CHIGWELL PARISH COUNCIL
OFFICER REPORT TO PLANNING COMMITTEE
AGENDA ITEM 15: APPENDIX 7 ITEMS FOR DISCUSSION THAT REQUIRE A DECISION

Date: 8 October 2026

This report contains two matters for consideration by the Planning Committee. Firstly, Members are invited to consider a proposal received from EE Limited regarding the potential installation of telecommunications infrastructure on Parish Council-owned land and determine whether a recommendation should be made to Full Council. Secondly, Members are asked to consider the Council's response to the Epping Forest District Council and Harlow Council Green Belt and Grey Belt Assessment Stage 1 Methodology Consultation. Given that the consultation deadline falls on the same date as the next scheduled meeting of Full Council, the Planning Committee is requested, under its delegated powers in relation to planning and planning policy matters, to consider approval of the proposed response and delegate authority to the Clerk to submit the Council's response by the prescribed deadline.

1. PROPOSED EE TELECOMMUNICATIONS INSTALLATION - LAND ADJACENT TO PARK BIKE RACK, STATION ROAD, CHIGWELL

Purpose of Report

To inform Members of an approach received from EE Limited regarding the potential installation of telecommunications apparatus on Parish Council-owned land adjacent to the park bike rack at Station Road, Chigwell, and to seek the Committee's views on whether the proposal should be supported in principle and referred to Full Council for further consideration.

Background

The Parish Council has been approached by EE Limited regarding the potential siting of telecommunications infrastructure on Council-owned land adjacent to the park bike rack at Station Road, Chigwell.

The proposal is outlined within draft Heads of Terms submitted by the operator and would involve the grant of a lease over a small area of land measuring approximately 1.6 metres by 7 metres, together with associated rights required for the installation, operation, maintenance, upgrading and replacement of telecommunications apparatus.

The draft Heads of Terms propose:

- A lease term of 20 years
- Annual rental income of £1,500 per annum and
- A one-off Construction and Integration Disturbance Payment of £2,000

No agreement has been entered into and no commitment has been made by the Council at this stage.

The matter is presented to the Planning Committee because of the potential visual and environmental implications associated with telecommunications infrastructure and the importance of obtaining Members' views prior to any further discussions with the operator.

Planning and Regulatory Considerations

Members should note that the Council is not being asked to determine a planning application.

Telecommunications development operates under a separate national planning framework and benefits from extensive permitted development rights under planning legislation. Depending on the nature and scale of the equipment proposed, development may either proceed under permitted development rights or be subject to a Prior Approval process rather than a full planning application.

Responsibility for securing any planning permissions, prior approvals, highway consents, building regulations approvals or other statutory permissions rests solely with the telecommunications operator.

The matter presently before Members relates primarily to the Council's role as landowner rather than as a planning consultee.

It is important to recognise that planning consent and landowner consent are separate matters. Even where an operator benefits from permitted development rights or obtains any necessary planning approval, telecommunications apparatus cannot be installed on Parish Council land without the Council first granting the necessary legal rights.

Should the proposal progress, any future planning application or prior approval process would be considered under the relevant statutory procedures independently of any landowner discussions.

Strategic Considerations

The Government continues to place considerable emphasis on improving digital connectivity and mobile network coverage across the United Kingdom.

Improved telecommunications infrastructure can provide benefits to residents, businesses and visitors, including enhanced mobile coverage, improved reliability of communications and support for digital services.

However, Members will equally wish to consider the long-term implications of installing infrastructure within a prominent public location, including:

- Visual impact upon the local environment

- Potential impacts on the public land
- Long-term restrictions affecting future use of the land
- Access requirements for maintenance and upgrading
- Public perception and
- The suitability of the proposed location

As the proposed lease term is 20 years, any decision should be considered within the context of the Council's longer-term asset management and stewardship responsibilities.

Legal Considerations

Should Members support the proposal in principle, officers strongly recommend that specialist legal advisers experienced in telecommunications agreements and the Electronic Communications Code are appointed before any binding agreement is entered into.

The draft Heads of Terms indicate that the operator would require extensive rights associated with the installation and operation of telecommunications apparatus, including rights relating to:

- Access
- Maintenance
- Repair
- Replacement;
- Upgrading
- Utility connections and
- Ancillary telecommunications equipment

Members should note that telecommunications leases differ significantly from conventional commercial property agreements due to the statutory protections afforded to operators under the Electronic Communications Code.

