position

4. The 7-week hearings stage of the Inspector's examination into the soundness and legal compliance of the Epping Forest District Local Plan 2011-33 commenced on 12 February and closed on 11 June 2019. Officers representing your Committee appeared at 11 of the 17 hearing sessions.
5. The Inspector advised participants in her closing statement that the Inspector would provide interim advice on the plan, which was published subsequently on the District Council website on 8 August.
6. The interim advice (see **Appendix 1**) recommends 39 actions for the District Council, including a number of points that reflect the concerns outlined in the City Corporation's representations previously approved by your Committee.
7. Three actions (3,4 & 5) resulting from comments at paragraphs 12-16 address the Inspector's concerns regarding compliance with The Habitats Regulations Assessment (HRA) regarding the impact of the plan on the Special Area of Conservation (SAC). The Inspector describes the dispute between the District Council's position and the City Corporation's and Natural England's concerns as 'most unfortunate'.
8. A further three actions (6, 7 & 9) relate to disturbance from recreation and urbanisation (paragraphs 17-19) with regard to Sustainable Alternative Natural Greenspace (SANG), amendment of main modifications and a request to seek alternative sites given the impacts on the SAC.
9. Two more general actions (22 & 36) refer to a review of developments in the Open Space Strategy and the deletion of the proposed housing allocation on Public Open Space at Jessel Green, Loughton.

Proposals

10. The Inspector is very clear at paragraph 83 that she is not inviting comments nor will she accept further evidence at this stage. The District Council has thanked the Inspector for her comprehensive and helpful advice, which will assist the Council to complete the additional work and progress to the Main Modifications. The District Council has also indicated that it will not be making any further comment until it has considered the Inspector's advice and its implications carefully and taken appropriate professional advice.

Corporate & Strategic Implications

11. The recommendations of this report support the Corporate Plan with particular reference to the following aims:

a. Contribute to a flourishing society

- i. People enjoy good health and wellbeing
- ii. Communities are cohesive and have the facilities they need.

b. Shape Outstanding Environments

- i. We inspire enterprise, excellence, creativity and collaboration
- ii. We have clean air, land and water and a thriving and sustainable natural environment
- iii. Our spaces are secure, resilient and well maintained.

12. And supports the Open Spaces Business Plan as follows:

a. Open Spaces and historic sites are thriving and accessible.

- i. Our open spaces, heritage and cultural assets are protected, conserved and enhanced
- ii. London has clean air and mitigates flood risk and climate change

Implications

13. **Financial:** In addition to considerable officer time required to respond to the Local Plan, the costs of representation with regard to the Local Plan, total £55,000. The high cost of representation should be seen in the context of the Plan's proposed duration of 15 years.

14. **Legal:** The Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) ("the 2012 Regulations") set out the requirements and the statutory procedure for the preparation of a Local Plan.

15. The legislation allows for three possible outcomes to the examination:

15.1 The Inspector finds that the plan is sound and legally compliant as submitted. In these circumstances the Inspector must recommend that the plan is adopted.

15.2 The Inspector finds that the plan is unsound and/or legally noncompliant as submitted, but that it is possible to make it sound and legally compliant by making main modifications to it. In these circumstances the Inspector must recommend the necessary main modifications, if requested to do so by the LPA. The main modifications must relate directly to the reasons why the Inspector has found the plan unsound or legally non-compliant.

15.3 The Inspector finds the plan unsound and/or legally non-compliant as submitted, and that it is not possible to make it sound and legally compliant by making main modifications to it. The Planning

Inspectorate 5 Procedure Guide for Local Plan Examinations details the circumstances in which the Inspector must recommend non-adoption of the plan. In practice, the LPA would be asked to consider withdrawing the plan before any such recommendation was made.

16. At the end of the examination the Inspector produces a report for the LPA setting out recommendation(s) and the reasons for them. The report is not binding on the LPA, but the LPA may not adopt an unsound plan.
17. **Property:** The Local Plan sets out how and where land and property will be used in Epping Forest District for the next 15 years. It is important to the City Corporation's stewardship of the Forest to ensure a balanced view is taken regarding both the protection of the Forest and opportunities to best utilise land and property required for operational and surplus to operational purposes.
18. **Charity:** Epping Forest is a registered charity (number 232990). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity.
19. **Equalities & diversity;** An initial screening exercise of the equality impact of this Plan process has been undertaken by Epping Forest District Council.
20. **Exiting the European Union:** The main influence of EU law on plan making in the UK relates to the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') and the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna & Flora, which is incorporated into UK law as the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'). The future influence of existing EU Directives and the Regulations may be affected by the EU and will also be consequent on the terms reached with the EU as part of Brexit negotiations and the future governments views on 'Retained EU law' contained within the EU (Withdrawal) Act 2018.

Conclusion

21. The District Council is an important strategic partner for the City Corporation and the Local Plan consultation process provides an important opportunity to both draw together City Corporation and the District Council aspirations for the area over the next 15 years, while also ensuring the continued protection and conservation of Epping Forest.

Appendices

Appendix 1 - Planning Inspectorate (Inspector Louise Phillips) *Epping Forest District Council: Examination of the District Local Plan, 2011-2033*. (Aug 2019)

Jeremy Dagley

Head of Conservation

T: 020 7332 1010

E: Jeremy.dagley@cityoflondon.gov.uk

EPPING FOREST DISTRICT COUNCIL: Examination of the District Local Plan, 2011- 2033.

Inspector: Louise Phillips MA (Cantab) MSc MRTPI

Programme Officer: Louise St John Howe

Email: [REDACTED]

Dear Ms Blom-Cooper,

INSPECTOR'S ADVICE AFTER HEARINGS

1. The hearings stage of my examination into the soundness and legal compliance of the Epping Forest District Local Plan 2011-33 (the Plan) closed on 11 June 2019. At the end of the final hearing, I advised the Council that changes to the Plan would be required to remedy issues of soundness in the form of Main Modifications (MMs). Many MMs were discussed during the hearings, including those which had been advanced by the Council (the vast majority), and others proposed by participants or by me. The Council is already drawing up a schedule of the MMs which were "agreed" with me at the hearings on the basis that they will be subject to public consultation in due course.
2. I also indicated that I needed to carefully consider some of the more complex matters raised before deciding whether further MMs are required and this letter now sets out my position. My conclusion at this stage is that further MMs are required and that in some cases, additional work will need to be done by the Council to establish their precise form. My advice below covers both strategic and detailed matters reflecting the comprehensive nature of the Plan and the range of issues raised in the representations and/or discussed at the hearings.
3. The magnitude of the work involved in getting the Plan to this point, and the importance attached to having an up to date Plan in place both locally and nationally, are at the forefront of my mind and so I have sought to be pragmatic and constructive. This note focuses on the areas where I have misgivings, but my full reasoning will be provided in my final report which will address all issues of soundness. Therefore the advice set out below is given without prejudice to the conclusions that I might ultimately reach.
4. My advice is structured around the following broad areas, but some of the issues necessarily overlap:
 - The implications of my examination under the National Planning Policy Framework 2012 for modifications advanced by the Council concerning housing land supply and viability;
 - The robustness of the Habitats Regulations Assessment, January 2019;
 - Issues concerning the Plan's housing requirement and distribution, and its proposals for housing delivery;
 - The allocations forming part of the Harlow and Gilston Garden Town Community;
 - Settlement/site specific matters; and
 - Detailed policy matters.
5. At the end of each section, I have summarised the necessary actions in **bold**.

