

committee agenda



**Epping Forest
District Council**

District Development Control Committee Monday, 27th February, 2012

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

Time: 7.30 pm

Democratic Services Officer: Simon Hill, The Office of the Chief Executive
Tel: 01992 564249 Email:
democraticservices@eppingforestdc.gov.uk

Members:

Councillors B Sandler (Chairman), R Bassett (Vice-Chairman), A Boyce, K Chana, D Dodeja, C Finn, J Hart, Mrs S Jones, J Markham, J Philip, Mrs C Pond, H Ulkun, Ms S Watson, J M Whitehouse and J Wyatt

A BRIEFING WILL BE HELD FOR THE CHAIRMAN, VICE-CHAIRMAN AND GROUP SPOKESPERSONS OF THE-COMMITTEE, AT 6.30 P.M. IN COMMITTEE ROOM 1 PRIOR TO THE MEETING

SUBSTITUTE NOMINATION DEADLINE:

18:30

1. WEBCASTING INTRODUCTION

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

2. The Chief Executive will read the following announcement:

“This meeting will be webcast live to the Internet and will be archived for later viewing. Copies of recordings may be made available on request.

By entering the chamber's lower seating area you consent to becoming part of the webcast.

If you wish to avoid being filmed you should move to the public gallery or speak to the webcasting officer"

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING COMMITTEES

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

4. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Assistant to the Chief Executive) To report the appointment of any substitute members for the meeting.

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

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

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

7. PLANNING APPLICATION EPF/2580/10 - COUNCIL DEPOT SITE AND ADJACENT LAND OFF LANGSTON ROAD, LOUGHTON IG10 3UE - OUTLINE APPLICATION FOR THE REDEVELOPMENT OF THE SITE FOR A RETAIL PARK WITH ASSOCIATED LANDSCAPING, CAR PARKING, GROUND REMODELLING WORKS, RETAINING WALL STRUCTURES AND TWO ACCESSSES OFF LANGSTON ROAD (Pages 5 - 30)

(Director of Planning and Economic Development) To consider the attached report.

8. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Paragraph Number	Information
Nil	Nil	Nil	

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

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

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

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

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

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

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Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee. A map showing the venue will be attached to the agenda.

Can I speak?

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

Who can speak?

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

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes and if you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

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

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

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers presentations. The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

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

Further Information?

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

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Report to District Development Control Committee

Date of meeting: 27th February 2012



Subject: Planning Application EPF/2580/10 – Council Depot site and Adjacent Land off Langston Road, Loughton IG10 3UE – Outline application for the redevelopment of the site for a retail park with associated landscaping, car parking, ground remodelling works, retaining wall structures and two accesses off Langston Road.

Officer contact for further information: K Smith Ext 4109

Committee Secretary: S Hill Ext 4249

Recommendation:

Members consider an officer recommendation to GRANT planning permission subject to the completion of a Section 106 legal agreement and subject to planning conditions - also subject to the referral of the planning application to the National Planning Casework Unit as a departure from the adopted Local Plan.

Section 106 legal agreements (to be completed within 6 months) to secure the following:

- The provision of highway works and associated signage as shown in principle on drawing numbers STH2468-08 rev. H and STH2468-12 rev. A, to be completed before occupation of the development. Details to be agreed with Essex County Council.
- The provision of pedestrian improvements (including signage directing pedestrians towards The Broadway) as shown in principle on drawing number STH2468-07 rev. A, to be completed before occupation of the development. Details to be agreed with Essex County Council.
- A pedestrian crossing facility on Langston Road in lieu of a pedestrian phase at the Langston Road arm of the signals given capacity constraints, to be completed before occupation of the development. Details to be agreed with Essex County Council.
- The upgrade to Street Lighting to improve pedestrian security in Langston Road, Station Approach and Torrington Drive, to be completed before occupation of the development. Details to be agreed with Essex County Council.
- A financial contribution of up to £25,000 towards the cost of advertising the Traffic Regulation Orders, to be paid before implementation of the development.
- The provision of signing and lining necessary to implement the Traffic Regulation Orders, to be completed before occupation of the development. Details to be agreed with Essex County Council.

- A Travel Plan, which must incorporate a scheme of monitoring by Essex County Council must be supported by a non-returnable fee of £3,000 payable by the Developer on implementation of the development.
- A contribution of up to (*sum to be confirmed prior to committee meeting*) towards the funding of the Broadway Parking Review and to implement/fund any outcomes deemed necessary as a result of the proposed development.
- Limitations on the types/amounts of retail which may be permitted within the proposed retail park, to include:
 - A limit on the maximum floor space within the development to ensure that the net retail sales floor space (including any mezzanines) does not exceed 12,915m²;
 - The total amount of A1 food retail within the development shall not exceed 1,000m² net internal floor space; and
 - The total amount of A3 use within the development shall not exceed 1,000m² gross internal floor space.

Planning Conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.

Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

2. a) Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - (i) layout;
 - (ii) scale;
 - (iii) appearance; and
 - (iv) landscaping.

b) The reserved matters shall be carried out as approved.

c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

3. The total gross internal floor space provided within the development shall not exceed 16,435m².

Reason: To ensure that adequate space is retained within the development for the provision of car parking and landscaping.

4. The retail park hereby permitted shall at no time include a dispensing pharmacy or a Post Office counter.

Reason: To ensure that the development does not harm the vitality and viability of the retail function of the nearby Loughton Broadway Centre.

5. Prior to the first use of the development hereby permitted the drainage system, including the subsurface attenuation storage and flow reduction shall be installed in accordance with the specification detailed in the plans attached to the Flood Risk Assessment (dated December 2010). The drainage system will be maintained in accordance with the manufacturers recommendations thereafter.

Reason: To ensure that adequate drainage is provided for the development.

6. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 2010 Ref 24128/003 and the following mitigation measures contained within the FRA:
 - a. Limiting the surface water run-off up to a 1 in 100 year critical storm so that it will not exceed the run-off as stated on Table 1 within the technical notes of the FRA.

Reason: To prevent flooding by ensuring satisfactory storage of/disposal of surface water from the site and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, as required by the Environment Agency.

7. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

11. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12. No development shall take place until details of tree planting, including positions or density, species and planting size(s) and a timetable for implementation have been submitted in relation to replacement planting for trees lost through the proposed off-site highway works (which have been secured by legal agreement) and approved in writing by the Local Planning Authority.

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

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure a satisfactory appearance to the development and to ensure that there is no harm to highway safety caused by the positioning of replacement trees.

13. No development to take place until such time that Traffic Regulation Orders have been secured to:
- a. prevent the parking of vehicles along the service road adjacent to Chigwell Lane between the petrol filling station and Station Approach, except for loading
 - b. make the service road adjacent to Chigwell Lane one way preventing traffic travelling southeast to northwest along it between the petrol filling station and Station Approach
 - c. no entry from the service road onto Chigwell Lane from the north-western access
 - d. make the section of Barrington Green from the edge of the access adjacent to no. 34 to the junction with Chigwell Lane one way preventing traffic travelling from southeast to north west
 - e. no parking along Oakwood Hill in the vicinity of the Langston Road signalised junction
 - f. the prohibition of vehicles on the section of Barrington Green adjacent to the Winston Churchill Public House, as necessary to implement the highway works as shown in principle in drawing number STH2468-08 rev. H
 - g. Any other TRO's considered necessary to implement the highway works as shown in principle in drawing number STH2468-08 rev. H, STH2468-12 rev. A and STH2468-07 rev. A. Details to be submitted to and agreed in writing with the Local Planning Authority and implemented.

Reason: In the interest of highway safety and efficiency.

