

Epping Forest SAC and the Lee Valley SPA

4.16 The Epping Forest and Lee Valley form significant areas of land in the District that are valuable for many reasons. They are the two sites that contain land subject to international protection for its biodiversity value. The Epping Forest contains a Special Area of Conservation (SAC) identified primarily for its habitat value in respect of beech trees and wet and dry heaths. The Lee Valley Regional Park contains a Special Protection Area (SPA) and is a Ramsar Convention on Wetlands Site both of which designations relate to its importance as a bird habitat. Known as 'European Sites' they are afforded the highest level of protection due to their habitats and species that are vulnerable or rare within a European context. The Council has a duty to secure the maintenance and restoration of these sites. Additionally where development plans or projects are likely to have a significant effect on European sites, the Council must assess the implications of such effects, and secure any mitigation necessary to prevent an adverse effect on site integrity in that detailed assessments (Habitats Regulation Assessments) are required of any development plans and proposals likely to give rise to ~~that~~ have a likely significant impact effect on the integrity of the sites. These sites form a critical part of the biodiversity assets and green and blue infrastructure of the District.

4.17 The Council has a duty as the 'competent authority' under the Habitats Regulations to maintain and restore European sites, and protect them. Epping Forest SAC and the Lee Valley SPA/Ramsar sites from the any potential effects arising from of development. This can be is best achieved using many by putting measures in place at the plan level so that development projects have clarity on where they can develop and what measures may be necessary to incorporate into a development proposal or address through off-site measures including through financial contributions.

Strategic approaches to European site mitigation often include but an important approach is one of mitigation through, for example, access management strategies, habitat management, provision of new alternative Natural Green Space for recreation and sustainable transport choices to reduce air pollution.

Key Evidence

- Habitats Regulation Assessment (AECOM, 2017);
- Open Space Strategy (4 Global 2017);
- Epping Forest – the next 10 years (City of London Corporation, 2015);
- Lee Valley Park Development Framework (Lee Valley Regional Park Authority, 2011); and
- Memorandum of Understanding 'Managing the impacts of growth within the West Essex/East Hertfordshire HMA on Epping Forest Special Area of Conservation' (2017).

Approach

4.18 The Epping Forest (the Forest) and the Lee Valley are critical assets within the District for their contributions to biodiversity and recreation. The Forest in particular experiences considerable pressure on its habitats from visitors from both within and outside of the District and road traffic pollution as well as air pollution from London and significant parts are known to be in 'unfavourable status'. The Forest is owned and managed by the City of London Corporation and is adjoined by buffer lands purchased by the Corporation to protect its boundaries from encroachment by urban development. These buffers can also act may help to relieve recreational pressure on the Forest. The potential impact of development on the Forest can arise from development some distance from the Forest itself, particularly in terms of the impact of air pollution from traffic

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generated on its sensitive ecosystems and from additional recreational pressures.

4.19 The Council takes its responsibilities seriously with regard to the protection of these sites and will ensure that Habitats Regulation Assessments of development proposals likely to affect these sites are undertaken. This responsibility also applies to European sites that are outside the boundary of the District but may be affected by development within the District. The Council has taken steps to work with partners to develop a plan level approach to securing the protection of European sites.

4.20 The updated Habitats Regulations Assessment 2019 has concluded that, as a result of the management regimes in place, there would be no likely significant effect on the Lee Valley SPA/Ramsar sites from recreational pressures arising from new residential development as set out in this Plan. Windfall developments will need to be considered on a 'case by case' basis in accordance with Policy DM 2 as it relates to the Lee Valley SPA/Ramsar site. The updated Habitats Regulations Assessment 2019 concluded that likely significant effects arising from recreational pressure could not be screened out for the Epping Forest SAC. Plan level measures to prevent adverse effects on the integrity of the Epping Forest SAC are therefore required. Furthermore, In terms of air quality, refined modelling analysis undertaken to support the updated Habitats Regulations Assessment 2019 demonstrated that with the implementation of a number of policies contained within this Plan changes in atmospheric pollution would not lead to a likely significant effect on these sites either alone or in combination with other projects and plans (including those plans being developed by neighbouring local authorities). The Forest is currently assessed as being of 'unfavourable status'. Concerns exist in relation to both increasing recreational use and airborne pollutants, including from traffic. This latter point relates to an underlying traffic/air quality issue as a result of existing substantial baseline traffic flows. Standard impact assessment methodologies show that the Local Plans being developed within the West Essex/East

~~Hertfordshire Housing Market Area would not result in an adverse effect due to an expected improvement in air quality through the introduction of new technologies, and contributions to any retardation of that improvement is extremely small. However, addressing the underlying issue is a matter of good stewardship.~~

4.21 In recognition of ~~this stewardship role~~ the need to address the 'in-combination' effects the West Essex/East Hertfordshire Housing Market Area authorities have signed a Memorandum of Understanding (March 2017) with the City of London Corporation as Conservators of Epping Forest and Natural England. Paragraph 2.4 of the MoU sets out that its purpose is to ensure that the parties named, work in partnership to fulfil the following requirements:

- To collect and analyse data and evidence related to the impacts of proposed development and growth under the Local Plans to provide sufficient and robust evidence on which to base a strategy for the protection of Epping Forest SAC.
- To commit to prepare a joint strategy, based on relevant available data and evidence and to an agreed timetable; and
- The joint strategy will address both the requirement to avoid, or effectively mitigate, adverse impacts on the integrity of the SAC from Local Plan-led development, (where required, and more broadly deliver the requirement to prevent deterioration of the SAC features and aid in their improvement/restoration).