Examination under National Planning Policy Framework 2012

6. Paragraph 214 of the National Planning Policy Framework 2019 (2019 Framework) provides that the policies in the previous Framework, the 2012 version, will apply for the purpose of examining plans submitted on or before 24 January 2019. Paragraph 7 of my initial Guidance Note (ED6) explains that this arrangement applies to my examination of the submitted Plan. Paragraph 9 further explains that my role is to determine whether the Plan is legally compliant and sound as it stands rather than to improve it or to make it more sound. By the same standard, it is not my role to facilitate the Council's own improvements or updates to the Plan unless they are required for soundness.
7. During the course of the examination, the Council has requested that I recommend modifications in two specific areas to reflect new provisions in the 2019 Framework. The first concerns paragraph 74 which now permits Councils to confirm their five-year housing land supply positions annually, initially through recently adopted plans and then through formal position statements. The Council's desire to make use of this provision is understandable, but modifications relating to this matter are not required to achieve consistency with paragraph 47 of the 2012 Framework. Nor are they required to enable planning decisions to be taken in accordance with paragraphs 73 and 11(d) of the 2019 Framework.
8. Consequently they are not required either for soundness or to avoid future policy conflicts and so they do not need to be made through the examination of the submitted Plan. Considering the late timing of the Council's request, after the relevant hearing session; that it did not (indeed could not) indicate its intention to confirm the land supply position through the examination of the Plan at the Regulation 19 stage¹; and having regard to the objections of participants in the examination process, I have decided that no such modifications should be made.
9. The second request is to modify the Plan (mainly Policies H2: Affordable Housing and D1: Delivery of Infrastructure) to fully reflect paragraph 57 of the 2019 Framework on viability in relation to the Garden Town allocations. It is made on the basis that the Council has published significant detailed work on infrastructure provision and viability in respect of these sites since the Plan was submitted². Having regard to this evidence, the Council intends that the Plan's policies on contributions etc. would be relied upon for decision making without the need for viability assessment at the planning application stage. Applicants would be required to demonstrate that further viability work was justified.
10. The Council's proposed modifications are again made late and are controversial. Like those concerning the five-year land supply above, they are not necessary to achieve consistency with paragraph 173 of the 2012 Framework. They are not necessary to enable decision-makers to apply

¹ As required by the PPG, paragraph 049, Ref. ID 3-049-20180913, revision date 13/09/2018.

² Harlow & Gilston Garden Town Guidance Note (ED33); Harlow & Gilston Garden Town Infrastructure Delivery Plan (ED34 & 35A); and Harlow & Gilston Garden Town Strategic Viability Assessment (ED35 & 35A).

paragraph 57 of the 2019 Framework because applicants will still be required to demonstrate the need for viability assessments (albeit the process should be easier); and the weight to be given to any such assessments will be a matter for decision-makers. Again, therefore, it is not necessary for soundness to modify the Plan with the specific intention of invoking paragraph 57 of the 2019 Framework.

11. Moreover, the representations raise valid concerns about the depth of consultation which took place during the preparation of the documents referenced above; and about the uncertainty surrounding many of the infrastructure requirements and funding sources identified therein. On the basis that the modifications advanced by the Council are not necessary for soundness, I conclude that they should not be made in the form presently proposed. However, for effectiveness, it is necessary to amend the Plan to identify the Garden Town documents as the up-to-date evidence to which applicants should refer. The proposed modifications should be redrafted on this basis.

ACTION 1: To exclude/redraft MMs which would seek to confirm the five-year housing land supply in accordance with paragraph 74 of the 2019 Framework and to invoke paragraph 57 concerning viability.

ACTION 2: To prepare MMs to identify the recent Garden Town infrastructure and viability documents as the up-to-date evidence to which applicants should refer.

The Habitats Regulations Assessment

12. The Habitats Regulations Assessment January 2019 (the HRA) (EB209) found that the Plan would be likely to have a significant effect upon the Epping Forest Special Area of Conservation (the SAC) in respect of both atmospheric pollution and disturbance from recreation/urbanisation. An Appropriate Assessment (AA) of its implications for the integrity of the SAC was therefore undertaken. For both pathways of impact, the AA concluded that with mitigation, the Plan would not have an adverse effect on the integrity of the SAC either alone or in combination with other plans or projects.
13. However, in their written representations and at the hearing itself, both Natural England and the Conservators of Epping Forest (the Conservators) strongly challenged the robustness of the HRA in terms of its methodology and conclusions. Given the uniqueness of the Forest, its high-risk status and the professed engagement between these key representors and the Council, the dispute at this stage seems most unfortunate. Nevertheless, I cannot conclude beyond reasonable scientific doubt (as the parties all agree that I must) that the Plan will not adversely affect the integrity of the SAC until steps have been taken towards resolving it.

Atmospheric Pollution

14. In relation to air quality, the key issues to address as I see them are set out below. However, in this technical area I must, to some extent, rely upon the experts to refine them if necessary.

- i. **Unmitigated growth scenario DS2:** This might not account fully for nitrogen deposition because the modelling is based on “dwarf, shrub, heath” rather than tall forest vegetation.
 - ii. **Mitigated scenario DS5:** There is no direct causal link between the mitigation measures proposed in the Plan (and set out at para. 6.18 of the HRA) and the use of the 2030 DEFRA emission factors for modelling the effects of scenario DS5. Thus the evidence provided by the HRA is not robust in this respect.
 - iii. **Conclusions:** Even as it stands, the HRA finds (at para. 6.20) that the Plan with mitigation would delay the SAC falling below the critical load for nitrogen along five modelled transects (A1, K, L, M and N). It also finds (at para. 6.12) that the Plan would cause a deterioration in ammonia concentrations at several receptor points. In the absence of any habitat/location-specific analysis of these effects, to take account of the current state of the forest, the evidence does not robustly demonstrate that the effects would be insignificant as claimed.
15. In respect of how these issues should be addressed, hopefully it is quite straightforward to model for tall rather than short vegetation where appropriate. Where it is found that the Plan would either increase the dose of the relevant pollutants, or would delay the rate at which the pollutants would fall to acceptable levels, then appropriate work should be undertaken to enable the effects of this to be understood at the location/habitat specific level. Whilst participants in the hearing advocated surveying the entire forest to understand its present condition, this would not seem either proportionate or necessary to assess the effects of planned growth. Indeed if mitigation can be secured to reduce the effects of the Plan, then the need for survey work could be reduced accordingly.
16. However, actually achieving sufficient confidence in any necessary mitigation measures is clearly challenging. I heard that physical measures (road works) to which specific benefits could be attributed would themselves harm the SAC; and while schemes for road charging and completely car-free development might warrant future consideration, they could not realistically be implemented to support this Plan. Therefore, the Council must either be clearer about the benefits of the mitigation proposed in para. 6.18 of the HRA; provide robust habitat/location specific evidence to demonstrate that any effects of development would not be adverse; or avoid the effects by altering (or potentially reducing) the pattern of growth proposed in the Plan. See my advice below concerning the Plan’s housing requirement and distribution further on this matter.