14. Prior to commencement of the development details of the provision of suitable temporary construction access arrangements, including appropriate visibility splays, adequate access width and radii to accommodate the simultaneous entry and exit of vehicles using the temporary access, temporary traffic management/signage and wheel cleaning facilities for the duration of the construction phase to prevent the deposition of mud or other debris onto the highway network/public areas, turning and parking facilities for delivery/construction vehicles within the limits of the application site together with an adequate parking area for those employed in developing the site shall be submitted to and approved in writing by the Local Planning Authority. The measures shall subsequently be implemented as approved.

Reason: In the interests of highway safety and efficiency.

15. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be

carried out in its entirety prior to the access becoming operational and shall be retained at all times.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

16. Prior to commencement of development, details of the parking provision for cars, the number, details of the location and design of powered two wheelers and secure and covered bicycle parking facilities to accord with the requirements of the Parking Standards Design and Good Practice guide dated September 2009 shall be submitted to and approved in writing with the Local Planning Authority. The approved facilities shall be provided prior to occupation and retained available for parking at all times thereafter and not used for any purpose other than the parking of vehicles that are related to the use of the development.

Reason: In the interests of highway safety, efficiency and accessibility and to ensure that adequate car parking is available for staff and customers of the retail park.

17. Prior to commencement of development, the provision of details relating to the vehicular and pedestrian access arrangements as shown in principle on PRC drawing 002 (proposed site plan) to be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be provided prior to occupation.

Reason: In the interest of highway safety and efficiency

18. The existing redundant accesses shall be permanently closed and replaced with full upstand kerbs and footway, immediately the proposed new accesses are brought into use. Details to be submitted to and agreed in writing with the Local Planning Authority prior to commencement of development.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

19. Prior to the commencement of the development hereby approved, details of refuse storage shall be submitted to the Local Planning Authority for approval in writing. The agreed storage shall be provided prior to the first use of the retail park.

Reason: To ensure that adequate provision is made for refuse storage within the development.

20. Details of ventilation and extraction equipment to mitigate cooking odours shall be submitted to the Local Planning Authority for approval in writing and installed in accordance with the agreed detail prior to the commencement of A3 use of any part of the retail park.

Reason: To protect the amenity of the surrounding environs.

Report Detail

Description of Proposal

1. (Director of Planning and Economic Development) This application seeks outline planning permission for the redevelopment of the site with a retail park which will have a maximum net retail floor space of 12,915m². The development itself would not exceed 16,435m² gross floor space.

2. The Applicant advises that retailers within the park are intended to be predominantly A1 comparison retailers (*Comparison retailing is the provision of items not obtained on a frequent basis. These include clothing, footwear, household and recreational goods – PPS4*), although the application proposes that up to 1,000m² of the gross internal floor area may be used for the purposes of A3 retail (e.g. restaurants, cafes). The submitted Retail Statement also indicates that the units may accommodate a small amount of Class A1 convenience goods sales (*Convenience retailing is the provision of everyday essential items, including food, drinks, newspapers/magazines and confectionery – PPS4*). The submitted Planning Policy Statement confirms that no more than 1,000m² of the gross internal floor area will be used for A1 food retail.
3. The application indicates that the retail park will take the form of two blocks, containing 11 terraced units. The submitted plans indicate that the development would have a maximum height of approximately 12m. The plans also indicate that a parking area (containing 362 spaces) will be provided to the front of the development, with a service/delivery road running behind the retail units.

Off-site Highway Works

4. Also proposed through this planning application are off-site highway improvement works, designed to mitigate the impact of the additional traffic generated by the proposed retail park. Those proposed works have been drawn up by the Applicant following consultation with County Highways. The proposed highway works include:
- Widening of Chigwell Lane and Abridge Road close to the roundabout at Rolls Park Corner, to allow two lanes of traffic on each of the three approaches to the roundabout.
 - Marking the middle Lane in Langston Road close to its junction with Chigwell Lane as a left turn lane.
 - The widening of Chigwell Lane along sections of the eastern and western side to allow two lanes of northbound traffic between Oakwood Hill and Borders Lane.
 - Conversion of the existing Pelican crossing south of Station Approach to a Puffin crossing. (*Puffin crossings differ from Pelican crossings as they do not have a flashing green man/flashing amber signal. The overall crossing time is established each time by on-crossing pedestrian detectors. The demand for the crossing is still triggered by the push button unit but kerbside pedestrian detectors are fitted to cancel demands that are no longer required (when a person crosses before the green man lights).*)
 - Widening of egress from the access road alongside Chigwell Lane at its junction with Station Approach, to accommodate an oil tanker turning.
 - Colson Road to be widened to allow for 2 vehicles queuing side by side to exit the junction. Also addition of a yellow junction box to prevent northbound traffic queuing and blocking the junction.
 - Widening of the service road alongside Chigwell Lane adjacent to Sainsbury's delivery entrance to allow for an oil tanker to pass an unloading delivery truck.
 - The existing access from The Broadway onto the service road alongside Chigwell Lane to be closed, and 'no entry' signs displayed.
 - Traffic island on Chigwell Lane close to junction with The Broadway to be constructed using high containment kerbs, to deter pedestrian use.
 - The existing roundabout at the junction of The Broadway with Chigwell Lane to be replaced with a signal (traffic-light) controlled junction, to include the pedestrian crossings on The Broadway and the northern arm of Chigwell Lane.
 - Closure of the access from The Broadway onto Barrington Green. Barrington Green to be one-way, egressing onto Chigwell Lane (southbound).
 - Existing mini-roundabout at the junction of Rectory Lane with Borders Lane to be replaced with a signal controlled junction including controlled pedestrian crossings on Borders Lane and the northern arm of Rectory Lane.
 - Existing verge between Rectory Lane and Chigwell Lane to be converted to footway.

- Existing kerb-side bus stop adjacent to Epping Forest College to be converted to a bus stop layby (resulting in loss of an existing tree).
- Creation of 100m merge length (from two to one lane) along Rectory Lane northbound (possibility of three trees needing to be removed as a result)
- Addition of louvres onto traffic lights to prevent confusion caused by drivers seeing another set of lights the same time.

Application Site

5. The application site comprises the Council owned Langston Road Depot, which includes a depot and MOT Testing Centre and has 3 large buildings and areas of hard standing and also the adjacent site, which has historically been referred to as the 'T11' site, due to a designation within the 1998 Local Plan, which identified this site as a lorry park – Policy T11 has since been deleted.

6. To the south of the application site, separating it from the M11, is an area of land which is in private ownership. That area of land has been subject to unauthorised works over the last few years which have included the importation and deposit of substantial amounts of waste material on the land, which has considerably raised the land level. Planning Enforcement action has been taken in respect of the unauthorised works (see Planning History section of report below) and the removal of the material from the land is required by 18th October this year. The unauthorised ground works have encroached onto the rearmost part of the application site. If this planning application is approved, this earth will be permitted to remain in situ.

7. To the east of the site lies the Loughton Seedbed Centre – a development of small and medium sized commercial/industrial units and to the west a BMW garage.

8. The rear part of the site does lie within the Metropolitan Green Belt. The whole of the application site lies within an area designated by the Local Plan for business and general industrial uses. The Plan states (at Policy E2) that the redevelopment or change of use of sites to other uses will not be permitted.

Relevant Planning History

Planning Applications - Council depot site

EPF/0730/08. Outline application for development of the site for B1 and/or B2 and/or B8 use. Approved 03/07/2008.

Planning Applications - T11 Site

EPF/1450/06. Outline application to develop the land for mixed B1, B2 or B8 uses. Approved 12/10/2006.

