

**District Development
Control Committee**

Annual Report

2006/07

Epping Forest District Council

Background

Development Control is the implementation arm of Planning Services that controls and regulates development in line with the objectives of development plan policy. It includes the determination of planning applications and other forms of development proposals, the enforcement of planning control and the handling of appeals against the Council's decisions. The service offered also includes pre-application discussions and the handling of all general enquiries connected with development – past, present and future.

The service is largely a statutory activity prescribed by the Town and Country Planning Act 1990 (as amended) and by a number of regulations and statutory instruments. A local authority must run a development control service including the enforcement of control, even though enforcement powers are to be operated by discretion on a case-by-case basis.

Development Control cannot be a Cabinet function under the terms of Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and is administered under the Constitution by the District Development Control Committee, which delegates functions to the Area Plans subcommittees and to the Head of Planning Services.

This report sets out the work the committee oversees in terms of Planning Applications; Planning Enforcement and Planning Appeals; and also includes the Annual Report on Section 106 Agreements.

In addition, this report also highlights the work of the Forward Planning and Environment team of Planning Services.

We are gradually seeking to combine several separate annual reports into one document. However, the Council Bulletin contains regular performance reports and more detailed reports, such as Countrycare's Annual Report, are also available.

DEVELOPMENT CONTROL

PLANNING APPLICATIONS

The Council received 2,033 applications during the course of the year. This was very similar to the workload received in both the preceding two years.

A total of 1,863 decisions were made on applications over the year, which with a total of 207 applications withdrawn for various reasons, meant that the number on hand carried over to the start of the new year was a little less than the previous year. This has been a trend throughout the year – that the number of applications on hand at any one time is substantially lower than in previous years. Over the past year the number of current applications on hand has been between 270 and 335, whereas during 2004/05 it was between 420 and 480.

Of those 1,863 applications determined, 10 were determined at District Development Control Committee level, 224 by Area subcommittees and the remainder – 1,639 – under delegated powers by the Head of Planning Services.

District Development Control Committee

Those determined by the District Development Control Committee were mostly referred by the Area subcommittees because they were minded to grant permission contrary to adopted policy of the adopted Local Plan and Alterations. The District Development Control Committee agreed with the Area subcommittee recommendation in every case. Three cases were however referred to the parent committee because the Area subcommittee happened to be inquorate after Members' interests were declared. One case was referred to the parent committee without debate by the Area subcommittee because it was a significant, major development on a former Council-owned site and the wider debate at the parent committee was considered to be appropriate. This was the residential development scheme at the North Weald Parade Ground site where the committee decided to refuse the application and the appeal against that decision has recently been dismissed.

Area Plans Subcommittees

The Area subcommittees deal with a wide range of application. A number of relatively straightforward cases are referred to the subcommittees because of comments received from Town and Parish Councils but many others are schemes with significant public interest.

The number of cases determined by each subcommittee were as follows:

Area Plans subcommittee A -	101	
Area Plans subcommittee B -	34	until January 2007
Area Plans subcommittee C -	30	until January 2007
Area Plans subcommittee B/C -	24	from February 2007
Area Plans subcommittee D -	<u>35</u>	
Total -	224	

It is also of note that 53 of the 224 decisions were made contrary to the recommendation of the planning officer - a proportion of 24%, though unevenly spread between subcommittee B (and B/C) of 29%, subcommittee A of 28%, subcommittee C at 14% and subcommittee D at 10%. Whilst members do not have

to follow the recommendations of the officers in every case, decisions to refuse contrary to recommendation have an unavoidable impact upon Appeal performance as reported below.

Delegated Powers

The remainder of applications were determined in accordance with the Scheme of Delegation or Powers to the Head of Planning Services contained within the Constitution and last revised December 2002. In this way, 88% of decisions are made without needing to involve committee time. It is of note that most refusals of the Council are made under delegated powers, 441 in 2006/07, which is 24% of all decisions – a little above the national average, primarily because so much of the district is Green Belt.

Performance Measures

Best Value Performance Indicators measure the time taken to determine applications, split between Major (those involving 10 or more new houses, 1,000sqm of floorspace or more than 1 hectare site area), Minor (commercial developments under those thresholds) and Other (largely householder applications and other minor works).

The Government has set targets of 60% Major applications in 13 weeks; 65% Minor applications in 8 weeks and 80% Other applications in 8 weeks. However, this Council has adopted the top quartile performance measures as targets – thus: 71.25% for Major, 75.33% for Minor and 88.03% for Other. The performance is as follows:

	Major	Minor	Other
2006/07	67.24%	72.95%	89.54%
<i>2005/06</i>	<i>55%</i>	<i>57%</i>	<i>80%</i>

It can be appreciated that the performance in all three categories has exceeded the Government's targets (and thus guaranteed the maximum Planning Delivery Grant when it is announced later this year) and has each shown a significant improvement over last year's performance. The results achieve the Council's top quartile target in one category but just fail to hit the Council's top-quartile targets in the other two. One factor influencing this was the departure of two senior staff members through the year. Maintaining a full, experienced establishment is key to good performance.

