

Committee(s)	Dated:
Epping Forest and Commons	15 05 2017
Subject: Epping Town Green – Impact of proposed Highway Improvements on Forest Land (SEF 9/17)	Public
Report of: Superintendent of Epping Forest	For Decision
Report author: Sue Rigley – Epping Forest	

Summary

Essex County Council acting as Highways Authority wishes to undertake junction improvements at Lindsey Street / Palmers Hill, Epping which will need to incorporate Forest Land at Epping Town Green. As part of the proposal it is intending to stop vehicular movement over the Lindsey Street spur road fronting the Grade II War Memorial. The spur road is highway property. Essex County Council also wishes to restrict the spur road width for pedestrian use and incorporate the remainder of the highway into Epping Town Green, which is Forest Land.

The junction improvement works at Palmers Hill require approximately 45m² of Epping Forest Land to be dedicated for highway purposes. The junction is to be widened at the mouth to allow larger HGV's to manoeuvre following the closure of the Lindsay Street spur. Essex County Council has also indicated that this junction improvement works may facilitate better traffic flow to a future housing development at nearby Stonards Hill, though proposals are at a very early stage. The surplus spur road verge measures approx. 45m² therefore off-setting the dedication now sought.

Improvement is needed because the highway junction forms a very tight vehicular left-hand turn. The closure of the Lindsey Street spur is required as vehicles frequently mount the kerb, causing much unsightly and repeated damage to the Town Green. This has been a continuing issue for the City Corporation and Epping Town Council, which manage the Green, who have sought a solution to the damage for the previous 35 years. Road closure in front of the War Memorial will also improve its setting and provide easier and safer pedestrian access. This junction improvement may serve to facilitate access to the potential development site at Stonards Hill where the City Corporation would not then be in a position to negotiate over access rights to the development.

Recommendation(s)

Members are asked to:

- i. Approve the dedication to public highway of approximately 45m² of Forest Land at Epping Town Green, Epping in favour of Essex County Council for the widening of the junction of Lindsey Street (A) / Palmers Hill.
- ii. Approve the removal of vehicle rights on Lindsey Street (B) to pedestrianize the route and remove of 105m² of existing surfacing.
- iii. Approve the 'stopping up' of 45m² strip of public highway at Lindsey Street (B) to be incorporated into Forest Land
- iv. Support the installation and dedication in principle of approximately 60m² of Lindsey Street (B) highway surfaced and kerbed dedicated as public footpath subject to suitable terms to protect the City's interests to be agreed by the Superintendent of Epping Forest in conjunction with the City Surveyor.
- v. Note that the overall exchange of land is neutral with the new dedication of 45m² of Forest Land at Lindsey Street (A) being addressed by the surplus of 45m² at Lindsey Street (B) being incorporated into Forest Land.
- vi. Instruct the Superintendent to negotiate a care and maintenance agreement with Epping Town Council for Epping Town Green.
- vii. Instruct the Comptroller and City Solicitor to undertake any necessary documentation.

Main Report

Background

1. The Epping Town Green, also locally known as North Green, is held in trust by the City of London Corporation and forms part of Epping Forest under the Arbitrators Award of 1882. Although no formal agreement exists, Epping Town Council cares for and maintains the Green on behalf of the City Corporation and with the Town Council meeting all the routine maintenance costs. (See Appendix 1.)
2. The Epping Town War Memorial, a gritstone monument designed by Sir Edward Warren FRIBA, was unveiled in 1921. The monument was funded through public subscription and is the maintenance responsibility of Epping Town Council. The monument was Grade II Listed on 23 February 2010.
3. The War Memorial is still the focal point for Remembrance Sunday in Epping. Each year a Garden of Remembrance is laid out next to the memorial and dedicated in a special service arranged by the Epping & District Branch of the Royal British Legion. A parade and Service of Remembrance is held there on the closest Sunday to the 11th November. Over thirty wreaths are now laid on the day.
4. Epping Town Green is bounded by Church Hill to the east and the B1393 Palmers Hill to the west. In addition, the Green is criss-crossed by further highways namely Church Field; Lindsey Street (B181) and a spur also known as Lindsey Street and referred to as Lindsey Street B in this report (See Appendix