EPF/1884/08. Reserved matters application for proposed Data Centre. (Mixed B1/ B8) - Details of access, appearance, layout and scale (Revised application). Approved 22/12/2008..

EPF/2433/11. Application to extend the period of time for commencement of planning permission granted under reference EPF/1884/08 (Reserved matters application for proposed Data Centre. (Mixed B1/ B8) - Details of access, appearance, layout and scale). Pending consideration...

Planning Enforcement Investigations

ENF/0085/08. Raising land levels and use as a car park. Enforcement Notices were issued 14th April 2011. The area covered by the Notice includes a strip of land at the rear of this application site. An appeal by one party was lodged and subsequently dismissed. An appeal submitted by the applicant in this proposal was submitted but subsequently withdrawn. Following those appeals, compliance with the notices is required by 18th October 2012.

Planning Policies

National Planning Policies

PPS1 – Delivering Sustainable Development (January 2005)
PPG2 – Green Belts (January 2011)
PPS4 – Planning for Sustainable Economic Growth (December 2009)
PPG13 – Transport (January 2011)
PPG23 – Planning and Pollution Control (November 2004)
PPS25 – Development and Flood Risk (March 10)

Draft National Planning Policy Framework (NPPF) (July 2011) – contains draft policies relevant to this proposal including: Business and Economic Development; Transport; Design; Sustainable communities; and Green Belt,

Local Planning Policies (1998 & 2006)

CP1 - Achieving Sustainable Development Objectives
CP2 - Protecting the Quality of the Rural and Built Environment
CP3 - New Development
CP6 - Achieving Sustainable Urban Development Patterns
CP7 - Urban Form and Quality
CP8 - Sustainable Economic Development
CP9 – Sustainable Transport
GB2A - Development in the Green Belt
GB7A – Conspicuous Development
RP4 - Contaminated Land
E1 - Employment Areas
E2 - Redevelopment/ extension for business/general industrial uses
E3 - Warehousing (in respect of E2)
DBE1 - Design of new buildings
DBE2 - Effect on neighbouring properties
DBE3 - Design in Urban areas
DBE4 - Design in the Green Belt
DBE9 - Loss of amenity
LL10 - Adequacy of provision for landscape retention
LL11 - Landscaping schemes
ST1 - Location of development
ST2 - Accessibility of development
ST3 - Transport Assessments
ST4 - Road Safety
ST5 - Travel Plans
ST6 - Vehicle Parking
ST7 - New roads and extensions or improvements to existing roads
I1A - Planning Obligations

Summary of Representations

9. *Notification of this planning application was initially sent to Loughton Town Council and to 70 neighbouring properties. The following representations have been received:*

LOUGHTON TOWN COUNCIL. Objection. Impact on existing retail centres, loss of employment land and encroachment onto Green Belt land. (*Note: LTC provided a comprehensive response including a list of suggested planning conditions. For ease of reference their response is attached to this report as Appendix 1*). At a subsequent Town Council meeting, the chairman reported that a member of the public had appraised him of the archaeological background of this area, which included an ancient crossing of the River Roding and two ancient Roman sites nearby. Consequently, the Committee asked that if the District Council was minded to grant planning permission a full archaeological investigation of the site be undertaken, prior to the commencement of works.

LOUGHTON RESIDENT ASSOCIATION. Objection. We object to this planning application on the grounds of 1. Failure to comply with the Council's own local plan; 2. Potential effect on traders The Broadway and Loughton High Road; 3. Potential effect on traffic flows, and on the amenities of local residents; 4. Does not meet sustainability criteria for pedestrian or public transport access; 5. Potential "knock-on" effect on the rest of the Langston Road Industrial Area. (*Note: LRA provided a comprehensive response, which for ease of reference is attached to this report as Appendix 2*).

33 MONKSGROVE. Comment. Would like to see plans for better signage telling shoppers what is on offer at The Broadway and also and also for part of the Section 106 legal agreement to include consideration for a cycle lane from The Broadway into Chigwell. It recently took 30 mins one evening to travel from the M11 bridge up towards Debden Tube Station by car – what traffic implications does EFDC imagine?

10. *Following receipt of the plans detailing the proposed highway improvement works, a further consultation including a copy of the plans was sent to Loughton Town Council, Chigwell Parish Council, Loughton Residents Association, Debden Traders Association and 146 neighbouring properties. The following representations were received in response:*

LOUGHTON TOWN COUNCIL. Comment – further to existing objection. The Committee was of the opinion that the proposed traffic management scheme would do no more than maintain the status quo of the present level of traffic congestion when the potential extra traffic from the proposed retail development was taken into account. The following specific comments were made by the Committee, and the Local Planning Authority was asked to incorporate them as conditions or obligations should the application (to which the Committee had objected as a whole) be recommended for approval:

- The loss of the trees caused by the proposed realignment of the A1168 (Chigwell Lane) was strongly deplored. The plans should be adapted so as to avoid them.
- Highway safety concerns were raised regarding the bus stop lay-by to be sited outside Epping Forest College on its proximity to the busy Rectory Lane/Borders Lane junction. A bus lay-by was not necessary given that only one bus an hour served the stop, and that to make the lay-by as many as four valuable trees might have to be felled. The Committee suggested the bus stop should be moved at the applicants expense, still at the kerbside, back towards the Rectory Lane Health Centre.
- A Section 106 Agreement to complete, pay for, and implement in full the Debden Parking Review, to prevent displacement parking elsewhere on the Estate.
- The applicants should pay for parking restrictions to prevent parking damage to the verge and kerb in Oakwood Hill.
- The provision of a slip road from A1168 (Chigwell-bound) with a mandatory left turn into The Broadway.

- The applicants should pay for the order and signage for no waiting at any time on that part of the A1168 covered by this traffic scheme.
- The applicants should fund control by traffic lights for M11 traffic exiting from the motorway on to Chigwell Lane.
- The cycle route along Chigwell Lane should be completed and properly signed at the applicants expense.

The Committee approved of the proposed box junctions. Members considered the proposed highway solution would not solve the isolation of the proposed retail centre for pedestrians walking from The Broadway and Debden Station.

CHIGWELL PARISH COUNCIL. Support. The Council SUPPORTS this application however, it has concerns regarding the Highways plans to deal with high traffic volume in the Langston Road junction area.

LOUGHTON RESIDENT ASSOCIATION. Objection. The plans should be adapted to avoid the loss of trees – if this proves impossible to avoid the loss of a particular tree then it should be replaced by a similar specimen – the ‘forest’ aspect of Rectory Lane/Chigwell Lane is an important aspect and needs to be retained. The bus-stop to be sited outside Epping Forest College is too near the Rectory Lane/Borders Way junction and likely to cause traffic problems and result in the loss of a tree – the bus-stop should be moved north-west towards the Rectory Lane Health Centre. The lack of improvement to the pedestrian route from Debden Station and The roadway to Langston Road (and the increased carriageway width) will make this journey by foot more unpleasant than at present. The new puffin crossing should include features to make it user friendly for poorly sighted elderly residents. We would like to see provision for a slip road from A1168 (Chigwell-bound) with a mandatory left turn into The Broadway. It should be made clear whether the traffic lights and the junction of Borders Lane and Rectory Lane will allow traffic in the left-hand lane travelling north-west from Chigwell Lane to left filter into Borders Lane when traffic wanting to go straight ahead is stopped by the lights. The scheme is likely to cause displacement parking elsewhere on the Debden Estate –a Section 106 agreement should pay for/implement in full the Debden Parking Review. Displaced parking may also take place on verges in Oakwood Hill – the applicant should fund parking restrictions to prevent damage here. The applicant, not taxpayers, should meet the cost of the order and signage for ‘no waiting at any time’ on the part of the A1168 covered by this traffic scheme. Traffic lights should be installed, at the applicant’s expense, for M11 traffic exiting from the motorway onto Chigwell Lane. The cycle route along Chigwell Lane should be completed and properly signed at the applicant’s expense. We welcome the widening of Colson Road and the proposed box junction here.