ACTION 3: To update the HRA modelling to take account of “tall vegetation”.

ACTION 4: In locations where the HRA modelling shows either an increase in the dose of nitrogen/nitrogen oxide/ammonia, or a delay in the rate at which a pollutant would fall to an acceptable level, to analyse the location/habitat-specific effects.

ACTION 5: To provide robust, habitat-specific evidence that any effects of development would not be adverse; or to seek to avoid the effects by

altering (or potentially reducing) the pattern of growth proposed in the Plan.

Disturbance from Recreation/Urbanisation

17. There was general agreement in principle that the adverse effects of increased recreation upon the SAC could be mitigated by the implementation of a Strategic Access Management & Monitoring (SAMM) Strategy and a Suitable Alternative Natural Greenspace (SANG) Strategy. A SAMM Strategy, in the form of an Interim Mitigation Strategy developed in conjunction with the Conservators and signed off by Natural England, was adopted in October 2018 (EB134). A SANG Strategy is also needed to mitigate the full effect of recreational pressure upon the SAC, but the adopted SAMM Strategy, kept under review, will address the effects of development within 3km of the SAC.
18. A SANG Strategy is being prepared which seeks bespoke on-site or strategic off-site SANG for sites accommodating 400 or more dwellings within 3-6.2km of the SAC. Sites accommodating less than 400 dwellings would not provide or contribute towards SANG, but this is justified in light of the visitor survey which demonstrates that the requirements for the larger sites are themselves precautionary and would be sufficient. However, at present there is no clear evidence to demonstrate that the necessary SANG, of an appropriate quality and in the right place, could be delivered to support these larger sites. This is needed to provide confidence that the Council's strategic allocations are deliverable within the Plan period; and, for effectiveness, any SANG needed within five years of the Plan's adoption should be secured by the Plan itself.
19. The Plan's allocations in the relevant "Place" Policies or in Appendix 6 should be modified to ensure that any obligations regarding SAMM or SANG are clearly stated. Once work is complete in response to both the air quality and recreational aspects of my advice, Policies DM2 and DM22 should be updated to include any general requirements for windfall schemes.

ACTION 6: To provide clear evidence that the necessary SANG can be delivered over the Plan period; include proposals for SANG required in the first five years within the Plan itself; and to prepare any MMs needed to ensure that all site specific SAMM or SANG requirements are reflected in the Plan.

ACTION 7: To draft MMs to ensure that Policies DM2 and DM22 reflect the updated position on air quality and recreational pressure.

Housing: Requirement, Distribution & Delivery

Requirement & Distribution

20. Policy SP2 sets the Plan's housing requirement for the period 2011-2033 at a minimum of 11,400 new dwellings, which is below the Objectively Assessed Need for Housing (OAN) of 12,573 dwellings for Epping Forest found by the most recent Strategic Housing Market Assessment (HMA) of July 2017 (EB407). The submitted Plan in fact claims a total housing supply of 13,152 new dwellings and so, on the face of it, setting the requirement below the OAN seems rather unambitious. However, Epping Forest is part of a wider

HMA comprising four local authority areas and the delivery of a minimum of 11,400 dwellings would help enable the full OAN for market and affordable housing to be met within the Housing Market Area (HMA) as a whole, as required by paragraph 47 of the 2012 Framework. Given the significant constraints upon development in the District, including the SAC and Green Belt; and in light of my concerns about some of the Plan's allocated housing sites (see below), the requirement for Epping Forest should not be increased further. For effectiveness however, the Plan's affordable housing requirement of 2,851 dwellings for the period 2016-33 should be set in policy.

21. The implication of my advice concerning the SAC and some of the sites in the Plan more generally is that the capacity of certain allocations might need to be reduced, or the sites deleted altogether. However, the evidence does not yet rule out the possibility that alternative sites could be found relatively quickly to replace any lost capacity resulting from my recommendations. Indeed, the Sustainability Appraisal (SA) of December 2017 (EB204) indicates that significantly more sites passed Stage 3 of the site selection process than were needed to reach the Plan's housing requirement – i.e. sites within the Council's preferred strategic growth options for the District's settlements.
22. Furthermore, the evidence which I've read and heard indicates that certain types/categories of sites could be revisited if necessary, although I am not suggesting that this must be done to correct systematic methodological flaws. Such types/categories include those sites which were proposed for allocation in the Regulation 18 version of the Plan but deleted from the Regulation 19 version; those which were proposed to the Council for more dwellings than have been allocated; those which have been allocated in part but sub-divided for technical reasons; and similarly, those which fall low in the "land preference hierarchy" for technical reasons but which might be perceived by a layman as derelict previously developed land.
23. Therefore at present I do not discount the possibility that alternative sites could be found within the Council's preferred spatial strategy, but whether this approach could address the effects of air pollution upon the SAC remains uncertain. If it could not, then the Council would need to explore specific, preferably localised amendments to the spatial strategy through the SA process before I could consider any reduction in the total housing requirement. I accept that alternative district-wide distributions have been subject to SA, but on the basis of a fixed "beyond Harlow" requirement and with acknowledgement that the alternatives varied in limited respects. This would be justified if the Plan's allocations were deliverable as submitted, but the SA does not presently demonstrate that no alternative distribution could be contemplated.

ACTION 8: To prepare MMs to set the Plan's affordable housing requirement of 2,851 dwellings for the period 2016-33 in policy.

ACTION 9: In light of my advice concerning the SAC and specific allocations (see below), to seek alternative sites to meet the housing requirement, firstly within the Council's preferred strategic growth options. If no such sites can be found, to explore amendments to the spatial strategy through the SA process.