PLANNING ENFORCEMENT

Indicators of planning enforcement activity include the numbers of investigations into allegations of breaches of planning control that have been started, the number of investigations completed, the number of notices issued and the number of prosecutions completed. Further indicators are numbers of notices defended at appeal and instances of direct action. Numbers of complaints received are recorded but are not considered to be a reliable indicator of workload. That is because more than one complaint is sometimes made about a single alleged breach whereas each investigation is only generated by a single allegation, even if more than one complainant makes that allegation.

Investigations

During the year ending 31 March 2007 the Council's Planning Enforcement Team successfully reduced the number of current investigations by 17%. This has effectively removed the last remains of any backlog of investigations that built up in previous years due to difficulties in filling vacant posts within the Team. At the end of the year ending 31 March 2006 the Planning Enforcement Team had 376 current investigations into allegations of breaches of planning control. During the year ending 31 March 2007 the Planning Enforcement Team started 783 new investigations and closed 848 such investigations. This gives a balance of 311 current investigations at the end of the last accounting year. This success has been due to the perseverance of the Team throughout previous years and the recruitment of a Senior Planning Enforcement Officer who started work in August 2006. Previously the post of Senior Planning Enforcement Officer had been vacant since 2002. The new investigations started during the accounting year were generated by 806 complaints.

The reasons recorded for closing investigations are as follows:

Breach resolved:	155	(18%)
Breach partially resolved and not expedient to take further action:	12	(1.4%)
Planning permission subsequently granted:	81	(10%)
Not expedient to pursue:	54	(6.4%)
Breach is time immune from enforcement action at the time the investigation started:	10	(1.2%)
Breach appears to have occurred but ceased prior to commencement of investigation:	23	(2.7%)
No breach has occurred:	439	(52%)
Duplicate investigation:	55	(6.5%)
Other:	19	(2.2%)

The first three reasons for closing investigations set out in the above table are those that demand the greatest officer time. Although they amount to 29% of all investigations closed, they account for a much greater proportion of officer time.

The above table shows that more than half the investigations closed were for the reason that no breach had occurred. The proportion of cases closed for that reason can logically be grouped with those closed because the breach is time immune or had ceased prior to the start of the investigation. Together they account for 56% of all investigations closed. The reason they are counted separately is because of the varying amount of investigative work required to establish the facts supporting those reasons.

Investigations closed for the reason they are not expedient to pursue are almost entirely those where an assessment of the planning merits of the breach has concluded that it is very likely that consent would be granted for them if an application was submitted. In those cases an application has been requested but the owner/occupier has not complied with the case officers request and since the development is acceptable it is not expedient to pursue the investigation further.

A relatively large number of investigations (6.5%) were duplicate investigations. This is a consequence of a change in procedure following the introduction of new investigations management software at the beginning of 2006. Previously workloads were only measured in terms of complaints received and although most outstanding complaints were aggregated into their corresponding investigations, a number of complaints were treated as individual investigations. This did not come to light until an audit of all on going work was carried out towards the end of the accounting year. It is unlikely that such a high proportion of duplicate investigations will be recorded in future years.

Of those breaches resolved, those that caused widespread harm include the use of land at Stone Hall Business Park, Matching in connection with a park and ride facility for passengers using Stansted Airport.

Matters that have been partially resolved include the use of land at Birchfield, Stapleford Tawney as a gypsy caravan site where the use has ceased and works have been carried out to tidy the appearance of the land but works have not been taken to remove made-ground and return it to a grassed field. A long-standing investigation into land at Barnfield, Roydon has resulted in the cessation of the use of adjacent land in connection with a lawful waste transfer use but bunds erected to contain the use that were partially removed have not yet been fully reinstated.

Notices, appeals, prosecutions and direct action

In pursuing investigations the Planning Enforcement Team finds it necessary to serve planning contravention notices. These were served in connection with 20 investigations during the last accounting year and a total of 23 such notices were served.

Although the Planning Enforcement Team is normally able to resolve breaches of planning control with the cooperation of owners/occupiers of land, it is sometimes necessary to take enforcement action, through the service of notices or the carrying out of prosecutions under the Town and Country Planning Act 1990. During the last accounting year a total of 21 notices were issued comprising 20 enforcement notices and 1 listed building enforcement notice.

Of those notices issued in the year to 31 March 2007, appeals were made against 16 of the notices.

Three appeals were withdrawn: one without any reason given and the investigation is ongoing since the notice is now effective; one following a corresponding appeal against the refusal of planning permission being allowed; and one following the grant of planning permission for the unauthorised development by Committee contrary to officer recommendation.