DEBDEN TRADERS ASSOCIATION. Support. A vote was taken which received unanimous support, apart from some abstentions, for the retail park as presented to us as an exclusive fashion retail project, and it was noted that we very much welcomed the possibility of additional trade and footfall to The Broadway and the possibility of more jobs locally. Concerns were raised as follows:

- Traffic – congestion during works and any road changes that may occur to allow traffic flow to be part of section 106 agreement.
- That the development does not progress in isolation of the established community and shopping centre. It was noted that part of a Section 106 agreement should include signage and marketing that encouraged shoppers to use existing facilities.
- That hot food outlet be kept to a minimum and contained within the retail outlet concerned.
- That adequate pedestrian and motorised access be written into the planning agreement to allow easy access to The Broadway and its amenities.
- That regulations be put in place to prevent indiscriminate change of use that would be detrimental to the shops in The Broadway.
- That it be made impossible for a supermarket or food hall to be included in the retail park. We would give the example of Marks & Spencer as a food hall that would be undesirable as it would

affect not only the food outlets but many other retail items they sell such as cards, gifts, food etc would draw trade away for The Broadway.

We are opposing any A1 food retail permission being granted as we are of the opinion that this is not in keeping with the fashion outlet proposed.

HIGGINS GROUP PLC, 1 LANGSTON ROAD. Comment. Trees are a rare sight in Langston Road, we suggest that the 6 hornbeams and 2 silver birches on the western end of the site be TPO'd. There should only be one access into the site from Langston Road (shared by car park users and service vehicles) as there are already five access along Langston Road opposite the site. The proposals are to install a left hand filter at the roundabout to feed from the A1168 into the A113 to Abridge. Surely it makes sense to continue the two lanes from the dual carriageway running under the motorway up to this proposed filter. The traffic will just bottleneck from 2 lanes down to 1 lane for approximately one tenth of a mile then back into the proposed 2 lanes again – this will not alleviate the congestion problem. With further additional works at the same time a permanent solution could be achieved. It is appreciated that ECC highways may not currently own the necessary land but could obtain a compulsory purchase order or as there is sufficient land available on the other side of the road the highway could be slightly moved as required.

42 BARRINGTON GREEN. Objection. I am very unhappy with the proposal of making Barrington Green a left hand exit only by the Winston Churchill pub- which will turn onto The Broadway if I am to read the plans correctly. This will result in a pointless labyrinth of unnecessary u-turns to get back onto Rectory Lane. This will add time and stress to my rush hour journey to work.

8 CHIGWELL LANE. Objection. As I currently find it difficult to turn right from Colson Road onto Chigwell Lane, I find it absurd that there are plans to convert the northbound carriageway to 2 lanes. I will be subjected to increased traffic/noise pollution and the road will be situated closer to my property. Concerned regarding the loss of long-standing trees and the impact of the works on property value.

12 CHIGWELL LANE. Objection. This will devalue my house and the traffic noise will be louder. I am also disappointed and sad that trees will be removed to accommodate the proposed works. My overall view from my house will be spoilt as I will be looking at more traffic and less greenery. How will I be compensated for the de-valuation of my property?

22 CHIGWELL LANE. Objection. Chigwell Lane is a little road that runs through a housing estate, the traffic is far too heavy now we don't need more heavy lorries and cars passing our street doors. Lorries should not be allowed to use Chigwell Lane as a detour from the M11 to the M25. The road has pot holes – we do not need more traffic, we need less.

Planning Issues

11. The material planning considerations in this case include:
 - The acceptability of the development in planning policy terms (i.e. in terms of Retail Impact and the loss of the site as a designated site for industry);
 - Highway Matters;
 - Car Parking;
 - The loss of the Council's existing depot facility from the site;
 - The design of the development and its impact on the Metropolitan Green Belt;
 - The impact of highway works on trees and landscaping;
 - Flood Risk; and
 - Other Matters (including land contamination, refuse storage and archaeology).

Retail – The Sequential Approach

12. The application site is located approximately 500m outside the identified Loughton Broadway retail centre and is, therefore, classed as an 'out –of-centre' location by PPS4.

13. PPS4 states that planning applications for main town centres uses that are not in a centre and not in accordance with an up to date development plan should be assessed against the following impacts on centres:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal
- the impact of the proposal on town centre vitality and viability, including local consumer choice and the range and quality of the comparison and convenience retail offer
- the impact of the proposal on allocated sites outside town centres being developed in accordance with the development plan
- in the context of a retail or leisure proposal, the impact of the proposal on in-centre trade/turnover and on trade in the wider area, taking account of current and future consumer expenditure capacity in the catchment area up to five years from the time the application is made, and, where applicable, on the rural economy
- if located in or on the edge of a town centre, whether the proposal is of an appropriate scale (in terms of gross floor space) in relation to the size of the centre and its role in the hierarchy of centres
- any locally important impacts on centres.

14. The submitted Retail Statement has considered the proposed development in relation to existing and planned retail centres and developments, both within Epping Forest and including some shopping locations within neighbouring districts. Regard has been given to planned developments as well as those which are already trading. The impact of the proposed development on the vitality and viability of existing retail centres is considered in detail below.

Retail Viability – Impact on The Broadway and Loughton High Road

15. Following the submission of the planning application, concern was raised regarding the amount of car parking spaces proposed in relation to the floor space proposed within the development (17,220m² gross area equating to 14,637m² net sales area). As it was not feasible to increase the number of parking spaces within the site, a need was identified to reduce the retail floor space within the scheme. This would not alter the external appearance of the proposed retail park, but would be achieved by reducing the amount of mezzanine cover (which would provide upper floor space). This would reduce the net sales floor space within the development to 12,915m². An addendum has been provided to the Retail Statement to address this reduction in proposed floor space.

16. The application states that it is intended that the retail park will be predominantly occupied by fashion retailers. However, the submitted Retail Statement addresses both this scenario and also a scenario of a mix of comparison retailers (the Retail Statement gives the example of retail types including DIY, electrical sales, stationary, greetings cards, chemist/pharmaceutical, craft, home furnishings, pets and toys etc.

17. Future Trading Patterns have been predicted, based on the impact of the proposed development on existing retail centres, in 2014. In relation to the proposal for a fashion led scheme, the Retail Statement identifies that the greatest impact in terms of the turnover of existing retail centres would be on Loughton High Road, at a 4.2% reduction. This would be followed by Epping (-2.5%); Enfield (-2.5%); Harlow (-2.2%); Brookfield Centre (Borough of Broxbourne) (-2.1%); Waltham Cross (-1.9%) and Loughton Broadway (-1.8%).

18. Turning to the scenario where the retail park would be occupied by a mix of comparison retailers, the impact of retail centres within Epping Forest would be slightly greater: Loughton High Road (-5.8%); Loughton Broadway (-4.3%); Epping (-3.9%); Homebase, Loughton (-3.1%); Chigwell (-2.9%) and Waltham Abbey (-2.7%).

19. The Retail Statement concludes that the predicted levels of trade diversion from existing centres will be set off by future population and expenditure growth. Nathaniel Lichfield and Partners, who have undertaken the survey, have confirmed that the level of growth considered is 2.3% per annum, which they advise is cautious when compared with past trends, but assumes a slow recovery from the recession. Officers have questioned what the likely impact would be if no growth occurred (a scenario which Nathaniel Lichfield advise is unrealistic and contrary to wider economic forecasts) and it has been confirmed that the impacts for the fashion led scheme would see slight increases in the impact on existing centres, with the impact on Loughton High Road increasing from -4.2% to -4.6% and the impact on Loughton Broadway increasing from -1.8% to -2.0%.