Housing Delivery

24. In undertaking the work outlined above, the housing requirement and supply figures used in the Plan should be updated to reflect the position at 1 April 2019, including for the purpose of the five-year land supply calculation. Otherwise they are likely to be out of date upon adoption. The dwelling capacities attributed to Strategic Masterplan and Concept Framework Areas can be expressed as minimum figures except in the case of **EPP.R1/R2** (South Epping Masterplan Area), for the reasons explained below. The capacities attributed to all other allocated sites should be expressed as approximate figures to provide flexibility, particularly because there are cases where the site promoters themselves consider that development densities have been over-estimated.
25. The Council has provided an updated housing trajectory for the Plan in its Housing Implementation Strategy (HIS) 2019 (EB410A). It is proposed to spread the shortfall in housing delivery since 2011 across the remainder of the Plan period by use of the "Liverpool" method, and to use a stepped trajectory so that more homes will be delivered in the last 10 years of the Plan period than the next five. This approach is potentially justified for the reasons given in the HIS, but I must reserve my position until the site allocations are finalised having regard to my advice above. New sites proposed for allocation might be capable of delivering completions early in the remaining Plan period and this should be an important aim of the site selection process.
26. The housing requirement for the five-year period 2018/19 – 2022/23 is set by the HIS at 425 dwellings per annum. This is on the basis that the total delivery "target" would be achievable if either the 5% or 20% buffer required by paragraph 47 of the Framework is added. In this respect, the housing requirement proposed for the first five years is essentially a mathematical construction to ensure that the Council is not set up to fail. Participants in the hearing were concerned about this, but in the context of a stepped trajectory, it is to be expected. To justify a stepped trajectory, it should neither be possible to meet the averaged annualised requirement nor to move supply forward from later in the Plan period and so no genuine "buffer" could realistically be added.
27. However, national policy in both the 2012 and 2019 Frameworks requires a buffer to be added and so, should a stepped trajectory remain justified once the Plan's housing allocations are finalised in light of my advice, the requirement for the first five years should be set as high as realistically possible allowing for the addition of a 20% buffer. This is because paragraph 73(c) of the 2019 Framework would require a 20% buffer in the event that the Housing Delivery Test results indicate delivery below 85% of the requirement. The level of housing required in each year of the Plan period should be set out in Policy, likely in Policy SP2, and it should be made explicit that the five-year supply should be assessed on this basis.
28. Paragraph 33 of the 2019 Framework sets out the requirements for reviewing Local Plans with which the Council will need to comply. In view of these requirements, the Council has advanced a modification to the Plan to include a Local Plan Review policy, as Policy D8. The proposed policy sets out how and when the Plan will be reviewed as required by national policy, as

well as identifying the circumstances which could lead to an earlier review. In light of the housing land supply position, the inclusion of this policy is necessary for effectiveness.

29. However, having regard to the recommendations of the Transport Assessment Report 2019 (TAR) (EB503), a transport-related clause should be added to Part B which identifies the factors to which the Council will have regard in deciding whether the Plan's policies need updating. The TAR recommends that the success of sustainable transport measures in mitigating the effects of development upon the road network should be monitored before committing substantial funds to physical measures, but it is acknowledged that the latter are likely to be required and are presently only at concept design stage. Consequently the Plan's policies might require updating if the sustainable transport measures are not sufficiently effective and no alternative physical scheme is available.

ACTION 10: To update the housing requirement and supply figures used in the Plan to reflect the position at 1 April 2019, including for the purpose of the five-year land supply calculation.

ACTION 11: To ensure it is clear that the dwelling capacity estimates for Strategic Masterplan and Concept Framework areas are expressed as "minimum" figures (except for EPP.R1 & R2); and for all other allocations as "approximate" figures.

ACTION 12: To include a 20% buffer in the five-year supply; to set the level of housing required in each year of the Plan period in policy; and to clarify in policy how the five-year supply will be assessed.

ACTION 13: To add a transport-related clause to proposed review policy D8 to reflect the recommendations of the TAR 2019.

Harlow and Gilston Garden Town Communities

30. The Council is already drawing up a number of MMs affecting the Garden Town proposals in the Plan as a result of the Matter 8 hearing session and also other sessions, particularly on transport and infrastructure. These MMs include the need to clearly convey the interrelationship of the individual Garden Town communities across the relevant local authority areas; detailed changes to the wording of Policy SP5; and the need to explain the nature of the Sustainable Transport Corridors and to safeguard their likely routes. Other matters might also be covered in my report, but my advice now focusses upon site specific matters.

SP5.1: Latton Priory Masterplan Area

31. The majority of this large site adjoining the administrative boundary with Harlow District would be removed from the Green Belt, but Map 2.2 in the Plan shows that the southernmost part would be retained within it. The Green Belt boundary would cut across the site with quite a substantial part of it lying to the south. The new Green Belt boundary has been drawn along the ridgeline and the Council's site selection work concludes that built development should not take place beyond it. The site promoter agrees and

confirmed at the hearing that none would be proposed here. Nevertheless, while it is justified to include this area within the allocation for the contribution it could make to open space provision for example, it is also justified for the Plan to protect it from physical development.

32. However, paragraph 85 of the 2012 Framework requires that Green Belt boundaries should be clearly defined, using features that are readily recognisable and likely to be permanent. The ridgeline along which the new Green Belt boundary is presently proposed is not particularly prominent because the land falls away gently to the south, and nor is it demarked by any other obvious physical features. By contrast, the site boundary itself is marked at several points by stands of mature trees. These could be reinforced and linked with similar planting to achieve a readily recognisable Green Belt boundary which would be likely to have a more natural appearance than the creation of an entirely new feature along the ridgeline. Therefore the Plan should be modified so that the Green Belt and site boundaries coincide. Further modifications will be required to ensure that physical development does not take place beyond the ridge.
33. Additionally in relation to Latton Priory, the indicative access road shown on Map 2.1 and proposed to be repeated on Map 2.2 would lie to the south of the ridgeline discussed above, and cut through an open field to adjoin the B1393 to the east. This route would appear disconnected from the developable part of the site and represent an intrusion into the Green Belt and countryside generally. Moreover, there appear to be several potential points of access to/from the north and west, which would better connect the new and existing development in the area. Therefore, further investigation/explanation is required before I can conclude that the present proposals are justified.

ACTION 14: To redraw the Green Belt boundary of site SP5.1 (Latton Priory) to coincide with the boundary of the site allocation.

ACTION 15: To review the access proposed to serve site SP5.1 (Latton Priory) and either modify it or provide further justification for its route.