Two of the appeals were dismissed and one was allowed while the remaining appeals are continuing. Of the investigations relating to the appeals that were

dismissed, one has been closed following compliance with the notice while the other is ongoing since the compliance date has not yet passed.

Two of the appeals that are continuing relate to breaches at the same site: Blunts Farm, Theydon Bois. Members will be aware that this is a breach that affects a very large area of land also generated harmful vehicle movements affecting the wider area. Although the vehicle movements have ceased the matter is far from being resolved. This is a very complicated planning enforcement investigation that is related to a similarly complex current planning application.

Of the enforcement notices that have not been appealed against, 2 have been complied with while the compliance date for 2 of the notices has not passed yet. The remaining notice is effective and the owner of the land has been successfully prosecuted for failing to comply with the requirements of the notice. That case relates to the stationing of a shipping container in a field adjacent to Bournebridge Lane, Stapleford Abbots and the notice requires its removal from the land. The owner was fined £5,000 and ordered to pay the Council's costs. The owner began appeal proceedings but withdrew and the notice is expected to be complied with by the end of July 2007.

Three other planning prosecutions have been completed during the year to 31 March 2007. One related to a failure to comply with an enforcement notice requiring the cessation of the use of a holiday chalet as permanent dwelling where the owner was found guilty and ordered to pay a £100 fine and the Council's costs of £283. One related to the display of an advertisement without express consent where the advertiser was found guilty but given a conditional discharge and ordered to pay the Council's costs of £100. The final prosecution related to 7 offences of damaging preserved trees where the accused was found guilty and ordered to pay a £1,700 fine and the Council's costs of £1,200.

The Planning Enforcement Team has also taken direct action on one occasion during the last accounting year to obliterate an advertisement painted on a trailer parked in a field when the owner of the field and the trailer could not be traced. The team would like to resort to more direct action to finally resolve outstanding cases and a decision on one case at Roydon Lodge Chalet Estate is awaited.

PLANNING APPEALS

The Head of Planning Services presents a report on appeal performance to the three Area Plans subcommittees every six months in November and May/June in accordance with the recommendations of the Audit Commission.

Performance

The performance for the year as a whole is as follows:

2006/07	Planning	Enforcement	Total
Dismissed	90	8	98 (73.6%)
Allowed	35	0	35 (26.3%)

The Best Value Performance Indicator is, however, only measured with reference to s.78 planning appeals, i.e. those appeals against decisions to refuse planning permission and not enforcement appeals or appeals related to listed building consent, advertisement consent, telecommunications approvals and other matters. The performance at this level is as follows:

2006/07	s.78 Appeals	Performance %
Dismissed	78	70.9%
Allowed	32	29.1%

The Council’s target for those allowed is 24%, so the end performance is disappointing. A review of the cases however revealed that a high number of appeals concerned applications refused contrary to officer recommendation, and although the Council was successful in defending some of those decisions, the majority could not be successfully defended. This inevitably impacts upon the end of year performance. In addition, it is apparent that some decisions were as a result of the efforts of Government policy to make the best use of urban land and resulted in decisions to allow development in situations that previously might have been rejected, such as backland sites.

Highlights

Members may have their own decisions about which they are pleased, but it is worth identifying a few cases that stand out.

It was disappointing to lose two appeals in High Road, Chigwell. These seem to be examples of Inspectors giving greater emphasis to the need for housing rather than the character of the area.

There were also a number of appeals lost in relation to additional dwellings at street corners or other infill locations that in the past might have been won. These developments tend to result in a cramped appearance in the street but, once again, Inspectors seem to be most mindful of the need for new housing in existing built-up areas to avoid the need to encroach into the Green Belt.

On the other hand, it was particularly pleasing to win the appeals at Wansfell College, Theydon Bois and out-of-character flat developments at Bower Hill and High Road, Epping.

SECTION 106 AGREEMENTS

Background

1. Section 106 of the Town and Country Planning Act 1990 allows a local planning authority to enter into a legally-binding agreement or planning obligation with a land owner/developer over a related issue. The obligation is often termed simply as a 'Section 106 Agreement'.
2. Section 106 agreements can act as a main instrument for placing restrictions on developers, often requiring them to minimise the impact of their development on the local community and to carry out tasks providing community benefits.
3. Such agreements may be sought when planning conditions are inappropriate to ensure and enhance the quality of development and to enable proposals that might otherwise have been refused to go ahead in a sustainable manner. They are not to be used simply to take a share of the developers' profits into the public purse for that can result in the accusation that the Council is 'selling' planning permissions, nor are they to be used to gain a benefit that is unrelated to the development.
4. The Government Circular – Circular 1/97 – states that section 106 agreements need to meet the following tests:
 - (a) Be necessary;
 - (b) Be relevant to planning;
 - (c) Be directly related to the proposed development;
 - (d) Be fairly and reasonably related in scale and kind to the proposed development; and
 - (e) Be reasonable in all other respects.

