

Committee(s):	Date(s):	Item no.
Epping Forest and Commons	5 November 2012	
Subject: Consultation by the London Borough of Enfield on the proposed North East Enfield Area Action Plan	Public	
Report of: Superintendent of Epping Forest SEF 33/12	For Decision	

Summary

This report informs your Committee of a public consultation by the London Borough of Enfield which includes plans to resurrect proposals for a Northern Gateway Access Road (NGAR) as the Northern Gateway Access Package (NGAP) as part of a regeneration scheme through an Area Action Plan for North East Enfield. NGAP would link the A1025 Mollison Avenue in Enfield with the A121 Southern Waltham Abbey bypass in Epping Forest District relieving congestion at the M25 junction 25 by diverting traffic towards M25 junction 26, potentially dramatically increasing traffic flows in Epping Forest.

Your Committee previously supported objections to NGAR in 1996 and the subsequent Public Inquiry ordered by the Secretary of State in 2001 where Epping Forest District Council; the Lea Valley Regional Park Authority; the City of London and local conservation groups successfully opposed a planning application for NGAR.

Recommendations

I recommend that

- i. your Committee pursues option (iii) and maintains their objections to the proposals for a Northern Gateway Access Package (NGAP) in order to protect Epping Forest from potential damage from increased traffic movements identified in the previous 2001 Public Inquiry.
- ii. cooperation is undertaken with other parties objecting to NGAP to reduce the costs of traffic modelling and pollution monitoring, with Epping Forest Local Risk contribution not exceeding £20,000 in direct costs.

Main Report

Background

1. The London Borough of Enfield made an application for planning permission in 1996 to construct 1 km of new road entitled the Northern Gateway Access Road (NGAR), to run parallel with the M25 between Mollison Avenue (A1055) in Enfield, bridging the River Lee at the Lee

Valley Regional Authority's Ramney Marsh Nature Reserve, and connecting with the then soon to be constructed Waltham Abbey southern bypass which is in the jurisdiction of Epping Forest District Council.

2. As the proposed NGAR scheme was a departure from the Borough's Development Plan, the application was referred to the Secretary of State who chose to call in the application and consider the matter through a Public Inquiry addressing the following concerns:
 - i. implications on the Green Belt;
 - ii. traffic generation;
 - iii. modal transport change impact;
 - iv. the appropriateness of the proposal to transport planning guidance (PPG 13);
 - v. whether the development of the associated Innova Park could be managed differently;
 - vi. harm to the Lee Valley.
3. At the opening of the Inquiry the Inspector sought further environmental evidence in respect of harm to Epping Forest.
4. The Public Inquiry was held between 18th September and 20th November 2001 and sat for a total of 14 days. Evidence in the form of case presentation was given to the Inquiry by the Statutory Bodies comprising the London Borough of Enfield (LBE); Epping Forest District Council (EFDC); the Lee Valley Regional Park (LVRP) and the Highways Agency. A case presentation was also made by the City of London by Land Agent John Holtom (now retired) and the now Conservation Manager Dr Jeremy Dagley. Representations were also made by the Friends of Epping Forest; the Council for the Preservation of Rural Essex and the Enfield Lock Conservation Group. Written submissions were made by Essex County Council; English Nature (now Natural England) and other groups and individuals.
5. The Secretary of State announced on 2nd August 2002 that he supported his Inspector's decision (APP/V4630/V/01/1075981) that planning permission for NGAR should be refused on the grounds that the proposal would cause serious harm to the Metropolitan Green Belt and local nature conservation interests. He also ruled that the remaining issues would be neither beneficial nor effective when weighed against the individual issues raised. The Secretary of State's published statement included reference to "*inappropriate development in the Green Belt and the likely harm caused*

to features of nature conservation interest of the Ramney Marsh; the River Lee Navigation and the Special Area of Conservation at Epping Forest”.

6. The Waltham Abbey A121 southern bypass has since been constructed, principally to serve the Sainsbury's Waltham Point 700,000 sqft Distribution Centre.

Current Position

7. This report is necessary as LBE is preparing a North East Enfield Area Action Plan (NEEAAP) which includes proposals to resurrect the original 2001 NGAR proposal under a new acronym the Northern Gateway Access Package (NGAP). Your Committee's guidance on a suitable response is sought.
8. The NEEAAP will provide a comprehensive planning policy framework to guide future development and investment in the area. The North East Enfield (NEE) area stretches from the M25 (junction 25) southwards to Ponders End and includes the communities of Enfield Lock, Enfield Highway, Ponders End, Turkey Street and Southbury.
9. The adopted Core Strategy for LBE highlights NEE as a strategic growth area and Ponders End as a regeneration priority area. The NEEAAP seeks to identify new development areas; enhance industrial estates; provide new housing and local community facilities. The issues of accessibility and connectivity are considered to be critical elements in the regeneration of the NEE area with key proposals to improve public transport and the access to the area by car, cycle and on foot.
10. An 80-page Interim Direction Document for the NEEAAP was published in August 2012. The NEEAAP is accompanied by a companion 'Have Your Say' 18 page Summary and Consultation Document, published in September 2012, which poses 17 questions for public consultation for 12 weeks between 16th August and 8th November.
11. The NEEAAP discusses a range of Highway Network, Transport and Movement Infrastructure proposals at pages 65 – 67 making the point that *“Access (for NEE) to the M25 is indirect, convoluted and congested”*. The eight point policy approach for the transport infrastructure network proposed in the NEEAAP states at *“1. The AAP must plan sufficiently for the forecast increase in vehicle trips to and from the development areas in NEE ... This will require implementation of traffic management measures .. leading to the strategic road network, such as the A10, M25 and the A406 North Circular Road”*.
12. A further more direct reference is made at *“3. Continued consideration will also be given to the potential benefits and merits of a Northern*