20. Having regard to these figures, it is the view of officers that the impact of the proposed retail park would not be detrimental to the vitality and viability of existing retail centres. Furthermore, whilst the scenario involving occupancy of the retail units by mixed comparison retailers would see a greater impact on nearby retail centres it would not be to the extent that material harm would be caused – it is not, therefore, considered necessary or reasonable to limit the occupancy of the development to fashion retailers only. Indeed, to do so would be contrary to the principles and guidance relating to the imposition of planning conditions and obligations.

21. Whilst the anticipated impact on the turnover of The Broadway appears non-detrimental, The Broadway has a fairly unique character as a retail centre and it is, therefore, considered that some qualitative assessment of the impact of the retail park is also required. Loughton Broadway, which provides a valuable centre for the local community including many services and independent shops, is largely anchored by the existing Sainsbury's store. If carefully managed, it is considered that the retail park and The Broadway may complement each other and there is potential for The Broadway to benefit from linked trips, made by customers of the retail park. However, this opportunity would be compromised if there were too much repetition of services offered by The Broadway also being offered at the retail park. It is, therefore, considered that it would be reasonable and necessary to limit the potential for such repetition through the use of a restrictive planning conditions and limitations imposed by Section 106, as appropriate. It is, therefore, proposed that if planning permission is granted then limitations are imposed which would restrict A1 food floor space within the development to 1,000m². Furthermore, in order to protect the function/attraction of The Broadway in terms of the services provided within the centre, a planning condition preventing both a Post Office Counter and dispensing chemist from units within the retail park.

Departure from Local Plan Policy

22. The application site lies wholly within an area which is designated for business and general industrial uses and the Local Plan very clearly states, at Policy E2, that other uses will not be permitted. Accordingly, if assessment of the planning merits of the case led to the conclusion that planning permission should be granted, the application will need to be referred to the National Planning Casework Unit as a departure from the Local Plan, for a determination by the Secretary of State as to whether or not permission should be granted.

23. The existence of Policy E2 of the Local Plan pre-dates much of the development in Langston Road and also Government guidance in PPS4. The intention behind policy E2 was to secure employment opportunities within the locality. This purpose would clearly be met by the development of the retail park – with the planning application estimating the creation of approximately 200 jobs.

24. It is also relevant to consider that Government guidance within Planning Policy Statement (PPS) 4 (2009) places emphasis on 'Economic Development' rather than specifically employment/industrial uses. The Planning Statement defines Economic Development as "*development within the B Use Classes, public and community uses and main town centre uses. The policies also apply to other development which achieves at least one of the following objectives:*

1. *provides employment opportunities*
2. *generates wealth or*
3. *produces or generates an economic output or product"*

25. This policy approach is also evident within the draft National Planning Policy Statement (NPPF), which states: "*The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. A positive planning system is essential because, without growth, a sustainable future cannot be achieved. Planning must operate to encourage growth and not act as an impediment. Therefore, significant weight should be placed on the need to support economic growth through the planning system. At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible.*"

26. This document is provided in draft form only and accordingly very limited weight is attached to it, when considering this application for planning permission. However, it does clearly indicate the intended future direction of Government planning policy.

Highways

27. Following extensive discussion with the Applicant and consideration of the highway impacts the proposed development is likely to have, the Highway Authority have come to the conclusion that there would be an overall benefit to traffic flow should the proposed development be approved and the highway mitigation works outlined in this recommendation are provided.

28. It is important to note that the network in the vicinity of the site is already busy but any additional traffic as a result of the proposed development will put increased pressure on the network. The Applicant has proposed highway works which will mitigate against this impact and it has been demonstrated via a Paramics model that the proposed works will have an overall highway benefit.

29. Due to the complex traffic flows and restricted nature of the nearby highway network, it is not possible to provide a highway benefit for all routes within the vicinity of the site so a balanced approach is required. The Paramics model considers an assortment of journeys through the network and provides a summary of journey times and queue lengths for various scenarios covering:

Base - base year 2010 traffic flows (prior to Langston Road signal improvements carried out in Jan/Feb 2011)

Do Minimum 1 (DM1) - future year (2016) with back ground traffic growth, committed development with no highway improvements (other than the Langston road signal works (Jan/Feb 2011)) and no retail park

Do Minimum 2 - as DM1 but with retail park traffic flows added,

Do Something 1 (DS1) - future year (2016) with back ground traffic growth, committed development, proposed highway works (including Langston Road signal works (Jan/Feb 2011) and those shown on drawings STH2468-08 rev H and STH2468-12 rev. -) and retail park traffic flows, and

Do Something 2 - As DS1 but with no retail park.

30. These scenarios were considered in the weekday AM and PM peak (07:00-10:00 and 16:00-19:00) and on a Saturday peak (12:00-16:00) in 2011 and 2016.

31. The results generally show that the queues increased from the base to the DM1 scenario. Longer queues were predicted in DM2 due to increased demand. The main cause of these queues in both the DM1 and DM2 scenario was associated with the mini-roundabouts at Border's Lane and The Broadway operating at capacity. This caused blocking back along the Chigwell Lane corridor which also resulted in vehicles not being released into the models. Consequently, journey times increased, particularly for traffic travelling northbound. Additionally, the Abridge Rd / High Rd / Chigwell Lane junction was at capacity, resulting in further delays. It is forecast that traffic on the M11 off-slip would block back onto the M11 mainline during the PM period in the DM1 scenario. Therefore it is clear that some highway works are required to mitigate against the impact of the development.

32. In the both DS1 and DS2 scenarios, congestion is reduced significantly from the Do Minimum scenarios due to the network improvements. Overall, the PM and Saturday peak periods show significant decrease in the queues and journey times compared to the DM scenarios. In the AM peak period, there are some improvements but some additional delays were observed mainly on The Broadway and Colson Road. Considering the overall performance across the three peak periods, the proposed improvements in the DS1 scenario are considered beneficial. DS2 shows better network performance compared to DS1 due to lower demand in the DS2 scenario due to no retail park development in DS2. In addition, the improved network allowed a greater vehicular throughput, resulting in fewer vehicles being unreleased from the model during the AM peak period.

33. In conclusion, the highway improvement implemented in the DS1 and DS2 scenario provided benefits through reduced queues and journey times. With the proposed revised lane markings at Langston Road to provide a second left turn lane, the benefits increase significantly. The improvement in DS1 allows the network to accommodate the traffic generated by the proposed development providing a better overall network performance compared to DM1 and DM2.

34. Following consultation of the proposed highway works with neighbouring residents and other interested parties, queries and concerns have been submitted in respect of elements of the works proposed. Officer from Essex Highways have provided responses to those queries as follows:

35. With regard to concerns raised in respect of the bus stop outside Epping Forest Collage, Highways officers have confirmed that a bus cage was originally proposed, however it was deemed safer and more efficient for traffic flow for a bus lay-by to be provided so close to the signalised junction. With regard to the question over the safety of this lay-by, they have confirmed that the lay-by's formed part of the design which was Stage 1 Road Safety Audited and no issues were raised.

36. According to the Paramics model which has been run, it is not necessary to provide traffic lights on the off-slip from the M11, onto Chigwell Lane. In response to the query concerning why there is not left hand turn proposed into The Broadway from Rectory Lane, Highways Officers have confirmed that, according to the Paramics model, the design is for the optimum efficiency and a dedicated left turn lane is not required. However, it is also the case that there would be insufficient width/highway boundary to provide this.