The courts have, however, stated that to be lawful, agreements only have to show that they are relevant to planning and that in all respects are reasonable.

What are Planning Obligations?

5. Section 106 Agreements contain obligations relating to a person's land which bind the land and whoever owns it. They may:
 - restrict the development or use of the land in a specified way,
 - require specified operations or activities to be carried out,
 - require the land to be used in any specified way, or
 - require a sum or sums to be paid to the authority on a specified date or dates or periodically.
6. They provide a means for ensuring that developers offset directly any disadvantage from a development and contribute towards the infrastructure and services that this Council and Essex County Council believe to be necessary to accommodate the proposed development. Policy I1A of the Local Plan Alterations 2007 sets out the policy in relation to Planning Obligations.
7. They are used to deliver, for example, the following:
 - affordable housing,
 - requiring highway works to be carried out

- requiring land to be dedicated and equipped as public open space
- the restoring of a listed building
- sums of money to be paid for the provision of off-site infrastructure or for the long-term maintenance of open space.

Changing Procedures

8. Section 106 Agreements are deeds drawn up by legal professionals and have traditionally taken some months to bring to a conclusion. There is no substitute for such a legal document when the benefit being sought is of a complex nature such as affordable housing, or when it is anticipated that the enforcing of the provisions need might be especially robust. However, since applications are not finally dealt with until the associated agreement is completed, this approach meant that many major applications were exceeding the Government's time targets for determination.
9. Therefore, in common with other planning authorities, the Council is encouraging the submission of Unilateral Undertakings with the application. These are still obligations under section 106 but do not require the Council to sign and seal the document. The wording of these undertakings are still checked to ensure that they are enforceable if it proved necessary.
10. Alternatively, again in common with other authorities, if the benefit is straightforward, permissions are granted with conditions that require measures to be undertaken to meet various requirements. In this way, applications are determined in accordance with time targets while at the same time achieving the objective of the community benefit.

Performance for the Year 2006/07

11. The appendix to this commentary is divided into four parts:

Part 1 lists all those agreements (or obligations) entered during the past year. There are 12 in total.

Part 2 lists those applications that have been granted permission subject to conditions that require community benefits in accordance with paragraph 10 above. There are 8 developments in this category.

Part 3 provides a list of benefits actually realised through the year, some relating to obligations concluded in previous years and some relating to recent obligations listed in Parts 1 and 2.

Part 4 lists those applications where authority has been given by committee (or under delegated powers) to enter an agreement but where those agreements have yet to be concluded for the reasons stated.

12. If all the approved developments are built, the benefits negotiated through the year (from Parts 1 & 2) will provide:
 - a total of £3,457,411 to be received into the public purse
 - a total in the region of 268 affordable housing units
 - various highway improvements at the developers' expense
 - areas of public open space with and without associated facilities
 - features of public art
 - repairs to a listed building, and

- parish council facilities.

13. Benefits actually realised through the year (from Part 3) have provided:

- a total of £815,559 received into the public purse
- 25 affordable housing units
- improvements to public transport facilities at the developers' expense
- town centre improvements
- various highway works at the developers' expense, and
- areas of public open space in Loughton and new play facilities in Ongar.

The Future

14. Essex County Council has been working on proposing a 'standard charge' for development within the County. This means, for example, that for every new dwelling granted permission, they may require a standard sum of money to be paid into the public purse to cater for increased use of libraries, roads, education facilities, etc. There remains much work to do on this method of obtaining benefits from a development, but should it be adopted, it may be sensible for this Council to adopt a similar approach – that on qualifying developments a standard sum be required to cover the increased use of leisure facilities, waste collection, affordable housing, town centre enhancement, public car parking, etc. Such a policy would need to be adopted within the emerging Local Development Framework.

15. However, also on the horizon is a Government suggestion of introducing a Planning Gain Supplement, which is in effect a tax on developers' profit and this will replace much of the traditional section 106 benefits (though on-site requirements might still be able to be negotiated). This measure is still in the consultation and formulation stage though does seem to be a measure likely to be introduced. Any work on 'standard charges' would be wasted if the Planning Gain Supplement were to be adopted.