SP5.3: East of Harlow Masterplan Area

34. This is a large, cross-boundary allocation with the land in Epping Forest expected to accommodate a minimum of 750 homes, a small Traveller site, a local centre, a hospital and possibly a secondary school in addition to a range of supporting development. This is clearly a significant and complex undertaking for which no masterplanning work is presently available, except in relation to the hospital.
35. The site promoter intends to commence the masterplanning process upon the conclusion of the examination and has signed a Statement of Common Ground (ED20) confirming that delivery is expected to commence in 2023/24 as forecast in Appendix B of the HIS (ED410B). However, given the present stage of preparation, this is not convincing and a more conservative projection is required based on up to date evidence of progress. The Council should reconsider the position of this site in the trajectory and no delivery should be assumed within the next five years.

36. Furthermore, the absence of conceptual work at this stage makes it difficult to understand the need for the scale of Green Belt land proposed to be released to the north, right up to the junction with the small settlement of Sheering. Given the amount and mixed nature of the development to be accommodated on this site, it is quite possible that the new Green Belt boundary is justified. However, further information/explanation is required in relation to how the land will be used before I can reach this conclusion.

ACTION 16: To review the position of site SP5.3 (East of Harlow) in the housing trajectory in light of current evidence of progress; and to provide more detailed information concerning the likely use of the land to justify the northward extent of the proposed new Green Belt boundary.

Settlement/Site-Specific Matters

37. This section sets out my advice in relation to particular sites or categories of sites proposed to be allocated in the Plan and to settlement-specific matters. It does not cover those modifications already signalled as being necessary at the hearings.

Car Park Sites

38. The Plan would allocate seven sites currently in use as car parks: EPP.R1; LOU.R1; LOU.R2; BUCK.R2; THYB.R2 (London Underground car parks); and EPP.R6 and EPP.R7 (car parks serving the High Street in Epping). The allocations are, in principle, justified and consistent with the aims of the 2012 Framework in respect of making best use of previously developed land and focusing development in sustainable locations (paragraph 17). The clauses in the Plan which would require the existing number of parking spaces to be retained are important in justifying these allocations. Whilst not at the level of detail required at the planning application stage, the evidence presented in the Settlement Capacity Study (EB803) in respect of feasibility and viability demonstrates that there is a reasonable prospect of the sites being delivered.

39. The possible exceptions are sites **LOU.R1** (Loughton London Underground Car Park) and **LOU.R2** (Debden London Underground Car Park), about which Transport for London (TfL) submitted its own feasibility and viability evidence late in proceedings as part of its pre-hearing Statement³. This effectively promoted schemes of a significantly larger scale than those allocated in the Plan on the basis that more development would be needed for reasons of viability: 321 dwellings on site LOU.R1 versus 165 proposed in the Plan; and 226 on site LOU.R2, versus 192. TfL's visualisation work indicates the need for 12-13 storey buildings as opposed to the 5-6 storey buildings envisaged by the Council and, furthermore, the work relating to LOU.R1 is based on a larger site.

40. Having visited the sites, I am likely to conclude in my report that developments of the scale now proposed by TfL could not be accommodated without significant detriment to the character and appearance of the surrounding areas. Notwithstanding that the Council's own feasibility work

³ Matter 15 Statement on behalf of TfL Commercial development (19LAD0071).

might make modest assumptions about site capacity, the difference between the allocated development and that which the landowner wishes to build are too great to be addressed through providing flexibility in the Plan. Even if the allocations remain, they should be modified to include a height limit to safeguard against buildings of the size envisaged by TfL. Indeed, a height limit should be imposed on all the London Underground car park sites to ensure that development is compatible with their surroundings.

41. I understand that prior to submitting its pre-hearing Statement, TfL had not raised concerns about the viability of sites LOU.R1 and R2 and so the Council requested the opportunity to discuss the matter further. If the parties can agree that the sites would have a reasonable prospect of being delivered in the form proposed to be allocated, this should be set out in a Statement of Common Ground. This should clearly explain the intentions of the pre-hearing Statement and give confidence that buildings of the scale shown therein will not be required. If such an agreement cannot be reached, the sites should be deleted from the Plan on the basis that they are not viable as proposed, and a significantly greater number of homes would cause harm to the character and appearance of the area.

ACTION 17: To prepare MMs to impose a height limit upon developments the London Underground car park sites.

ACTION 18: To agree a Statement of Common Ground with TfL to give confidence that sites LOU.R1 and LOU.R2 are deliverable as proposed in the Plan; or to delete these allocations via a MM.

Epping

42. The South Epping Masterplan Area, comprising of sites **EPP.R1 and EPP.R2**, would be allocated in the Plan for a minimum of 950 dwellings, with 95 per annum expected to be delivered from 2023/24 onwards (Appendix B of the HIS, EB410B). In principle the allocation of these sites is justified by the Council's site selection work and, in this respect, both consultation responses and emerging neighbourhood plan proposals are legitimate factors for consideration.
43. In terms of detail, however, the sites are subject to numerous constraints, including Green Belt and HRA considerations, noise and air quality associated with the M25, the presence of overhead powerlines and the need for a bridge over the railway to connect them. At present, the indicative site density/capacity assessment in document EB805N (pages 874, 877 and 878) is insufficiently thorough to demonstrate that at least 950 homes could be accommodated over the Plan period, or that homes could be delivered as soon as projected by the HIS.
44. In particular, the concerns I expressed at the hearing about the effect of development on the elevated land in the region of Flux's Lane (EPP.R2) upon the Green Belt (purpose 4) remain; and I am similarly concerned about the potential effects of any necessary acoustic bund adjacent to the motorway. Additionally, the site promoters have confirmed that it would not be financially viable for the development itself to fund the vehicular bridge across the railway which the Council and highway authority maintain is

essential for connectivity. As no alternative means is suggested, this presents a significant risk to the delivery of this strategic site.

45. Therefore the Council should review its site capacity work, preferably in conjunction with the site promoters, with the above concerns in mind together with the need for SANG provision as outlined above. It should also set out clearly how the bridge is intended to be delivered and what contingencies will be in place if this does not happen. I am open to this allocation remaining in the Plan but, at this stage, I anticipate a reduction in the number of dwellings proposed and/or a delay in the projected timing of their delivery.
46. In relation to other sites in Epping, a modification is required to the "Design" entry in Appendix 6 for **EPP.R4** (Land at St Johns Road) to make it explicit that the site is expected to accommodate a replacement for the sports/leisure facility to be lost through the allocation of EPP.R5. The modification proposed in paragraph 5 of document ED85 would be sufficient to ensure the protection of the listed building forming part of allocation **EPP.R8** (Land and part of Civic Offices).

ACTION 19: To review the site capacity work for EPP.R1 and R2 (South Epping Masterplan Area) taking detailed account of constraints, and to consider the delivery of the bridge. It is likely that the number of dwellings proposed should be reduced and/or that the projected timing of delivery should be delayed.

ACTION 20: To prepare MMs in relation to sites EPP.R4 (Land at St Johns Road) and EPP.R8 (Civic Offices).