37. Highways Officers have confirmed that the standard signal controlled pedestrian crossing is DDA compliant and will cater for those with disabilities.

38. Concern has also been raised in respect of highway issues likely to be caused during the construction of the proposed development, if it is approved. Due to the congestion issues which exist at present within the vicinity of the site, this concern is understood. It is acknowledged that the construction of the development will inevitably cause further difficulties within the vicinity of the site, during the period that works take place. However, a planning condition is proposed which seeks to minimise the disruption and inconvenience caused by careful management of these works. This condition would require details to be submitted for approval by the Council, which would be undertaken in consultation with officers from County Highways.

Vehicle Parking

39. Policy ST6 of the local plan requires that development proposals provide on-site parking in accordance with the Council's adopted standard. The Council has adopted Essex County Council's Parking Standards: Design and Good Practice (September 2009). These standards set maximum numbers for car parking, based on the use class.

Use Class	Maximum standard	Proposed floor area for use	<u>Maximum</u> number of spaces
A1 (non-food)	1 space per 20m ²	14,435m	721
A1 food	1 space per 14m ²	Max. 1,000	71
A3	1 space per 5 m ²	Max. 1,000	200
Total	-----	-----	992 spaces

40. Included within the car parking, provision should be made for disabled bays at a minimum of 4 bays plus 4% of the total capacity and in addition to the car parking, provision also needs to be made for cycle parking and powered two wheelers. However, the parking standards do state that for large, standalone developments (such as large department stores and shopping centres) parking will be considered on a case by case basis.

41. The submitted plans indicate the provision of 362 spaces and it is likely that the undesignated parking (i.e. not including bays for disabled users and parent & child spaces) will be provided at the minimum bay size set out within the Parking standards (2.5m x 5m), to ensure that the maximum number of spaces can be accommodated within the development.

42. The Applicant, through the Transport Assessment, has identified retail parks of comparable scale within the TRICS (Trip Rate Information Computer System) database. Officers at Essex County Council have confirmed the number of parking spaces provided at each of those sites and car parking provision is greater at those sites than proposed at Langston Road. However, the location of those sites, which are generally suburban, are such that they are not considered to represent comparable situations.

43. The applicant has provided information, stating that at the anticipated time of peak parking demand (between 3pm and 4pm on a Saturday), 320 vehicles are predicted to be parked within the site, which indicates that sufficient car parking will be provided within the development.

44. In conclusion, it is considered that the lower ratio of car parking spaces proposed in this development is justified by the public transport links surrounding the site and the data provided by the applicant, following the reduction in net retail floor space. Planning Officers accept that the site is very close to an Underground Station and also in close proximity to local bus services which use Chigwell/Rectory Lane (The 167 Service runs from Torrington Drive to Ilford High Road, via Buckhurst Hill, Chigwell, Barkingside and Gants Hill approx every 20 mins Monday to Friday). The site is also in very close proximity to a large residential area and institutions including Epping Forest College. Having regard to the sustainable location of the site, it is accepted, on balance, that the number of parking spaces which may be accommodated within the site is acceptable.

Displacement of the Council's Depot Facility

45. The retail park development will clearly result in the displacement of existing Council services from the EFDC depot site. The Director of Corporate Support Services has provided details confirming the intentions regarding the relocation of those services:

- A planning application is being prepared for a depot at North Weald Airfield for relocation of the refuse fleet and staff. In tandem with this alternative sites are being considered. The Environment Portfolio Holder has indicated that they would prefer an alternative location, so the service will only transfer to North Weald if there is demonstrably no viable alternative.
- Fleet Operations and Grounds Maintenance are scheduled to relocate to Oakwood Hill to a new depot (subject to all necessary consents). (*The identified site has previously benefited from outline planning permissions for car parking and workshop units – most recently EPF/1540/00 approved on 08/11/00*). This is well advanced and an application is likely within weeks. As an alternative, Prospect Business Park units are being assessed for suitability for Fleet Operations.
- The Museum Store is to be relocated at 148 Brooker Road if current attempts to secure additional space within Bridgman House, Waltham Abbey falter for any reason. However genuine progress has been made with seeking financial assistance through lottery funding for the project.
- Finally the retail park will not be able to proceed until the various Council services have been relocated.

46. The principle of the depot being lost from the Langston Road site was accepted through the approved planning application EPF/0730/08 for the redevelopment of the site.

Design, Scale and Massing and Impact on the Green Belt

47. Whilst this planning application seeks only outline planning permission, considerable detail is provided within submitted indicative plans for the proposed development.

48. The scale and design of the development as indicated within the submitted plans is considered to be in keeping with the character and appearance of neighbouring sites within Langston Road.

49. This matter will be considered in greater detail following the submission of a reserved matters planning application.

50. The rearmost part of the application site (which would accommodate the service road at the raised land level) is located within the Metropolitan Green Belt. Whilst this development is inappropriate within the Green Belt, it is considered that its impact on the openness of the Green Belt would be very limited, given the limited visibility of the development and the presence of the M11 motorway to the rear. The same approach was adopted when planning permission reference EPF/1884/08 was granted for the erection of a data centre on the site – where the building slightly encroached onto land designated as green belt.

Landscaping

51. The Council's Arboricultural Officer has raised some concern about the provision made on the indicative plans in relation to the retention of existing site landscaping, particularly relation to a group of Hornbeam trees along the front of the site. However, this is an outline planning application and further consideration may be given to this issue through any subsequent application for reserved matters – by which time the proposal would have a detailed layout plan and a scheme for proposed landscaping against which the loss of any existing landscaping may be considered.

52. However, this application also seeks full approval of the proposed access. In relation to the off site works there is tree loss proposed off Chigwell/Rectory Lane. However, the most important trees are shown to be retained and replacement planting has been shown for those trees to be lost off site. The replacement of trees on highway land will require a planting license from Essex county Council. However, Highways Officers are supportive of the principle of replacement planting and accordingly the imposition of a planning condition to secure suitable replacement trees is both necessary and reasonable.

Flood Risk/Drainage

53. Both the Environment Agency and the Council's Land Drainage team have been consulted on the planning application. Although the application proposes a major development, the site does not lie within a locally designated flood zone and most of the site lies within the lowest probability flood zone (Flood Zone 1). The application is accompanied by a Flood Risk Assessment (FRA) which demonstrates that surface water runoff on the brownfield part of the site will be reduced by at least 65% from existing. For the greenfield part of the site the surface water runoff will be limited to 5 litres per second. Officers from both the Environment Agency and EFDC's Land Drainage team consider that, if implemented in accordance with the measures detailed in the FRA, the development would be acceptable and would be in line with the principles of PPS25.

54. Accordingly, subject to the imposition of planning conditions requiring that the development proceeds in accordance with the recommendations contained in the FRA, it is not considered that there would be any flooding or drainage issues caused.

Archaeology

55. A copy of the query raised by Loughton Town Council regarding the potential for harm to archaeological remains within the site has been forwarded to the County Archaeologist. He has confirmed that it is correct that Roman remains have been found in the immediate area of the site and that, as a result, two sites adjacent to the Council depot at Langston Road were investigated in 1999 and again in 2005. However, on both occasions, the investigations did not reveal the presence of any archaeological evidence, due to considerable levels of modern disturbance and made ground across both areas. Based on those previous investigations, the ground conditions and the presence of substantial buildings and large areas of hard standing across the site, it is the opinion of the County Archaeologist that the survival of archaeological deposits/activity on the site would be very unlikely. On

this basis, it is not considered that the imposition of a planning condition requiring archaeological investigations/recording would be reasonable, or necessary.