PART 1

Section 106 Agreements concluded between April 2006 and March 2007

1. **EPF/1655/02** agreement concluded 08/05/2007
Parade Ground, North Weald
Benefits – 30% affordable housing (likely to be in the region of 50 units); primary education contribution; two areas of off-street parking and various highway works.
2. **EPF/0327/05** agreement concluded 05/07/2007
Land at 1 Middle Street, Nazeing
Benefit - £6,000 contribution to highway improvements (footways and cycleways)
3. **EPF/2297/04** agreement concluded 06/07/2007
St Margarets Hospital, Epping
Benefit – 30% affordable housing (likely to be in region of 60 units)
4. **EPF/1090/05** agreement concluded 17/07/2006
Land at Langston Road (fronting Chigwell Lane), Loughton
Benefits - £25,000 contribution for Broadway town centre enhancement; £100,000 for improvements to transport infrastructure; feature of public art; travel plan; and provision of work experience placements.
5. **EPF/0640/04** agreement concluded 01/08/2006
Abbey Mills, Highbridge Street, Waltham Abbey
Benefits - £25,809 education contribution; highway works and public transport information pack for future occupiers.
6. **EPF/0950/05** agreement concluded 20/10/2005
Epping Forest College (Lower Site)
Benefits – various highway works; construct a new public library; public art gateway feature to college; travel plan; and repair Loughton Hall in accordance with an agreed specification.
7. **EPF/1244/05** agreement concluded 20/11/2006
Epping Forest College (Upper Site)
Benefits – 30% affordable housing (likely to be in region of 89 units); various highway works; £150,000 transport infrastructure contribution; and public transport information pack for future occupiers.
8. **EPF/1801/05** agreement concluded 02/11/2006
Land adj.21, Albion Terrace, Sewardstone Road, Waltham Abbey
Benefit – 100% affordable housing (6 units)
9. **EPF/1097/06** agreement concluded 23/11/2006
Land adj.1 Parkside, Matching Tye
Benefit -100% affordable housing (8 units)
10. **EPF/1400/04** agreement dated 20/09/2006 and effected by appeal decision 21/12/2006
St Johns School, Epping
Benefits – public open space and transfer to the Council; £323,046 contribution to maintenance of the open space; 25% affordable housing (likely

to be in region of 35 units); and £225,000 contribution to sports improvements.

11. **EPF/2190/05** agreement concluded 20/12/2006

Grange Farm, Chigwell

Benefits – secure sports field and open space rehabilitation works; secure public access including designation of access as a public right-of-way with £28,900 contribution to necessary works; £307,000 for maintenance of open space; £444,000 for building sports pavilion and Interpretation Centre; £699,300 for maintaining pavilion and Interpretation Centre; £81,200 for maintaining accessway; £10,400 plant defect sum; £280,000 contribution for affordable housing; £10,000 contribution to remediation strategies; £250,000 for community project; £100,000 contribution for secondary education; £130,361 contribution for transport improvements; and replanting a hedgerow.

12. **EPF/1740/05** agreement dated 05/03/2007 and effected by appeal decision 18/04/2007

Land at Station Approach, Ongar

Benefits – 40% affordable housing (likely to be in region of 20 units).

PART 2

Benefits Required by Conditions between April 2006 and March 2007

1. **EPF/1757/05** permission dated 24/05/2006
1, Albert Road, Buckhurst Hill
Benefit - £10,000 highways contribution.
2. **EPF/0005/06** permission dated 24/05/2006
Monkhams Service Station, Buckhurst Way, Buckhurst Hill
Benefits - £25,000 affordable housing contribution; £14,950 highways contribution; and £51,445 education contribution.
3. **EPF/0771/06** permission dated 28/06/2006
76, Hemnall Street, Epping
Benefit – highway works
4. **EPF/0878/06** permission dated 19/07/2006
Land rear of The Forge, Chigwell Row
Benefit - £10,000 highways contribution.
5. **EPF/1450/06** permission dated 11/10/2006
T11 Site, Langston Road, Loughton
Benefits - £25,000 Broadway town centre enhancement contribution; and a highways contribution to be determined by mix of uses at detailed stage.
6. **EPF/1560/06** permission dated 13/09/2006
Land rear of 184-186 High Road, Loughton
Benefit - £10,000 town centre enhancement contribution.
7. **EPF/1657/06** permission dated 21/12/2006
Theydon Towers, Theydon Road, Theydon Bois
Benefit - £15,000 highways contribution.
8. **EPF/1374/06** permission dated 23/01/2007
High House Farm Stapleford Abbots
Benefits - £100,000 affordable housing contribution; improvements to public footpath; landscaping the site; provision of a parish room with car park; and provision of a village green.