These statutory rights can have significant implications for future estate management and can affect a landowner's ability to recover possession or vary arrangements in the future.

Accordingly, professional legal advice would be required to ensure:

1. The Council's interests are adequately protected;
2. Access arrangements are appropriately controlled;
3. Reinstatement obligations are robust and enforceable;
4. Future liabilities are fully understood;
5. Restrictions upon future Council use of the site are properly identified;
6. Rental and compensation provisions represent appropriate consideration; and
7. The implications of the Electronic Communications Code are fully understood.

The Heads of Terms indicate that the operator would contribute up to £2,000 plus VAT towards the Council's reasonable legal costs.

Financial Implications

The proposed financial terms comprise:

- Annual rent of £1,500 per annum and
- A one-off Construction and Integration Disturbance Payment of £2,000

Whilst this would provide an additional income stream to the Council, officers have not independently assessed the proposed consideration.

Given the specialist nature of telecommunications leases and the rights sought by operators, Members may wish to seek professional valuation and legal advice before determining whether the proposed consideration represents best value for the use of a public asset over a 20-year period.

The Council must also satisfy itself that any proposed lease represents an appropriate use of Council-owned land and accords with its duties as custodian of public assets.

Officer Comments

Officers consider this matter to be primarily one of landownership, asset management and estate stewardship rather than a planning determination.

The proposal presents a potential opportunity to support communications infrastructure whilst generating a modest recurring income for the Council. However, Members should carefully weigh these benefits against the long-term nature of the proposed lease and the statutory rights typically associated with telecommunications installations.

As discussions remain at a preliminary stage, officers consider that the immediate question is whether the Council wishes to explore the proposal further.

Should Members be supportive in principle, the matter should be referred to Full Council for consideration before any negotiations progress.

Recommendations

Members are invited to:

(1) NOTE the approach received from EE Limited regarding the potential installation of telecommunications apparatus on Parish Council-owned land adjacent to Station Road, Chigwell.

(2) NOTE that any planning permissions, prior approvals or statutory consents required remain the responsibility of the telecommunications operator and that the matter currently under consideration relates principally to the Council's role as landowner.

(3) CONSIDER whether the Council is supportive in principle of progressing discussions with EE Limited regarding the proposed use of Parish Council land.

(4) RECOMMEND TO FULL COUNCIL that, should the proposal be supported in principle, specialist legal advisers experienced in telecommunications leases and the Electronic Communications Code be appointed to review and negotiate any proposed legal documentation

(5) RECOMMEND TO FULL COUNCIL that no lease or legal agreement be entered into without prior approval of Full Council and

(6) DELEGATE authority to the Clerk to obtain quotations for specialist legal advice and report back to Full Council.

Recommended Planning Committee Resolution

That the Planning Committee notes the proposal received from EE Limited and recommends to Full Council that the Council supports the principle of further discussions, subject to no commitment being made until specialist legal advice has been obtained and the matter is considered by Full Council**.**

2. **EPPING FOREST DISTRICT COUNCIL AND HARLOW COUNCIL GREEN BELT AND GREY BELT ASSESSMENT STAGE 1 METHODOLOGY CONSULTATION**

Purpose of Report

To provide Members with details of the ongoing consultation on the draft Stage 1 Methodology for the Epping Forest District Council and Harlow Council Green Belt and Grey Belt Assessment and to seek the Committee's views on a proposed response prepared by the Clerk on behalf of the Council. The proposed response will subsequently be submitted to Full Council for approval prior to submission to the consultation.

Background

Epping Forest District Council and Harlow Council have commenced consultation on the draft methodology that will be used to assess Green Belt and Grey Belt land across both authority areas.

The consultation concerns the methodology itself rather than the allocation of specific development sites. The methodology will establish the framework for future Green Belt and Grey Belt assessments and may influence future planning policy decisions, Green Belt reviews and land allocations.

Given Chigwell's location on the edge of Greater London and the significant extent of Green Belt land within and surrounding the parish, the consultation is of strategic importance to the Council and local residents.

Officers consider it appropriate that the Council responds formally to the consultation given the potential implications for the future protection of Green Belt land within and surrounding Chigwell.

Key Issues Identified by Officers

The Clerk's draft response raises several concerns regarding the proposed methodology, including:

The Relationship Between Chigwell and Greater London

The proposed response argues that the Green Belt surrounding Chigwell performs an important strategic function in preventing outward urban sprawl from Greater London and maintaining separation between neighbouring settlements.