Gateway Access Package (NGAP) that involves providing a new link between the A1055 and the A121 to connection to junction 26 of the M25, mitigating the impact of the scheme in Ramney Marsh as much as possible ...". It is very clear from these statements that the original 2001 NGAR proposal has, 16 years later, been broadly resurrected under the Northern Gateway Access Package (NGAP) title.

13. Two of the questions in the NEEAAP consultation address the NGAR/NGAP proposal. Question 11 at page 14 enquires "*Do you support our approach to improving access and movement in the area?*" while question 12 at page 15 asks "*Do you support the need to explore options for the Northern Gateway Access Package?*"

Options

14. There are three courses of action available to your Committee:
 - i. Refrain from participating in the current and future public consultation associated with the NEEAAP. There are no immediate costs associated with non-participation. There is a real risk that the failure by the Conservators to object to the process will be read as tacit approval for NGAP. If the NEEAAP successfully proposed a NGAR/NGAP link to the A121, traffic and pollution levels across the Forest would undoubtedly rise and there would be a reputation risk for the Conservators regarding the wider protection of the Forest.
 - ii. Maintain the Conservators objection to the NGAR/NGAP scheme by responding to the NEEAAP proposals through public consultation phases, but relying on the directly affected stakeholders - EFDC and LVRP - to oppose the scheme at Public Inquiry. This option would conserve staff and local risk resource but may increase the risk of a successful NGAR/NGAP scheme while attracting potential criticism of the City of London in adopting an inconsistent approach to the scheme.
 - iii. Maintain the Conservators objection to the NGAR/NGAP scheme by responding to the NEEAAP proposals with a view to defending your Committee's objections throughout the process including a Public Inquiry. The continued opposition to NGAP will require considerable staff resources and will involve the commissioning of traffic studies and pollution monitoring to model the impact on Epping Forest. A successful objection to NGAP will reduce the potential for the growth of traffic movements and pollution levels within the Forest.

Proposals

15. The pursuit of Option (iii.) is recommended to your Committee. The Public Inquiry of 2001 considered evidence of detrimental impacts of the Forest environment in terms of increased traffic and pollution levels. The partnership between EFDC; LVRP and the City of London provided a valuable coalition arguing in favour of protecting the Metropolitan Green Belt and nature conservation interests at LVRP and Epping Forest, as well as contesting the ‘fairness’ of shifting North London traffic flows further eastwards.

Corporate & Strategic Implications

16. The protection of Epping Forest Land through a strategic approach to involvement with the planning system supports ‘The City Together Strategy: The Heart of a World Class City’ 2008-14 under the following theme:
 - A World Class City which protects, promotes and enhances our environment.
17. The protection of Epping Forest Land through engagement with development proposals further supports the Open Spaces Directorate Business Plan through:
 - Quality. Providing safe high quality accessible Open Spaces and services in accordance with nationally recognised standards for the benefit of London and the Nation.
 - Environment. Deliver sustainable working practices to promote the variety of life and protect the Open Spaces for the enjoyment of future generations.

Implications

Legal Implications

18. Should your committee consider it appropriate to pursue concerns about the proposed NGAR it would be prudent to do so at this NEEAAP policy making stage of the planning process, since once policy is adopted it becomes the key consideration in determining future planning applications, with the National Planning Policy Framework (“NPPF”) advocating that planning decisions be “plan led”. The NPPF (which sets out the government’s planning policies) seeks to achieve sustainable development. It advises that “in preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment (paragraph 110).

Financial Implications

19. The decision to oppose NGAR/NGAP will involve considerable staff resources and may require the commissioning of independent traffic modelling studies outlining the impact of vehicles and pollution loading on Epping Forest. It is anticipated that should the Conservators be able to cooperate with other objecting organisations the costs of modelling could be contained below £20,000, to be met from existing local risk budgets. There may be further costs regarding representation at the Public Inquiry which cannot be ascertained at this stage.

Conclusion

20. NGAR/NGAP will translocate significant levels of traffic from North East Enfield to junction 26 of the M25 at Epping Forest with the onward risk of increased traffic and pollution levels in the Forest at times of motorway congestion and through the creation of a broader west/east traffic corridor. Objections to NGAR by the City of London played an important role in the evidence base developed at the Public Inquiry and continued objection to similar proposals for NGAP would be consistent with the Conservator's duty to protect Epping Forest and the position previously adopted in 1996.

Background Papers:

- *SEF 96/02 report to EF&OS Committee – The Northern Gateway Access Road*
- *Proposed Northern Gateway Access Road – Proof of Evidence of John Holtom*
- *Green Belts: a greener future*
- *Draft National Planning Policy Framework – Department for Communities and Local Government*
- *North East Enfield Area Action Plan – Enfield Council*

Appendices

Appendix 1 - Map (to be produced)

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