PART 3

Benefits Secured between April 2006 and March 2007

1. **EPF/0643/91.** Agreement dated 31/05/1994
Hanbury Park residential development, Loughton
Benefits secured – transfer of public open space to the Council and receipt of £134,430 for maintenance of the areas.
2. **EPF/0267/94.** Agreement dated 03/05/2001
St Nicholas Place residential development (previously St Lukes School site), Loughton
Benefits secured – transfer of public open space to the Council and receipt of £21,234 for maintenance of the areas.
3. **EPF/1730/00.** Agreement dated 17/04/2002
Tesco's, Sewardstone Road, Waltham Abbey
Benefits secured - £110,000 for public transport improvements paid to Essex County Council (and discussions held re projects for spending).
4. **EPF/0856/01.** Agreement dated 28/08/2003.
Former Shelley Highways Depot residential development, Ongar
Benefits secured – affordable housing transferred to RSL but initially let at market rents.
5. **EPF/0001/02.** Agreement dated 05/09/2003
Ongar Campus residential development, Ongar
Benefits secured - £181,500 to Ongar PC for new play facility in Shelley, and new park opened 04/12/2006.
6. **EPF/0900/03.** Agreement dated 12/11/2003
Former Valley Hill Service Station site, Loughton
Benefits secured – new kerbing and resurfacing of footway.
7. **EPF/1035/02.** Agreement dated 19/04/2004
Land rear of The Thatched House, Epping
Benefits secured – management of trees in Epping High Street. (Remainder of contribution to be spent as part of Conservation Area review).
8. **EPF/1752/03.** Agreement dated 27/09/2004
Woolston Manor Golf Club, Abridge Road, Chigwell – hotel development
Benefits secured – receipt by Essex County Council of £20,000 for footway improvements.
9. **EPF/0600/04.** Agreement dated 30/11/2004.
St Margarets Hospital, Epping – new hospital development
Benefits secured – upgraded bus stops and facilities within hospital grounds and adoption of a travel plan.
10. **EPF/1880/03.** Agreement dated 15/03/2005
Land at Highbridge Street, Waltham Abbey
Benefits secured – 13 units of affordable housing completed, plus upgrading of nearby bus stops.

11. **EPF/1810/04.** Agreement dated 14/04/2005
Former Lorry Park site, Langston Road, Loughton
Benefits secured - £125,000 to Essex County Council for junction improvements (study undertaken of efficiency of current traffic lights and plans to be drawn for improvements); off-site landscaping complete and public art feature installed.
12. **EPF/0480/04.** Agreement dated 14/06/2005
Former Buckhurst Hill Reservoir residential development, Buckhurst Hill
Benefits secured – 12 affordable housing units completed and occupied.
13. **EPF/1090/05.** Agreement dated 17/07/2006
Land at Langston Road, Loughton (Mercedes dealership)
Benefits secured – receipt of £25,000 by Council for The Broadway town centre enhancement scheme; and receipt of £100,000 by Essex County Council for improvements to transport infrastructure.
14. **EPF/1757/05.** Permission dated 24/05/2006
1, Albert Road, Buckhurst Hill
Benefits secured – receipt of £10,000 by Essex County Council for highway improvements.
15. **EPF/0005/06.** Permission dated 24/05/2006
Monkhams Service Station residential development, Buckhurst Hill
Benefits secured – receipt by Essex County Council of £14,950 highways contribution and £51,445 education contribution; and receipt of £25,000 affordable housing contribution by this Council.
16. **EPF/1657/06.** Permission granted 21/12/2006
Theydon Towers, Theydon Road, Theydon Bois
Benefits secured – receipt of £15,000 for highway works by Essex County Council.

PART 4

Agreements authorised but yet to be completed.

1. **EPF/1480/04**
Ongar Lorry Park site for a new medical centre.
Applicants have only recently began to show an intention to complete this agreement.
2. **EPF/2299/04**
The Moat House, Nazeing New Road, Nazeing for two dwellings
Third party land to be purchased before completion.
3. **EPF/0120/05**
Land at Brookmeadow Farm, Upshire for a flood alleviation scheme
Progressing but compulsory purchase order will be needed before completion.
4. **EPF/0060/06**
208-212, High Street, Epping for a new store and flats above.
Final document has, in fact, recently been signed..
5. **EPF/2230/05**
Land at Fyfield Hall, Fyfield for new dwellings
Draft recently provided.
6. **EPF/1084/06**
Land at Little Copped Hall, Copped Hall Estate, Epping for new dwellings
New site purchaser reconsidering.
7. **EPF/1451/06**
Tower Nursery, Netherhall Road, Roydon for glasshouses
Off-site landscaping scheme under preparation.
8. **EPF/1680/06**
The Limes/White House, Sewardstone Road, Waltham Abbey for 119 dwellings
Draft nearing completion but delayed until Go-East have reconsidered their position.
9. **EPF/2100/06**
Epping Forest College (Upper Site) for residential development
Variation has now recently been concluded.
10. **EPF/2189/06**
1 Middle Street, Nazeing for 3 dwellings.
Draft provided for comment.