- 1). The routes all predate the Arbitration award and therefore there are no formal dedication agreements held by the City Corporation.
5. During the 1980's and 1990's the bisected and eroded character of the Epping Town Green was discussed on many occasions between the District Council, the Town Council and the City Corporation. Particular concern was expressed by all parties on the condition of Lindsey Street (B) and its impact on the setting of the War Memorial. The Conservators had taken the view that the right approach to the continuing erosion of the Green was to rationalise roads across the Greens such that at least one of them was closed.
6. The western spur of Lindsey Street (B) which crosses the Green in front of the War Memorial is of insufficient width to take two passing vehicles and the tight conventional junction of the road with Lindsey Street (A) is such that large vehicles cross on to the Greens can cause considerable damage. (See Appendix 2.)
7. In 1983, your Committee visited the site and considered two schemes which had been prepared by the District Council, then acting as agents for the Highway Authority. One provided for the widening of the junction with Palmers Hill and the other for the widening of the road from 12'6" to 18'. The Committee took the view that whether the situation remained unchanged or one of the schemes was implemented, Forest Land would be 'lost'. The Superintendent was instructed to commence discussions with the District Engineer with a view to a scheme being prepared for rationalising and reducing the number of roads across the Green. There then followed a decade of continuing discussions with the Council.
8. In 1990, a proposal to close the road in front of the War Memorial was presented to the District Council's Transportation Committee by the District Council's Engineer & Surveyor. Because the proposal would not attract Essex County Council financial support, and no funds were available at District level to return the road to the Forest, the proposal was not supported by the Transportation Committee. The Superintendent was informed that opposition to the scheme was generally on the basis that it would not be in the interest of local motorists.
9. In 1994, your Committee considered a suggestion of the Epping Forest District Council's Head of Planning and Technical Services that preventative measures, such as raised kerbs, could ameliorate the problem of erosion and rutting. The District Council agreed to meet the cost of installing the raised kerbs.
10. Neither the Epping Town Clerk, nor the Superintendent, felt that raised kerbs would cure the problem and your Committee did not agree to the suggested kerbing and resolved instead that the District Council be again requested to close the road as a means of ending the problem of erosion caused by vehicles.
11. In recognition of the Grade II listing of the memorial in 2010, the Town Council committed to improving the state of the Memorial and its immediate environs whilst retaining the 'green' feel of its setting. Improvements were undermined on several occasions by lorries traversing Lindsey Street (B) getting stuck on the Green, causing considerable damage to the land. See Appendix 2.

12. In 2014, the City Corporation was approached by agents acting on behalf of Croudace Strategic who own land to the southeast of Stonards Hill, Epping. (Stonards Hill is the road opposite the Lindsey Street (B)). The District Council, who is currently preparing a new Local Plan, had put forward this area of Green Belt land for consideration to be released for future development. The initial housing proposal (approximately 150 new homes) included required improvements to the junction of Stonards Hill and Palmers Hill. See Appendix 1.
13. Croudace's agents proposed the closure of the road dissecting the Green in front of the War Memorial which would allow improvements to be made at the junction of Lindsey Street / Palmers Hill, coincidentally being the same proposal as the subject of this report. Officers met with the agents to discuss the implications of the proposal which included discussing appropriate mitigation measures including, potentially, the offer of two woodlands on the development site - Ash Wood and High Wood.

Current Position

14. Essex County Council has approached the Superintendent with a new scheme that has the support of Members of the Essex County Council, Epping Forest Local Highways Panel (LHP) and Epping Town Council.
15. The scheme proposes the widening of the junction at Lindsey Street (A) / Palmers Hill to allow larger heavy goods vehicles to better manoeuvre through the junction. When questioned, Essex County Council confirmed that the scheme was also linked to increased junction use for the proposed new housing although no further details have been received since the original approach by agents in 2014.
16. In compensation the scheme also proposes to improve the War Memorial frontage by removing the 105 m² narrow Lindsey Street (B) in front of the War Memorial Green replacing it with 60m² of surfaced public footpath and 45m² of additional grass verge to be made up to the existing level of the adjacent Green.
17. The overall assessment by officers is that the proximity of existing residential development, roads and street lighting has already detrimentally affected Forest Land in this area and hence this additional dedication of approximately 45m² of Forest land to enable the widening of the junction at Lindsey Street / Palmers Hill will have a low impact on 'natural aspect' considerations and is necessary to take the larger vehicles that will no longer be able to use the road crossing the Green to the north if it is removed.
18. Officers are currently developing a policy approach in relation to further highway dedication requests. Members have previously expressed a desire that a retrospective assessment of previous land dedicated to public highway should be undertaken with a view to developing a 'land bank' approach outlining land owed to the Conservators and a compensatory approach to new dedications.