Loughton

47. Beginning with general matters, the Council has advanced potential modifications to the site-specific requirements for LOU.R2, R4 and R9 concerning the impact of development upon the Roding Valley Meadows Site of Special Scientific Interest (SSSI). These sites apparently fall within the "impact risk zone" identified for the SSSI. However, the risk posed by development to the SSSI is not clear and so I do not know whether the modifications proposed would secure adequate mitigation. The Council should clarify this matter, either through the preparation of the MM Schedule or separately as appropriate.
48. Concerns were also raised about the omission of the Sainsburys store in Loughton Broadway from the Primary Shopping Area (PSA) and the Primary Shopping Frontage (PSF). However, the store is disconnected from the parade of shops fronting The Broadway down a side road which includes residential as well as commercial uses at ground floor level. In fact it is not even visible from The Broadway. Its exclusion from the PSA and PSF is justified by reference to the definition of those terms in Annex 2 of the 2012 Framework and no modifications are required in relation to this matter.
49. Turning to site specific matters, **LOU.R5** (Jessel Green) is allocated for a minimum of 154 homes. It is a vast, unfenced open space at the centre of a large housing area. The topography varies across the space so that there is sloping land with some tree cover as well as a large, relatively flat grassed

area. There is a children's play area at the northern end adjacent to Colebrook Lane. Thus the space both contributes significantly to the character and appearance of the area and lends itself to a range of leisure activities. It is clearly well used by local residents, including for organised events. Whilst there are a number of other open spaces in the vicinity of the site, none which I observed compare to Jessel Green in respect of either scale or character. The development of a major part of it for housing would therefore harm the character and appearance of the area and severely compromise an important local facility.

50. Development opportunities in Epping Forest District are clearly constrained by the Green Belt boundary being tightly drawn around its principal settlements including Loughton and, in this context, the Council's efforts to make full use of land within built up areas is well-founded in principle. However, given the importance of Jessel Green to both visual and social amenity, the benefit of the proposed housing would not outweigh the harm which would be caused by the loss of the open space. For this reason, the allocation would not be justified and it should be deleted from the Plan accordingly. My conclusion stands whether or not there would remain a surplus of amenity green space in Loughton (see advice concerning Policy DM6 below).
51. With regard to other sites, participants at the hearing indicated that there was some interrelationship between proposed allocations **LOU.R4** (Border Lane Playing Fields) and **LOU.R9** (Land at Former Epping Forest College). The Council should clarify whether it is necessary to require sports facilities to be provided on the former to justify the allocation of the latter having regard to commitments made by the College in 2009. In relation to **LOU.R14** (Land at Alderton Hill), it was confirmed at the hearing that the site area must be reduced to take account of land availability and that the estimated capacity of the site should be reduced from 33 to 19 dwellings. Finally, the Council indicated that it would be necessary to consult with the highway authority to confirm whether contributions towards a Controlled Parking Zone would be necessary to justify proposed allocation **LOU.R16** (St. Thomas More RC Church).

ACTION 21: To clarify the risk posed by development to the Roding Valley Meadows SSSI as well as the nature of the mitigation required.

ACTION 22: To delete proposed allocation LOU.R5 (Jessel Green) via a MM.

ACTION 23: To prepare MMs in relation to sites LOU.R4 (Border Lane Playing Fields) and LOU.R14 (Land at Alderton Hill); and to investigate the need for CPZ contributions from site LOU.R16 (St. Thomas More RC Church).

Waltham Abbey

52. I understand that one of the factors weighing in favour of the Council's decision to allocate the Waltham Abbey North Masterplan Area (comprising of sites **WAL.R1**, **WAL.R2**, **WAL.R3** and **WAL.T1**) for a minimum of 610 homes was the need to provide land for the expansion of the King Harold Academy Secondary School. The balance of the evidence now suggests that

the site is unlikely to be required for this purpose, but the allocation is nevertheless justified in view of the general need for housing in the District. However, neither Part G nor Part N(v) of Policy P3 are justified because they specifically concern the expansion of the school. They should therefore be deleted along with any relevant references in the supporting text.

ACTION 24: To modify Policy P3 to delete Parts G and N(v) concerning the expansion of the King Harold Academy.

Buckhurst Hill

53. Allocation BUCK.R1 (land at Powell Road) is essentially justified, but a modification is required to Appendix 6 to ensure that development maintains the character and appearance of the streetscene which, in this location, is dominated by large, imposing dwellings. A further amendment is required to the "ecology" entry to highlight the importance of the tranquillity of Linder's Field.

ACTION 25: To modify Appendix 6 to ensure that the street scene and Linder's Field are properly protected in the development of BUCK.R1 (Land at Powell Road).

Chigwell

54. Site **CHIG.R6**, the Limes Farm Masterplan Area, is allocated for a minimum of 100 additional homes on top of the 778 which already exist in this estate of mainly social housing. Whilst the allocation would provide an opportunity for regeneration, there is no real evidence of a pressing need for this and it does not seem to be a wider priority. Rather, the need/desire to deliver housing on previously developed land rather than in the Green Belt has again been the principal driver for the allocation.
55. There is no fundamental objection in principle to the regeneration of this area but there is significant local concern that the allocation would not address existing transport-related problems caused by the design of the estate around a ring road with only a single point of access. My site visit left me in no doubt about the difficulties this surely can present, and I heard that it had not been possible to secure a second access for various reasons including restrictive covenants. However, this matter has not been considered in any detail in proposing the allocation and the highway authority is certainly not confident that it could be resolved. Consequently, the allocation would be likely to make an existing problem worse and the benefit of 100 additional houses would not outweigh the harm which would be caused. Its inclusion in the Plan is therefore not justified and the site should be deleted.
56. Site **CHIG.R7** (Land at Chigwell Convent) is allocated for approximately 28 dwellings. It is an open grassed area fenced by railings with a long driveway running through it to the listed Chigwell Manor House, which itself is accessed through a listed gateway at the southern end of the driveway. The site appears as private land providing a grand entrance to the Manor.
57. The site-specific requirements in Appendix 6 of the Plan acknowledge that development here might impact directly upon the listed forecourt piers,

gateway and railings and upon the setting of the manor house. Whilst it is suggested that the special interest of these assets could be preserved by focussing development along the sides of the site, I am not confident that this is the case.

58. A development of up to 28 dwellings along with associated paving, fencing etc. would almost certainly encroach upon the character of the site as an open and impressive entrance to an imposing listed building. Therefore, either more information is needed to demonstrate that it would be possible to achieve a development which preserved the significance of the relevant assets (to include a statement of significance and possible site layouts), or the allocation should be deleted from the Plan.

ACTION 26: To delete proposed allocation CHIG.R6 (Limes Farm Masterplan Area) via a MM.