FORWARD PLANNING AND ENVIRONMENT

The Forward Planning and Environment Section of the Council's Planning Service comprises three teams:

1. Forward Planning;
2. Conservation, Trees and Landscape; and
3. Countrycare.

1. Forward Planning

- 1.1 The Forward Planning Team has always been responsible for the preparation, production and monitoring of the Council's Local Plan. This essential policy document provides the framework and rationale for all decisions that the Council makes on planning applications and guides the location, scale and design of all new development across the District.
- 1.2 The Planning and Compulsory Purchase Act 2004 came into effect in September 2004. It introduced major changes to the development plan system including a requirement for local planning authorities to produce a "Local Development Framework" (LDF) to replace existing Local Plans. It also introduced the requirement for "Regional Spatial Strategies" (RSS) at the regional level. Whereas in the past the "Development Plan" comprised the Structure Plan (County wide document prepared by the County Council), and the Local Plan (District wide document), the Development Plan now comprises the Regional Spatial Strategy (the East of England Plan), and the Local Development Framework, once it has been prepared. For many local planning authorities (including Epping Forest District Council), it has been possible to review and "save" their existing Local Plan policies while the new Local Development Framework documents are prepared.
- 1.3 LDF documents comprise the following:
 - i) Local Development Scheme (LDS) – which is a rolling timetable that sets out the major milestones to be achieved in the production of local planning policy;
 - ii) Statement of Community Involvement (SCI) – which sets out how local communities will be consulted on proposals in LDF documents;
 - iii) Development Plan Documents (DPD) – these are spatial planning documents, such as the core strategy, site specific land allocations, development control policies and area action plans;
 - iv) Supplementary Planning Documents (SPD) – these documents provide additional information and detail to policies set out in DPD's, for example specific design guidance for a particular area or type of development. Specific public consultation procedures must be complied with when producing SPD's.
- 1.4 It is the Government's intention that this revised system of Development Plan production will both streamline the process (making the review of local planning policy quicker and therefore more responsive to local and wider needs), and encourage more public consultation on planning policy.
- 1.5 The final version of the Regional Spatial Strategy that includes the Epping Forest District – the East of England Plan – is expected to be approved in autumn 2007. Until this final version is approved, the Council cannot commence

work on the new Local Development Framework, although considerable work is being undertaken on the “evidence base” – regular monitoring and surveys which underpin the development of local planning policies, such as employment, open space, town centres, housing needs and capacity, and nature conservation habitats.

- 1.6 In addition, because of the expected housing allocations in the East of England Plan, there may need to be a joint Development Plan Document (DPD) with Harlow District Council in order to provide a comprehensive approach to new development across local authority boundaries.
- 1.7 Over the past year the Forward Planning Team have been brought up to full strength in terms of staffing, including the appointment of a new Economic Development Officer in May 2007. However, the future local planning agenda is very demanding and the full resource implications have yet to be assessed, but they will be significant and inescapable. A further report on resources for the Forward Planning team is identified in the Council’s Work Programme and will be produced following the final approval of the East of England Plan.
- 1.8 Other work undertaken by the Forward Planning Team over the last year includes:
- i) annual monitoring report (Dec 2006)
 - ii) revised LDS (Local Development Scheme) October 2006
 - iii) adoption of the Local Plan Alterations (June 2006)
 - iv) responses to the East of England Regional Plan consultation on the government’s proposed changes
 - v) town centre surveys and monitoring
 - vi) key studies and documents for LDF evidence base.

2. Conservation, Trees and Landscaping

- 2.1 The main element of conservation work undertaken during 2006/07 has been the production of “character appraisals” and “management plans” for some of the District’s 25 Conservation Areas. The preparation of these documents is a Best Value Performance Indicator (BVPI). Character Appraisals and Management Plans were produced for: Matching; Matching Tye; and Matching Green. Each document was subject to public consultation and the proposals were presented to public meetings in each of the areas concerned. The final versions have all been made available on the Council’s website and will be used to guide decisions on new development and change in these areas.
- 2.2 In addition, conservation and/or design advice was given to Development Control officers on 332 planning applications and 10 planning appeals.
- 2.3 The trees and landscape team dealt with 132 TPO (Tree Preservation Order) applications for works to preserved trees, made 22 new TPO’s to protect a variety of important trees threatened by development or other activity, and dealt with 68 notifications of works to trees in Conservation Areas. In addition, the team dealt with 1,219 separate enquiries concerning trees and high hedges and provided specialist advice on 270 planning applications.

