

MATTER 16: Development Management Policies

Issue 1: Are the Development Management Policies in the Plan justified, effective and consistent with national policy in respect of the specific matters set out below? Are there any other issues concerning their soundness?

Policy DM2: Epping Forest SAC and the Lee Valley SPA

1. Council to explain proposed modifications to the policy and, in particular:

- ***Should the policy deal separately with the Epping Forest SAC and the Lee Valley SPA/Ramsar site?***

Natural England do not have an opinion on whether the policy needs to deal with the two designated sites separately. What is important is that the policy provides sufficient detail and certainty to ensure that there will be no adverse effects on either of the designated sites.

- ***Should the policy be clearer about where and which types/scale of development are required to mitigate the potential adverse effects of air pollution and/or recreation? I.e. is Part B sufficiently specific in terms of development size and distance thresholds; and the nature of mitigation required?***

Natural England consider that there is benefit in the policy being flexible in the absence of final mitigation strategies. Details relating to size, distance and types of development should be addressed in more detail within the mitigation strategies and the policy should make reference to this and ensure they are deliverable. The policy should make reference to identified ZOI for recreational pressure noting our comments below.

- ***How should any requirements in respect of air quality be addressed in this policy? Are the relevant measures in DM22 and other policies adequately cross-referenced? If it is intended that Policy DM2 concerns only recreational impacts, should this be made clear?***

There needs to be better cross-referencing between policy DM 2 and DM 22 and further clarity of what measures apply to which impact. Please also see our discussion of mitigation measure for air quality in response to matter 1.

- ***Is it appropriate to specify the ZOI for recreational impact in the policy itself? If not, could the source of this information be more clearly signposted?***

The policy should make reference to the established ZOI however it should not specify the distance as this may be subject to change over time. The policy should make reference to the mitigation strategy which should contain more details relating to the ZOI and details relating to how it has been identified.

- ***Is the 400m threshold set in Part E justified by the findings of the HRA report?***

Natural England has previously advised that it is unclear why the inclusion of a 400m radius as described above has been included in the policy. The primary justification appears to have been that this is the distance used for the Thames Basin Heaths SPA within which cat predation of ground nesting birds was most likely to occur and that it was within "easy walking distance". Given that Epping Forest doesn't support ground nesting birds as a SAC feature we would question its inclusion. Other urbanising effects includes issues such as increased likelihood of fly tipping, accidental or deliberate fires, introduction of non native / invasive species, increases in litter and dumping of garden materials, increased intrusion of lighting, noise pollution and increased trampling/soil compaction. One of the most significant issues from this list of urbanising effects is the impact of soil compaction caused by trampling, this is a particular issue for sites such as Epping Forest which have soils

composed of clay. It may therefore be more appropriate to consider how this issue can be avoided from residential development in close proximity to the SAC.

In the EFDC Open Space Strategy (EB703) the Fields Trust Guidelines are used to generate accessibility catchments to assess open space provision for residents, paragraph 10.11 and Fig 10.1 (pg. 39) of the strategy uses a distance of 720 m as the distance used for a standard 10 minute walk to an open space from residential housing. It may therefore make more sense to use this evidence to define a buffer zone which is particularly sensitive to urbanisation effects rather than the 400m which has been developed for a different site with different impacts and site features.

- ***Is the role of the Mitigation Strategy (whether for air quality or recreational impact) adequately referenced? Will this document set out the physical or financial mitigation required for each allocated site/windfall development and, if not, are the requirements adequately covered in policy?***

Natural England has advised that policy DM2 should include a commitment to the production of a Mitigation Strategies for recreation and air quality and advised that these need to be in place before the plan is adopted.

These strategies would set out the mitigation measures in terms of Site Access Management Measures and Suitable Alternative Natural Greenspace provision as well as those required for air quality. The Strategy would identify the exact nature of the measures needed, the cost of implementing such measures and would also calculate a per dwelling tariff which would then be applied to residential development as required. The policy should therefore clearly state that developments that are within the recreational zone of influence will need to make contributions to SAMMs and SANGS in line with the Recreation Mitigation Strategy.

DM22: Air Quality

1. ***Taking account of the other policies in the Plan, are any amendments to this policy required in order to ensure the protection of the Epping Forest SAC?***

Natural England has some outstanding concerns relating to the mitigation measures proposed. Please see our comments in relation to matter 1, issue 5.

2. ***In Part C, is the meaning of “larger proposals” defined? Similarly, is it clear which developments “have potential to produce air pollution”?***

Please see our comments in relation to matter 1, issue 5.