ACTION 27: To either provide more evidence to demonstrate that a suitable scheme could be achieved on CHIG.R7 (Land at Chigwell Convent), or to delete the proposed allocation from the Plan via a MM.

Roydon

59. **ROYD.R3** (Land at Epping Road) is allocated in the Plan for approximately 14 dwellings. However, the site promoter (who is seeking a larger allocation for at least 120 dwellings) has confirmed that the land is not available for the scale of development proposed. The site should be deleted from the Plan, as agreed with the Council at the hearing.

ACTION 28: To delete proposed allocation ROYD.R3 (Land at Epping Road) from the Plan via a MM.

High Ongar (Policy P12)

60. The site boundary for **HONG.R1** (Land at Mill Lane) presently includes part of a residential garden in error. An amendment to the Policies Map is therefore required, but the Green Belt boundary should remain as shown.

ACTION 29: To amend the site boundary for HONG.R1 (Land at Mill Lane).

Detailed Policy Matters

61. This section concerns detailed matters relating to certain strategic, topic-specific and development management policies in the Plan. Those policies not covered below might still be subject to modification as indicated at the hearings, but I am not recommending any further changes at this stage.

Policies SP3 (Place Shaping) and D2 (Essential Services & Facilities)

62. Policy SP3 sets out a range of place-shaping principles intended to apply proportionately to all development proposals. The creation of healthy, inclusive communities and the promotion of general well-being are important aspects of place-shaping and, taken as a whole, the Plan includes sufficient

provisions to facilitate the aims of Section 8 of the 2012 Framework. However, spreading the provisions throughout the Plan risks them being lost and so, for effectiveness, Policy SP3 should include an overarching principle on health and well-being. The supporting text should draw attention to other relevant policies in the Plan itself and signpost important guidance outside it.

63. For similar reasons, Part D of Policy D2 requiring the preparation of Health Impact Assessments (HIA) for certain schemes should be moved to Policy SP3. This is necessary to ensure that HIA is undertaken at the outset of the planning process and is not viewed simply as a means of investigating the need for health facilities.

ACTION 30: To modify Policy SP3 to include an overarching principle on health and well-being and to include Part D of Policy D2 on HIA within it.

Policies H1 (Housing Mix & Accommodation Types); H2 (Affordable Housing); and DM10 (Housing Design & Quality) concerning the optional Nationally Described Space Standard and the M4(2) Standard for Accessible & Adaptable Dwellings.

64. Policies H1 and H2 would require all new market and affordable homes to be built to the optional technical standard M4(2) for accessible and adaptable dwellings; and Policy DM10 would require them to meet the optional nationally described (minimum internal) space standard (NDSS). The PPG is clear that Local Planning Authorities will need to gather evidence to determine whether there is a need for such standards in their area to justify setting them in their Local Plans⁴; and the associated Written Ministerial Statement⁵ further clarifies that optional technical standards should only be required if they address a clearly evidenced need and where their impact on viability has been considered.

65. The Council's Stage 2 Viability Study (EB301) has taken account of the costs of these standards and imposing them would not put the implementation of the Plan at serious risk. Moreover, the evidence concerning the projected increase in older people living in the HMA during the Plan period, taken together with the national and local objective of enabling people to remain in their own homes for as long as they wish, justifies the need for the M4(2) standard⁶.

66. Turning to the NDSS however, no evidence was provided to support the need for this standard at the time of the relevant hearing. Some analysis of the extent to which recent schemes have complied with it has now been set out in document ED54, but this is based on a sample of major schemes (10 homes or more) only, permitted between 2013-2017. No evidence is presented in respect of housing delivered on smaller sites during the same period, or about the size of dwellings in the existing housing stock. Nor is any information provided as to whether the size of dwellings currently available in the District is causing particular difficulties. Consequently the

⁴ PPG para. 002 Ref. ID 56-002-20160519; Revised 19 May 2016.

⁵ WMS Planning Update 25 March 2015.

⁶ Strategic Housing Market Assessment, 2015 (EB405), in particular para. 6.33.

requirement in Policy DM10 to meet the NDSS is not justified and should be deleted.

ACTION 31: To modify Policy DM10 to remove the requirement for development to meet the NDSS.

Policy H2 (Affordable Housing)

67. Part C of this policy sets out how the mix of affordable homes to be provided on development sites should be determined. The main purpose of the second sentence is to secure schemes which are “tenure blind” and this is a commendable objective. However, Table 76 in the Strategic Housing Market Assessment of September 2015 (EB405) indicates that a different mix of homes is needed for each tenure and so the requirement for the affordable mix to reflect the market mix is not justified. The second sentence of Part C should therefore be reworded to better express the primary intention of the policy.

ACTION 32: To modify Part C of Policy H2 to reflect the primary intention of the policy to achieve “tenure blind” development.

Policy E1 (Employment Sites)

68. Having regard to the Council’s post-hearing document ED92 prepared at my request, I am satisfied that the designation of site **RUR.E11** (Quickbury Farm) as an existing employment site is justified. An addition to paragraph 3.45 of the supporting text is proposed, but this is not required for soundness and should not be included in the MMs schedule.

Policy T1 (Sustainable Transport Choices)

69. At the hearing, the Council advanced modifications to this policy intended to improve clarity, avoid duplication and correct drafting errors. Whilst some participants expressed concern about the proposed deletion of Part C, the relevant provisions would be included in the modified Part E rather than lost. The modified version of the policy would ensure clarity and effectiveness and so this should be reflected in the MM schedule.

70. Modifications are also proposed to new Part F which are intended to ensure that all new developments providing parking include charging points for electric vehicles. This aim is justified, but the suggested wording does require amendment because, as drafted, it could imply that every single space should have its own charging point. There is no evidence to demonstrate that this would be feasible in large communal parking areas for example.

ACTION 33: To redraft the MM already proposed concerning the provision of charging points for electric vehicles.

Policy T2 (Safeguarding of Routes and Facilities)

71. Planning permission has been granted for a new Junction 7A on the M11 and a modification to safeguard land required to implement this was discussed at the hearing. However, the master-planning process should minimise the

potential for relevant schemes to conflict with this strategic road improvement and so the proposed modification is not necessary for soundness. It should not be included in the MM schedule.

Policy DM1 (Habitat Protection & Improving Biodiversity)

72. This policy is intended to apply to all development and will thus capture schemes of a wide range of types and sizes. It is acknowledged that it might not be possible for some to achieve the net biodiversity gains sought and so Part H, which states that proposals “must demonstrate” net gain, should be amended as agreed at the hearing. However, it is justified for all development to “seek to deliver net biodiversity gain” as required by Part A of the policy and the wording of this provision should not be weakened by the addition of the suggested wording, “where possible”.