Chigwell's Settlement Classification

Concerns are raised that Chigwell's classification as a village could result in surrounding Green Belt land appearing to perform less strongly against certain Green Belt purposes than land surrounding settlements classified as towns.

Grey Belt Assessments

The draft response highlights concerns regarding the treatment of Green Belt purpose (c), which relates to safeguarding the countryside from encroachment, and requests that land should not be regarded as suitable for development solely because it may be identified as Grey Belt.

Detailed Local Assessment

The response seeks a more detailed Stage 2 assessment around Chigwell, particularly around settlement boundaries, key open gaps and land surrounding Chigwell and Grange Hill Underground stations.

Station-Based Development Assumptions

The response challenges assumptions that proximity to transport infrastructure alone necessarily indicates suitability for significant development and requests a fuller assessment of infrastructure capacity and local accessibility.

Previously Released Green Belt

Concern is raised regarding undeveloped former Green Belt land and the ability for such sites to be reassessed as part of future evidence gathering exercises, including land at CHIG.R4, Froghall Lane.

Epping Forest Special Area of Conservation

The draft response emphasises that any Grey Belt assessment should be considered alongside environmental constraints, including the Epping Forest Special Area of Conservation and its Zone of Influence.

Data Centres and Strategic Infrastructure

The proposed response requests that future assessment work properly considers the cumulative impact of large-scale development and supporting infrastructure, including data centres and associated energy infrastructure.

Transparency and Audit Trails

The response requests greater transparency where assessment conclusions change and seeks publication of a clear audit trail for Green Belt boundary changes and departures from the assessment methodology.

Officer Comment

The consultation concerns the methodology that may be used to inform future Green Belt and Grey Belt evidence studies and therefore has potential long-term implications for land surrounding Chigwell.

The proposed response seeks to ensure that local circumstances, infrastructure constraints, environmental considerations and the strategic role of Chigwell's Green Belt are fully reflected within the final methodology.

Given the significance of the consultation and the strategic planning implications arising from it, officers consider it appropriate that the matter be referred to Full Council with a recommendation that the proposed response be approved and submitted.

The full draft consultation response is attached at Appendix A for Member consideration.

Members are invited to:

(1) NOTE the Epping Forest District Council and Harlow Council Green Belt and Grey Belt Assessment Stage 1 Methodology consultation;

(2) CONSIDER the draft consultation response prepared by the Clerk as attached at Appendix A

(3) RESOLVE that the Planning Committee, exercising its delegated powers in respect of planning and planning policy matters, approves the consultation response attached at Appendix A

(4) DELEGATE authority to the Clerk to make any minor typographical, administrative, formatting or non-material amendments necessary prior to submission and

(5) AUTHORISE the Clerk to submit the approved response on behalf of Chigwell Parish Council by the consultation deadline of 22 October 2026, noting that the consultation deadline falls on the same date as the next scheduled meeting of Full Council

Proposed Resolution

That the Planning Committee, acting under its delegated powers, approves the consultation response to the Epping Forest District Council and Harlow Council Green Belt and Grey Belt Assessment Stage 1 Methodology consultation attached at Appendix A, delegates authority to the Clerk to make any minor non-material amendments required prior to submission, and authorises the Clerk to submit the response on behalf of Chigwell Parish Council by 22 October 2026.

Prepared by:
Jason Selvarajah MSc
Clerk and Proper Officer

Appendix A

Chigwell Parish Council Response to the Epping Forest and Harlow Green Belt and Grey Belt Assessment Stage 1 Consultation Draft Methodology, September 2026

Chigwell Parish Council supports an up-to-date review of the Green Belt but has concerns about how the proposed methodology could affect Chigwell and whether it provides enough protection against gradual loss of Green Belt around the parish.

Chigwell lies immediately beyond Greater London and its Green Belt plays an important role in preventing outward urban sprawl, protecting open countryside and maintaining separation from Buckhurst Hill, Loughton, Hainault, Grange Hill and Abridge.

The Council is particularly concerned about how Chigwell's status as a village affects the assessment, the new grey belt tests, land around Chigwell and Grange Hill stations, previously released Green Belt and land where permission has been granted for a particular public benefit but remains undeveloped.