Contaminated Land

56. The application site has been identified as being potentially contaminated. Accordingly, planning conditions requiring phased investigations and, where necessary, the remediation of the site should be imposed, if planning permission is granted.

57. The rearmost part of the application site (approximately 16-20 metres in width) overlaps with land which has been the subject of the unauthorised deposit of waste material, resulting in significant raising of the land level. The proposed development would seek the retention of this raised level, to create the service road to the rear of the retail park. The content of the depositing material will need to be inspected to determine whether or not it is inert and, if necessary, the material will need to be cleaned or replaced. This area of land is subject to a planning enforcement notice, which requires the removal of the earth. However, if planning permission is granted for this application, the area of land included within the application site may be retained with the benefit of that planning permission.

Refuse Collection

58. The proposed retail park will clearly need to make provision for refuse storage and collection. The requirements will depend on the type of occupiers of the site, particularly in terms of the amount of any A3 floor space within the development. Accordingly, this detail will need to be assessed at the time of the submission of the application for approval of reserved matters. A planning condition may be imposed to require details of refuse storage to be provided to the Council for approval.

Conclusion

59. In light of the above appraisal, Officer's consider on balance that there is sufficient justification for permitting a departure from the Local Plan by allowing the proposed redevelopment of this site as a retail park. The proposal is for a sustainable form of development, in that it would make good use of previously developed land in a location well served by public transport, with good links to main roads and a residential population. The development will result in the creation of a considerable number of jobs and will enable substantial works to take place on the adjacent highway network, which will result in an overall improvement in relation to existing traffic congestion problems within the locality. It is, therefore, recommended that planning permission be granted, subject to the imposition of planning conditions and the completion of a legal agreement. Any decision to grant planning permission will be subject to referral to the Secretary of State, in order that he may consider whether it is necessary to 'call-in' the planning application.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Mrs Katie Smith
Direct Line Telephone Number: (01992) 564109***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

Appendix 1: Full Response received from Loughton Town Council

The Committee OBJECTED to the planning application. It was very concerned that if planning permission was granted it would be impossible for the District Council to resist other A1 use applications (which might include super/hypermarkets) on Langston Road. Members considered the present proposals would adversely affect trade in the Broadway, and more particularly, in the High Road. The potential mushrooming of retail use on a large site zoned for business and industry in the Local Plan would have definitely deleterious effects on the High Road and Broadway town centres (as well as smaller shopping parades within the district). All this was contrary to Policies TC1 and TC2 of Epping Forest District Council's adopted Local Plan & Alterations. Also contrary to the plan was loss of employment land as defined in policies E1 and E2. This was unaffected, the Committee considered, by Government guidance in PPS4.

The Committee recognised that the above applied unambiguously to the Council depot site, but that the T11 part of the proposed development site was (since the Local Plan alterations) less clearly affected. However, they pointed out that the land had been zoned for industrial use in the Loughton Urban District Council Town Planning Scheme of 1926 and in subsequent revisions, and considered that although its present zoned use might be ambiguous, it had in effect always formed part of the employment area, notwithstanding the 1998 T11 zoning for a lorry park.

The Committee also OBJECTED to the proposal's encroachment onto Green Belt land at the rear for the service access, contrary to Policy GB2A of the District Council's adopted Local Plan & Alterations, which affected the Roding River corridor that had potential and actual recreational use.

If, however, planning permission was to be granted, the District Council should ensure sustainability of the proposal as regards public transport and pedestrian access, to be secured under Policy I1A of the District Council's adopted Local Plan & Alterations by the following planning conditions:

- The developer funding a bus to the two Loughton town centres at least every 30 minutes during site opening hours
- Upgrading the ambience, surfacing and lighting of footpaths from Debden Station to the site and level access to the London-bound platform
- Funding of parking restrictions in Oakwood Hill to prevent displacement of the parking currently accommodated on the T11 site
- Funding to complete and implement the Broadway parking review in Alderton Ward and Torrington Drive, to prevent further saturation of parking there by shop workers

The Committee disagreed with paragraph 4.33 of the Planning Policy Statement by Woolf Bond Planning and the contention therein that the improvement of the walking routes would bring about a better relationship with The Broadway thereby meeting the criteria of Policy TC2 of the Adopted Local Plan & Alterations.

The Committee NOTED that the highway improvements proposed included signalised junctions/crossings at Borders Lane/The Broadway with the A1168 (Rectory Lane) and suggested that the scheme be revised to incorporate left filter lanes into Oakwood Hill, The Broadway and Borders Lane. Members were concerned by the limited access of only one entrance in and out of the proposed development.

The Committee sought a formal restriction in the approval on the type of A1 use to that of multiple clothes retailers to safeguard existing A1 retail outlets within the town.

Appendix 2: Full Response received from Loughton Residents Association

Loughton Residents Association



020 8508 2932
david.linnell@loughtonresidents.co.uk

20 Eleven Acre Rise
Loughton
Essex IG10 1AN
08 01 11

The Head of Planning & Economic Development
EFDC
Civic Offices
Epping
Essex CM16 4BZ

Dear Sir

EPF 2580 10. Council Depot site and Adjacent Land off Langston Road

Outline application for the redevelopment of site for 16.435 square metres (GIA) of predominately A1 retail floorspace, (including up to 1000 square metres (GIA) of A3 Floorspace), landscaping, car parking, ground remodelling works, retaining wall structures and two accesses off Langston Road.

We object to this application, on the grounds of:

1. Failure to comply with the Council's own local plan
2. Potential effect on traders in The Broadway and Loughton High Road
3. Potential effect on traffic flows, and on the amenities of local residents
4. Does not meet sustainability criteria for pedestrian or public transport access
5. Potential "knock-on" effect on the rest of the Langston road Industrial area

Taking these in turn

1. Local Plan

The Council's Local Plan says:

POLICY E1 Within the existing employment areas subject to this policy (as identified on the proposals map) the council will grant planning permission for the redevelopment or extension of existing premises for business, general industrial and warehouse uses.

The redevelopment of existing sites or premises or their change of use to uses other than business, general industry or warehousing will not be permitted.
(Emphasis added)

However, Policy E4A allows changes, but only when there has been an independent appraisal which shows that

"(iv) there is a demonstrable lack of market demand for employment use over a long period that is likely to persist during the plan period"

Do any of the documents supplied constitute an independent appraisal (that is, one not sponsored by the applicant)?

Has it been properly established that there is a lack of demand over a long period that is likely to persist? We contend that the time period considered is not "long" in terms of economic cycles (which

typically last 7 years or more), and that likely future demand for industrial use should also be considered over a similar economic-cycle period, and not unduly influenced by the current situation (the trough of an economic cycle).

We therefore consider that the requirements of Policy E4B have not been satisfied (Policy E4B states that “where it can be proven that there is no further need for employment uses on a particular site, the Council will permit alternative uses which fulfil other community needs and which satisfy other policies of the plan.”)

2. Potential effect on traders in The Broadway and Loughton High Road

The potential uses so far envisaged have included white goods stores and more recently multiple clothing stores. The former would compete with the existing (long-established) white goods store on The Broadway. The latter would compete with the significant number of clothing stores on Loughton High Road.

See also point 5.

3. Potential effect on traffic flows, and on the amenities of local residents

We note that Rectory Lane at the junctions with Borders Lane, The Broadway and Langston Road is already severely congested at the weekday morning and evening peak periods. The applicants state that weekday usage of the retail park will be mainly by employees of other businesses on the industrial estate – it seems unlikely that multiple stores will indeed be interested in the proposition, and that it is much more likely that there will be a significant number of “external” customers, adding to the congestion at peak periods. (We note that the applicants themselves say that the development is expected to create around 3,000 vehicle trips IN (and another 3,000 OUT) on Saturdays, and around 50 and 250 two-way traffic trips respectively in the morning and evening peak traffic periods.)