ACTION 34: To modify Parts A and H of Policy DM1.

Policy DM4 (Green Belt)

73. Modifications to ensure that this policy would be consistent with national policy were agreed in principle at the hearing. In addition, a specific amendment to the supporting text concerning schools and community facilities in the Green Belt was discussed. The amendment would not alter the position that the construction of new buildings for such uses would represent inappropriate development in the Green Belt which should not be approved except in very special circumstances. It could, however, single them out for more favourable consideration and in light of the concerns raised about existing schools being closed or redeveloped necessitating new ones on Green Belt sites, it would not be appropriate to do so. The proposed amendment should be excluded from the MM schedule.
74. More generally, there are examples in the Plan of sites with unimplemented planning permission being removed from the Green Belt so that they do not constitute anomalies once built out. Land at Chigwell School and at Chimes Garden Centre was proposed to be removed from the Green Belt via modifications for this reason. However, such schemes should have been granted planning permission because they either complied with Green Belt policy, or because very special circumstances existed to justify an exception. If different schemes are proposed once the sites are removed from the Green Belt, they would not need to comply with restrictive Green Belt policy and the purpose of the designation could be compromised. To avoid this risk, the MM schedule should ensure that all such sites are retained within the Green Belt.

ACTION 35: To exclude the amendment proposed to Policy DM4 concerning school sites from the MM Schedule; and to ensure that sites benefiting from unimplemented planning permission in the Green Belt are retained in the Green Belt.

Policy DM6 (Designated and Undesignated Open Spaces)

75. Part A of this Policy would require development to provide open space in accordance with the Infrastructure Delivery Plan (IDP) and Open Space Strategy November 2017 (EB703). It seems that the IDP Schedule (EB1101B) includes deficits in provision of different types of open space

identified in Appendix 2 of the Open Space Strategy (although I have not checked this comprehensively for each typology). However, Appendix 2 of the Open Space Strategy includes some drafting errors in the form of transposed columns which makes it difficult to interpret. These affect Table 2 (amenity greenspace) and Table 4 (public parks and gardens), which require correction.

76. More fundamentally, the tables in Appendix 2 do not provide as much detail about the future position in respect of open space provision as they do about the present one. They show what the population is expected to be in each settlement in 2033, what the requirement for open space will be in hectares and whether there will be a surplus or deficit of supply. However, they do not show either how many sites or how much space will actually be available in 2033, and so it is not possible (from this source at least) to know whether planned development on open space has been taken into account in the assessment of future provision.
77. This specific concern was raised in relation to the future supply of amenity greenspace in Loughton and my own assessment of Table 2 in respect of this settlement (working around the transposed columns) suggests that planned development, such as that proposed on Jessel Green, might not have been factored in. This is because the deficit of 4.04Ha projected in 2033 is arrived at simply by subtracting the requirement in 2033 of 21.57Ha from the *existing* provision of 25.61Ha. Whilst this clearly needs explaining/correcting, my present conclusions in relation to the Jessel Green allocation are unaffected by whether there will be a surplus or deficit of amenity greenspace provision in 2033.
78. Given that Policy DM6 relies upon the evidence in the Open Space Strategy, the issues identified above should be investigated, explained and, if necessary, corrected. If corrections are required, the Council should clarify whether any have wider implications for the Plan's allocations or for viability in any settlement. Whilst Part A of Policy DM6 might not require amendment, the supporting text should be very clear about where developers and decision-makers should look to find the appropriate information concerning open space requirements.

ACTION 36: To investigate and correct drafting errors in Appendix 2 of the Open Space Strategy; to investigate whether proposed development on open spaces has been factored in when identifying future surpluses and deficits of open space; and to advise whether modifications to the Plan are required in consequence.

Policy DM7 (Heritage Assets)

79. This policy concerns the protection of the District's heritage assets and the Council confirmed that it is intended to be consistent with national policy but not go beyond it. However, because Part B does not differentiate the level of protection afforded to designated and non-designated assets, the protection of the latter would go beyond that conferred by the 2012 Framework. This presents the relevant tests for development affecting designated heritage assets in paragraphs 132-134, whereas the tests relevant to non-designated assets are set out in paragraph 135 – and they are less onerous. A

modification is therefore required to accurately convey the intentions of the policy.

ACTION 37: To modify Part B of Policy DM7 to ensure consistency with national policy.

Policy DM12 (Subterranean Basement Development & Lightwells)

80. Following the hearing, I remain concerned about whether Part B as worded would be effective in securing basement developments which are subordinate to the host building. This is because Part B(ii) would invite proposals occupying up to 50% of the garden area of a building to its front, sides and rear, which could result in a very large basement extension to a small house with a large garden.
81. Whilst it would be for the decision-maker to take all relevant factors into account in determining whether a proposal was subordinate, the inclusion of the 50% 'threshold' would skew the balance in favour of schemes that comply with it. Moreover, the Council's desire to define subordination in this case would seem at odds with its preference to avoid defining proportionality in relation to acceptable additions to buildings in the Green Belt.

ACTION 38: To modify Part B(ii) of Policy DM12 concerning the subordination of basement developments.

Policy DM20 (Low Carbon & Renewable Energy)

82. Part D of this policy would require Strategic Masterplans to demonstrate how they could provide infrastructure for district heating unless this would either render development unviable, or alternative technologies could provide similar benefits. Notwithstanding the viability clause, the requirement to demonstrate how district heating could be provided could be quite onerous and the evidence referred to by the Council⁷ does not clearly justify the priority given to this type of carbon reduction scheme. Rather district heating is recommended as one of a range of opportunities to be considered and so, in the absence of any firm evidence to support either its feasibility or viability, Part D should be reworded along these lines. Such an approach would be consistent with national policy, which recognises decentralised energy as encompassing a diverse range of technologies.

ACTION 39: To modify Part D of Policy DM20 so that district heating is one of range of carbon reduction opportunities to be considered.

Next Steps

83. The purpose of the advice above is to enable the Council to consider further modifications to make the submitted Plan sound. If the Council wishes to raise any points of fact or seek clarification it should do so as soon as possible through the Programme Officer. Otherwise, I am not inviting comments upon the content of this letter and no further evidence will be accepted at this stage.

⁷ Carbon Reduction and renewable Energy Assessment, May 2013 (EB907).

84. Ultimately, my advice should inform the full schedule of MMs which the Council is already preparing and enable the completion of the evidence upon which the final version of the Plan relies. If the Council decides that it is not possible to correct the issues of soundness I have identified through the MMs process, I should be advised with reasons.
85. In order to programme the remainder of the examination efficiently, it would be helpful to know approximately how long the Council will require to act upon the advice in this letter and to finalise the main modifications for public consultation.

Louise Phillips

INSPECTOR

2 August 2019.

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