- 2.4 In addition, members of the team have been involved in a number of new landscape and tree initiatives including: The Green Arc Project (to improve access to, and the potential of, a large area of countryside north-east of London centred on the Epping Forest District and including the first major project site in Theydon Bois); the "Fifty Favourite Trees" project, funded by a £24,700 grant from the Local Heritage Initiative; and the Veteran Tree Hunt, which makes additional use of the database created by the Fifty Favourite Trees Project.
- 2.5 The Ongar Tree Strategy is also nearing completion – this will be the fourth district tree strategy to be completed, and has involved extensive research and consultation/involvement of local groups and tree wardens.
- 2.6 Considerable effort has also been made in ensuring that subsidence cases involving preserved trees are scrutinized carefully to ensure that all applications are supported by sufficient information. Applications judged to be inadequate have been deemed unsatisfactory, and not determined, following the District Development Control Committee decision to that effect. So far all such cases tested at appeal have also been rejected by the Secretary of State as unsatisfactory. This approach has helped to minimize the risk of successful compensation claims against the Council, although it has not eliminated the risk altogether.
- 2.7 The future workload of the trees and landscape team will be considerably increased by the recent announcement from Essex County Council that they intend to rescind all their TPO's by the end of 2008. Unless the District Council makes new TPO's, then a substantial proportion of the protected trees in the District will no longer have any protection. The team will be urgently reviewing the priorities for protection, and the corresponding workload implications, and reporting on the options. The initial estimate however is that a replacement programme might lead to several hundred new orders, increasing the normal annual number of new orders made many times over.

3. Countrycare

Achievements for 2006/07

Highlights of the year include:

- 1,167 volunteer days (7,002 hours) given on 115 practical tasks organised this year. Equates to £43,762 @ £6.25 per hour.
- Organised 42 walks and educational events,
- Work on the District's 9 Local Nature Reserves included 47 project days that involved 4,226 hours of staff and volunteer time.
- Work on access projects included 10 project days that involved 327 staff hours and 937 volunteer hours.
- Major access project completed at Linder's Field LNR.
- Generating a total income of £18,000 for the Council and other conservation bodies within the district.

- Successfully coordinating “The 50 Favourite Trees of the Epping Forest District Project”. Securing National recognition through BBC2’s “The Trees That Made Britain” Series.

Major projects in 2006/07

Again this year, much of Countrycare’s efforts have gone into improving the District's biodiversity. Management work was concentrated on 42 sites, which the District Council either owns or to which Countrycare has had a long-term commitment. In total 105 project days were organised involving nearly 8,000 hours of staff and volunteer time. This included work on 3 sites of special scientific interest, 19 Wildlife Sites and 9 Local Nature Reserves. Chigwell Row Wood LNR continues to be a major focus for the Services project work with a population of regionally significant trees and associated flora and fauna. In all 20 volunteer projects days were held on the LNR with 1,790 hours of staff and volunteer time given.

Working with the Community

In 2006/07, Countrycare had a 6th consecutive year in which more than 1,000 volunteer days were given to the service. Staff organised 115 practical days on 54 sites in 24 parishes across the District. In total 1,167 adult volunteer days were given and 979 children were involved in practical conservation work. By using a figure provided by English Nature, the Government's statutory agency for nature conservation, of £6.25 per hour, it is possible to put a financial value on the adult volunteers time of just under £43,762. This figure equates to around a quarter of Countrycare's net expenditure.

As ever a massive thank you goes out to all the dedicated volunteers who have given so much of their time.

Working with young people

Again this year Countrycare worked with a range of organisations offering practical conservation activities for 11 to 16 year olds. The Service also worked with a range of youth groups and 6 schools from across the District. Nearly a thousand young people were involved in practical conservation work or a Countrycare event.

Guided walks, talks and events

This year staff organised a total of 23 walks, talks and events aimed at increasing people's knowledge and understanding of the countryside. A total audience of 765 people attended the 23 events.

Projects for 2007/08

Key objectives include:

Projects	Comments/Objectives
50 Favourite Trees of the Epping Forest District.	Conclude the project with an exhibition to be held at the Waltham Abbey Museum in October 2007.
Epping Forest Veteran Tree Hunt	In partnership with the Woodland Trust's Ancient Tree Hunt undertake a veteran tree survey of the District on a Parish basis. Prioritise parishes of Stapleford Abbots, Lambourne, Ongar and Theydon Bois
Local Nature Reserves.	<p>To work in partnership with Ongar Town Council to create a new nature reserve within the town beside the Cripsey Brook.</p> <p>Continue with the designation of Norton Heath Common, High Ongar as a Local Nature Reserve.</p> <p>Continue to assist with the review of the management agreement for the Roding Valley Meadows LNR</p>
Local Wildlife Site (LWS) Review.	Secure funding to enable a review of the LWS network that was first completed in 1991.
Site Management Plans and management agreements.	<p>To complete reviews of existing plans for Nazeing Triangle LNR and Weald Common LNR. Produce full new plans for Old Shire Lane, Waltham Abbey and Loughton Brook FSR.</p> <p>Investigate management agreements for All Saints Church, Berners Roding and Foster Street Burial ground.</p>
Epping Forest Biodiversity Action Plan	Coordinate the production of Biodiversity Action Plan for the District in partnership with EFDC's Environmental Coordinator and Steering Group