Initially it was proposed that Rectory Lane between Langston Road and The Broadway might be “dualled” – we object strongly to this proposal, which would destroy green areas which are highly valued by local residents, while having little or no effect on the congestion, which is mainly caused by the junctions with Borders Lane, The Broadway and Langston Road, and the lights-controlled pedestrian crossings on Borders Lane and Rectory Lane, which are heavily used by College students at peak traffic periods. We understand that there are now proposals to provide traffic lights at the Borders Lane and Broadway junctions – if the lights sequences are integrated with the controlled pedestrian crossings, then this may be a more effective solution. We would also urge the conversion of the current side road in front of the Winston Churchill pub into a filter-left lane for traffic wishing to turn left from Rectory Lane into The Broadway (access should be as far back along Rectory Lane as is possible without affecting the houses facing the side road).

4. Does not meet sustainability criteria for pedestrian or public transport access

There is no suitable pedestrian access from the Broadway or from Debden station. We have inspected the current footpath from the station, which is unsuitable because

- It involves climbing up, over and down the bridge over the railway
- It winds through the industrial estate, and is far too long for shoppers to contemplate using it
- It emerges at the wrong point to enter the retail park, and would involve crossing the estate road to get there.

There is no public transport (bus) provision provided.

5 Potential “knock-on” effect on the rest of the Langston road Industrial area

If permission is granted, we have concerns over

- whether in the longer-term it will be possible in practice to prevent traders on the retail park competing with The Broadway traders
- even if the district council maintains sufficient control over letting policy for the retail park to be able to prevent letting to “competing” traders, it would be open to any future Council administration (faced for example with financial stringencies) to change this policy

- equally if not more importantly, we are very concerned that, if the retail park went ahead, it would not be possible to prevent other sites in the Industrial Area successfully applying for changes to use to retail, such as a supermarket, in competition with The Broadway and/or High Road traders. We note that there is already an application for a change of use away from light industrial in respect of one of the industrial estate buildings. The only control that the Council has over such applications is its planning policies as contained in the Local plan. Once it has given itself permission to over-ride these policies, it seems likely that a Planning inspector would grant others the same freedom.

Further comments

1. It would make a nonsense of the “zoning” in the Local Plan, which is meant to protect an area for light industrial use, if relatively short-term factors, such as the current economic situation, meant that its provisions could be easily over-ridden. The provision of “leisure” employment, although relevant, should also not be allowed to over-ride the Local Plan provisions.

It does not appear that the NLP report commissioned by Polofind is “independent”. In any event, it focuses on retail demand, not on the need for industrial uses on the site. Similarly for the report on planning matters by WBP. Both these reports focus on the favourable points, and ignore any points unfavourable to the developer’s case.

The latter report argues that the development will result in a reduction in shopping “trip lengths and reduce the need for car travel” (5.23) – however, the site is not sustainable, despite what is asserted in 5.23, as there is no direct bus access, and it is not easily accessible on foot from Debden station; and there is no evidence for the consultant’s assertion in 5.23 (if for example many existing trips were by Underground to Stratford or Central London, car usage might well increase rather than decrease)

2. The assertion that revenue streams currently “lost” to the Town will be “clawed back” is simply nonsense – the proposal is for national shopping chain outlets, and the revenue streams will continue to leave the District, albeit by a different route.

Please ask any enquirers to contact me on 020 8508 2932.

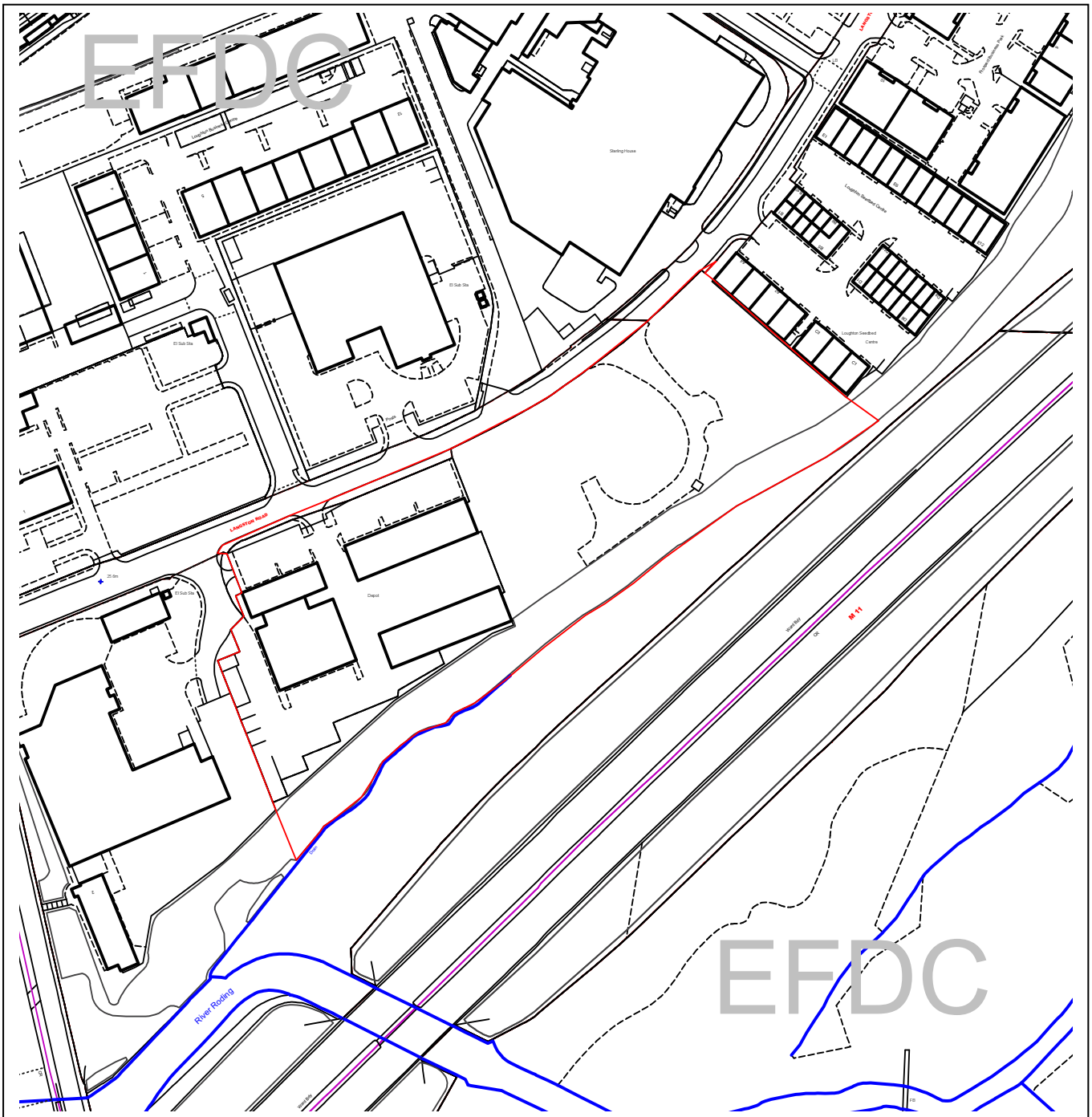
Yours faithfully

David Linnell
for Loughton Residents Association Plans Group



Epping Forest District Council

District Development Control Committee



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Agenda Item Number:	
Application Number:	EOPF/2580/10
Site Name:	Council Depot site and Adjacent Land off Langston Road, Loughton, IG10 3UE
Scale of Plot:	1/2500

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