19. Essex County Council's proposals seek 45m² of land to be dedicated from the City Corporation at the Lindsey Street (A) / Palmers Hill junction in exchange for the City gaining 45m² for the Town Green Forest land at Lindsey Street (B). This approach reflects the compensatory approach of the proposed policy.

Options

20. There are three options available to your Committee:

- a. Continue with current arrangements. The current restricted road layout is contributing to damage to the Green from larger Heavy Good Vehicles and does not address community concerns regarding the context and setting of the War Memorial. **This option is NOT RECOMMENDED**
- b. Agree to the scheme proposed by Essex County Council. The proposed scheme will help address 35 years of discussions surrounding proposals to reduce damage to the Green and improve the landscape around the War Memorial. However, the improvement will deliver the key traffic benefits sought by the nearby Developer, severely reducing the likelihood of the City Corporation benefitting from planning obligations associated with subsequent consents for the development. This option is **RECOMMENDED**.
- c. Agree in principle to the scheme proposed by Essex County Council but insist any implementation must be linked to planning obligations in favour of Epping Forest associated with the residential development. The new Local Plan will run to 2033 and there is therefore no guarantee that the development will proceed in the near future which may jeopardise the current proposal and its funding from the Local Highway Panel. **This option is NOT RECOMMENDED**

Proposals

21. It is proposed that the dedication of 45m² of Forest land for junction improvements at Lindsey Street (A) / Palmers Hill be approved as this dedication will both meet junction safety requirements and reduce erosion to Forest verges.
22. The new junction dedication will also secure the compensatory closure of 105m² of the spur road Lindsey Street (B) in front of the War Memorial which is to be replaced with 60m² of surfaced footpath and a compensatory 45m² of Forest Land grassland.
23. Both of the above proposals will be subject to specifications that are to be agreed with the Superintendent and City Surveyor. While this arrangement will decisively address a long-term problem on Epping Town Green to the satisfaction of all parties, the agreement will affect the City Corporations negotiating position in relation to any future development that may occur on land at Stonards Hill, including the potential provision of compensatory land at Ash and High Woods.

Corporate & Strategic Implications

24. **City of London Corporate Plan:** the proposal meets the Corporate Plan's vision of providing modern, efficient and high quality local services and maximising the opportunities and benefits afforded by our role in supporting London's communities.
25. **Open Spaces Department Business Plan:** the proposal meets the Open Spaces Department's Business Plan Vision by preserving and protecting our world class green spaces for the benefit of our local communities.
26. **Forest Transport Strategy:** The primary aim of the Epping Forest Transport Strategy is to investigate and identify options in order to improve safety and accessibility for Epping Forest users. The proposal meets one of the key aims of the Forest Transport Strategy by reducing fragmentation of the Forest.

Implications

27. **Financial:** There should be no financial implications for the City Corporation in dedicating land to improve the highway network. Terms would be offered that would include all highway construction and future maintenance costs being borne by Essex County Council, while Epping Town Council will be responsible for the new area of Town Green. The City's reasonable legal costs will be met by Essex County Council.
28. **Legal:** Section 33(iv) of the Epping Forest Act provides the Conservators with the necessary powers to 'maintain and make roads, footpaths and ways'.
29. **Property:** Dedication of of Forest Land at the junction of Lindsey Street / Palmers Hill will urbanise this part of Epping Town Green. As part of the overall proposals, the dedication now sought should be conditional upon Essex CC undertaking suitable works and all documented to protect the City Corporation's ownership and interests.

Conclusion

30. The new proposals for Epping Town Green at Lindsey Street (A & B) address community concerns that have been the subject of discussions between the City Corporation, Epping Town Council, Epping Forest District Council and latterly Essex County Council for over 35 years. The scheme which involves no loss of Forest Land, will see improvements to both the Green and the context and setting of the War Memorial, which will be funded and managed by Essex County Council at no cost to the City Corporation

Appendices

- Appendix 1 – Plan – Highway Improvements at Epping Town Greens
- Appendix 2 - Damage to Epping Town Green – 15 March 2017

Sue Rigley
Land Agency & Planning Officer
T: 020 8532 5305
E: sue.rigley@cityoflondon.gov.uk