4.22 The MoU parties are now actively working together through an oversight Board and working groups to fulfil these requirements.

4.23 In addition to the above the Council, through this Local Plan, recognises the need to provide confidence that new development does not result in any likely significant effects on the Forest and the Lee Valley SPA/Ramsar sites. A number of policies within this Plan, including Policy T 1 (Sustainable Transport Choices) and Policy DM 22 (Air Quality) provide the mechanisms by which the Council will seek to address the underlying issue of traffic/air quality

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issues in relation to the Forest, and provide for monitoring. These mechanisms will form part of an Air Quality Mitigation Strategy for managing the effects of new development which result in a net increase in annual average daily traffic movements on the Epping Forest SAC. In addition Policy DM 2 provides the mechanisms for managing future recreational pressures on the Forest in particular. The Council's approach ~~is to put in place a Mitigation Strategy,~~ will also include a combined approach of identifying a range of access management measures together with the provision of green infrastructure to encourage recreation activities to take place at suitable alternative sites. The Mitigation Strategy will have an evidence based suit of costed measures and set out delivery, governance and review processes. In addition the Council will facilitate the development of a green infrastructure network as set out in Policy DM 5. Through improved links to other green spaces, and to the quality of those green spaces and links, the human pressure on these assets is intended to be more widely spread, with the aim of being less harmful to biodiversity.

4.24 In pursuit of protecting the vulnerable habitats of Epping Forest, ~~the Council~~ the Mitigation Strategy will include a range of measures. One aspect of the Mitigation Strategy will be seeks to provide alternative spaces and corridors that can relieve the recreational pressure on the Forest. It recognises that additional development in the District is likely to give rise to further visitor pressure on the Forest that needs to be mitigated. This can be achieved by increasing public access to land that is not in the Forest, and altering the character of existing open spaces and the links between open spaces. These linkages are intended to improve access for walkers, dog walkers, cyclists and horse riders, as well as provide space, including additional space for wildlife and plant species. The suitability of natural green space and corridors will be dependent on a range of factors including location and the potential of the land to increase recreational opportunities and biodiversity value.

4.25 However, it is recognised that some housing sites will not be of a sufficient scale to make provision for a meaningful proportion of natural green space. Where those sites are within the 'sphere zone of influence' of the Forest ~~(as determined by an up-to-date Visitor Survey, the most recent of which was undertaken in October/November 2017)~~ which, based on the Visitor Survey undertaken in October/November 2017, is 6.2km, the Council will set through the recreational pressures Mitigation Strategy the level of financial seek contributions to support the development and implementation and monitoring of those mitigation measures. Monitoring measures include the undertaking, from time to time, of Visitor Surveys may result in a change to the identified 'Zone of Influence' and an updating of the recreational pressures Mitigation Strategy an access management strategy by the City of London Corporation.

4.26 ~~The suitability of natural green space and corridors will be dependent on a range of factors including location and the potential of the land to increase recreational opportunities and biodiversity value~~ The Council intends to adopt the Mitigation Strategies for Air Quality and Recreational Pressure on the Epping Forest Special Area of Conservation referred to in Policy DM 2 as a material consideration in the determination of planning applications and other development related decisions. These Strategies may be updated from time to time in order to reflect changes in circumstances over the course of the Plan period.

Policy DM 2 Epping Forest SAC and the Lee Valley SPA

- A. The Council will expect all relevant development proposals to assist in the conservation and enhancement of the biodiversity, character, appearance and landscape setting of the Epping Forest Special Area of Conservation (SAC) and the Lee Valley Special Protection Area (SPA).
- B. C. To mitigate against potential or identified adverse effects of additional development in the District, in particular from strategic

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developments, on the Epping Forest SAC, and Lee Valley SPA the Council will ensure the provision of a meaningful proportion of Natural Green Space or access to Natural Green Space. This could involve:

- (i) providing new green spaces; or
- (ii) improving access to green space; or
- (iii) improving the naturalness of existing green spaces; or
- (iv) improving connectivity between green spaces where this would not contribute to a material increase in recreational pressure on designated sites.

C. ~~B.~~ New residential development within Epping Forest District likely to have a significant effect, either alone or in combination with other development in these areas, in respect of air quality on the Epping Forest SAC, and in respect of recreational pressures from residential development on either European site, will be required to demonstrate that adequate measures are or can be put in place where necessary to avoid or mitigate any potential adverse effects. With regard to the Epping Forest SAC, such measures will include those identified in the most up-to-date Mitigation Strategies adopted by the Council as a material consideration in the determination of planning and other relevant development related applications and proposals.

~~D.~~ All outline or detailed planning applications for new homes within the settlements of Loughton, Epping, Waltham Abbey, North Weald Bassett, Theydon Bois, Coopersale, Thornwood, Buckhurst Hill, Chigwell and Chigwell Row will be required to make a financial contribution to access management and monitoring of visitors to the Epping Forest SAC, in accordance with Visitor Survey Information which demonstrates this is needed.

~~E.~~ To mitigate against potential or identified adverse effects of additional development in the District, in particular from strategic developments, on the Epping Forest SAC, and Lee Valley SPA the Council will ensure the provision of a meaningful proportion of Natural Green Space or access to Natural Green Space. This could involve:
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~~improving connectivity between green spaces where this would not contribute to a material increase in recreational pressure on designated sites.~~

~~E.~~ D. Planning applications on sites within 400m of the Epping Forest SAC will be required to submit a site level Habitats Regulations Assessment setting out how any urbanisation effects (including from fly tipping, the introduction of non-native plant species and incidental arson) will be mitigated against.

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