Chigwell and the Outward Spread of Greater London

The methodology recognises that the Metropolitan Green Belt was established to prevent the unrestricted spread of London and treats Greater London as a large built-up area for purpose (a).

This is particularly relevant to Chigwell. The Green Belt around the village does not simply contain Chigwell itself. It also prevents Greater London spreading further into Epping Forest District and maintains important open gaps between Chigwell and neighbouring settlements.

The assessment should therefore look specifically at the role of this land in preventing outward sprawl from Greater London and maintaining separation from Buckhurst Hill, Loughton, Hainault, Grange Hill and Abridge.

Chigwell's Village Status Must Not Weaken its Green Belt

Chigwell Parish Council is not seeking to change Chigwell's status as a village. However, that status should not result in the Green Belt around it being treated as less important.

Purpose (b), preventing neighbouring towns from merging, may not apply to Chigwell because it is not classed as a town. Chigwell is also effectively excluded from purpose (d), which relates to historic towns.

This matters because the definition of grey belt looks at purposes (a), (b) and (d), but not purpose (c), safeguarding the countryside from encroachment.

Chigwell has a population of over 14,000 across a wide area and sits directly on the edge of Greater London. Land which clearly prevents settlements joining together should not appear weaker simply because Chigwell is correctly described as a village.

Where that separation cannot be recognised under purpose (b), it should be properly reflected under purpose (a), preventing urban sprawl, and purpose (c), protecting the countryside from encroachment.

The real function of the Green Belt should matter more than the label attached to the settlement.

Grey Belt and Purpose (c)

The Council is concerned that open countryside could perform very strongly under purpose (c) but still be identified as grey belt because purpose (c) is not part of the grey belt definition.

That is particularly important around Chigwell, where purposes (b) and (d) may generally not apply.

Grey belt should therefore never be presented as meaning land is suitable for development. Stage 2 should show clearly how land performs under purpose (c), alongside any grey belt finding.

More Detailed Assessment is Needed Around Chigwell

Stage 1 divides the study area into only 31 broad parcels. That may be reasonable for an initial strategic exercise, but it is not detailed enough for settlement edges and important local gaps.

Stage 2 should look much more closely at Chigwell's boundaries, the open gaps between settlements and land around Chigwell and Grange Hill stations before individual development sites are promoted.

Otherwise there is a risk that a large parcel is assessed one way now, only for smaller areas to be carved out later and argued to make a weaker Green Belt contribution.

Small Losses Still Matter

Epping Forest District is approximately 92% Green Belt. That should not be used to suggest that individual losses are insignificant simply because they represent a very small proportion of the District as a whole.

A relatively small area can be extremely important locally if it protects a narrow gap, stops settlements joining or prevents development spreading further into open countryside.

The assessment should therefore consider cumulative local loss around Chigwell, including previous releases, allocations and permissions, rather than looking only at the percentage of the District's total Green Belt affected.

Chigwell and Grange Hill Stations

The new national policy around well-connected stations could have significant implications for Chigwell.

The presence of an Underground station should not, by itself, be treated as evidence that surrounding Green Belt can sustainably accommodate substantial development. Chigwell and Grange Hill are the second and third least-used Underground stations in the TfL network, Roding Valley being the least. They have no level access and form part of a loop that is little used due to an infrequent and limited service. That is precisely why a more realistic local assessment is needed.

EFDC and Arup should assess actual station use, service levels, walking routes, bus links, highway capacity, schools, healthcare and other local infrastructure before relying on station proximity to support development. Actual walking routes and barriers should be considered, not simply a theoretical radius around each station.

CHIG.R4, Froghall Lane

Froghall Lane shows why a clear audit trail matters.

The original site, SR-0317, was assessed by Arup and did not proceed for further testing. A revised site, SR-0317-N, was later assessed and again did not progress, with Arup recording that it was within a less suitable strategic option and therefore did not proceed to Stage 6.2.

Despite this, the site appeared in the Submission Local Plan as CHIG.R4 and an additional 2.33 hectares of Green Belt was removed for the allocation.

The wider boundary change also regularised the existing developed area CHIG.RA and the railway line. Those are separate issues. The concern here is the additional 2.33 hectares removed for CHIG.R4.

The obvious question remains how a site which twice failed to progress through Arup's published assessment process nevertheless became an allocation requiring Green Belt release.

The Parish Council is not seeking to reopen the 2023 Local Plan through this consultation. The concern is what happens now.

The new methodology looks only at the existing Green Belt. Once land has been removed, it falls outside the next assessment altogether. That risks making previous boundary changes self-perpetuating, even where land remains undeveloped or the route to its removal was unclear.

Undeveloped former Green Belt should therefore be capable of reassessment through the new Local Plan evidence base. CHIG.R4 should be included, and restoration to the Green Belt considered if the current evidence supports it.

Unimplemented Planning Permissions

A planning permission should not, by itself, justify permanent removal of land from the Green Belt.

The Chigwell Primary Academy site at the end of Vicarage Lane is a good example. Development there was justified on the basis of a particular scheme and the public benefit of providing the school.

If land is removed from the Green Belt simply because permission has been granted, the original scheme may never be delivered or may later be replaced by something quite different. A future proposal could then be considered on land outside the Green Belt without providing the school or other benefit which helped justify the original development.

Where permission remains unimplemented, or was granted because of very special circumstances or a particular public benefit, permanent removal from the Green Belt should be considered separately from the planning permission itself.

Epping Forest SAC

Grey belt status does not remove the separate protection given to the Epping Forest Special Area of Conservation.

Any Stage 2 grey belt mapping around Chigwell should also show the SAC and its Zone of Influence and make clear that grey belt does not mean environmentally suitable for development.

Before land is considered for allocation, the effects on the SAC should be considered, including recreational pressure, traffic-related air pollution and the cumulative effect of additional development.

Large-Scale Development and Data Centres

The methodology also needs to be robust enough to deal with large-scale development such as data centres, particularly in and around the Roding corridor.

A data centre and its associated substations, generators, cooling plant, access roads, security infrastructure and grid connections can introduce a substantial urbanising presence into otherwise open countryside.

Stage 2 should identify and protect the key open gaps around Chigwell, including the Roding corridor and the separation from Buckhurst Hill and Loughton. It should look at the full impact of large-scale development and associated infrastructure and at cumulative local Green Belt loss, rather than simply the percentage of the District's Green Belt affected.

A Clear Audit Trail

If a site fails to progress through an assessment but is later brought forward, the Council should publish what changed, what new evidence was considered and why the earlier conclusion was overturned.

The same principle should apply to every proposed Green Belt boundary change.

Cross-Boundary Assessment

Chigwell's Green Belt cannot sensibly be assessed without looking across the boundary into Greater London.

Appendix A.4 is still incomplete and says it will be completed following consultation with neighbouring authorities.

The views of Redbridge and Waltham Forest should be published and considered before the methodology is finalised.

Chigwell Parish Council asks EFDC and Arup to:

I. Assess specifically the role of Chigwell's Green Belt in preventing the outward spread of Greater London and maintaining separation from Buckhurst Hill, Loughton, Hainault, Grange Hill and Abridge.

II. Ensure Chigwell's status as a village does not weaken the assessment of the Green Belt around it.

III. Give proper weight to purpose (c) and make clear that grey belt does not mean suitable for development.

IV. Carry out a finer-grained Stage 2 assessment around Chigwell, particularly settlement edges, important open gaps and land around Chigwell and Grange Hill stations.

V. Assess cumulative local Green Belt loss rather than relying on the small proportion an individual site represents of the District's total Green Belt.

VI. Assess an individual station's actual accessibility and infrastructure before relying on station proximity to support development.

VII. Allow undeveloped former Green Belt removed through the 2023 Local Plan to be reassessed where there is a reasonable case for reconsidering the boundary.

VIII. Specifically reassess the 2.33 hectares removed for CHIG.R4 at Froghall Lane, separately from CHIG.RA and the railway line.

IX. Do not treat an unimplemented planning permission as sufficient reason to remove land from the Green Belt, particularly where permission depended on very special circumstances or a specific public benefit.

X. Show the Epping Forest SAC and its Zone of Influence alongside any Stage 2 grey belt mapping.

XI. Identify and protect the key open gaps around Chigwell, including the Roding corridor, and properly assess the local impact of large-scale development such as data centres.

XII. Require a clear published audit trail for every Green Belt boundary change and any departure from the assessment methodology.

XIII. Complete and publish the cross-boundary work with Redbridge and Waltham Forest before the methodology is finalised.

Conclusion

Chigwell Parish Council supports an evidence-led review of the Green Belt but the methodology needs to reflect Chigwell's particular circumstances.

However, for the reasons stated, the Parish Council asks that the methodology is amended before it is finalised.