



Epping Forest District Council: Examination of the District Local Plan 2011 – 2033

Matters and Issues

Matter 5: Site Selection and Viability

Issue 1: Have the Plan's housing allocations been chosen on the basis of a robust assessment process?

1. The Council should provide a summary of the process by which the Plan's housing allocations were selected. In particular:

d. What was the role of the Sustainability Appraisal in selecting between the various sites?

Natural England cannot comment on the role of Sustainability Appraisal in the site selection processes but regarding the robustness of the assessment process we refer you to our concerns relating to Sustainability Appraisal in our pre-submission response date the 26th of January 2018 and our Matters and Issues response submitted on the 24th of January 2019.

Issue 2: Have the Plan's allocations for Gypsies & Travellers and Travelling Showpeople been chosen on the basis of a robust assessment process?

d. What was the role of the Sustainability Appraisal in selecting between the various sites?

Natural England cannot comment on the role of Sustainability Appraisal in the site selection processes but regarding the robustness of the assessment process we refer you to our concerns relating to Sustainability Appraisal in our pre-submission response date the 26th of January 2018 and our Matters and Issues response submitted on the 24th of January 2019.



MATTER 8: Garden Town Communities

Issue 1: What is the “Garden Town” concept as applied to proposed allocations SP5.1, SP5.2 and SP5.3 and is this significant for planmaking purposes?

- 1. Are the four Garden Town Communities (including Gilston in East Herts) intended to function together in some way, or are the allocations essentially separate entities? Does this matter?**
- 2. If the communities are intended to function together, is this possible in light of their physical separation? Will the requirement for separate Strategic Masterplans be effective in achieving coherent schemes?**
- 3. Does the Garden Town approach have specific implications for how infrastructure needs are identified and provided? Have Harlow and Epping Forest Councils worked together constructively in making decisions about where to provide health and education infrastructure, for example?**

Natural England advises that given the scale of development proposed around in and Harlow and that the Habitats Regulations Assessment ('HRA') identifies the potential for an in combination impact upon Epping Forest Special Area of Conservation it is appropriate and necessary from an ecological perspective to take a strategic approach to mitigation and infrastructure requirements.

Two of the proposed strategic sites fall partially within the current Zone of Influence ('ZOI') as identified in the autumn visitor surveys and it is considered likely that the surveys due to be carried out this summer will require an expansion or revision of the ZOI. There are also other designated sites such as Hatfield Forest Site of Special Scientific Interest ('SSSI') and National Nature Reserve (NNR), and the Lee Valley Special Protection Area ('SPA') and Ramsar site which are likely to see increases in visitor numbers as a result of development.

We have therefore advised that it is appropriate for development to provide suitable alternative natural greenspace to ensure that increases of recreation pressure on designated sites is minimised. This will require a strategic approach in accordance with the mitigation strategy that is being prepared by Epping Forest District Council and the other Housing Market Area Authorities. The mitigation strategy may also require financial contributions towards access management measures.

Issue 4: Are the site allocations (SP5.1, SP5.2 & SP5.3) in Policy SP5 sound and deliverable?

Please note that Natural England's view on these allocations needs to be informed by the findings of the HRA which we have not yet formally responded to. In addition Natural England has concerns with the Latton Priory (SP5.1) and Water Lane (SP5.2) allocations impacting on Harlow Woods SSSI. Natural England has held productive discussions with the promoters of the Latton Priory allocation but we understand that Epping Forest District Council intends to address impacts on Harlow Woods SSSI alongside its mitigation strategy for Epping Forest SAC. We have not yet seen a detailed plan of proposals but advise that access management measures are likely to be required.

SP5.3 (East of Harlow) is likely to fall within the Hatfield Forest SSSI ZOI (as may others) and additional measures may therefore be required to ensure that this allocation is sound and deliverable. Note however that Natural England is committed to the principle of mitigation in relation to this development.



MATTER 16: Development Management Policies (DM1 – DM22)

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 DM1: Habitat Protection & Improving Biodiversity

2. In Part A, is it justified to require all development to seek to deliver net biodiversity gain? Would this be possible for applications concerning minor alterations to existing buildings, or advertisements for example?

Natural England strongly supports the requirement to deliver biodiversity net gain from development and considers this to be in line with current and emerging national policy. We have no comment on proportionality or deliverability in situations such as the ones described above.

Policy DM2: Epping Forest SAC and the Lee Valley SPA

3. Will Policy DM1 and DM2 taken together provide adequate protection for the whole of Epping Forest, including the Parts outside the SAC? In seeking to protect the Forest via two separate policies, is there a risk that the approach could become disjointed?

Natural England's view on these policies needs to be informed by the findings of the latest iteration of the HRA to which we have not yet formally responded.

4. Is it sufficiently clear, either in the Policy or supporting text, which/where developments are likely to have a significant effect?

a. In Part E, is the 400m radius for requiring developments to mitigate the effects of urbanisation justified in terms of the specific likely effect upon this particular designated site?

Natural England's view on this policy needs to be informed by the findings of the latest iteration of the HRA to which we have not yet formally responded.

b. Is it necessary in Part C to be more specific about the Zone of Influence for recreational pressure?

Whilst reference to a ZOI within policy would provide clarity for developers, HRA requires that assessments are made on the basis of the most recent and best available evidence. Further survey work is scheduled for summer 2019 and there will be a need for the ZOI to be periodically reviewed. Natural England advises that the policy should make reference to the mitigation strategy document and require developments to take into account this strategy.

c. Are any specific provisions required in respect of the effects caused by air pollution?

Natural England's view on this question needs to be informed by the findings of the latest iteration of the HRA to which we have not yet formally responded.

d. Is it necessary to set any exclusion zone within which no development can occur?

Natural England's view on this question needs to be informed by the findings of the latest iteration of the HRA to which we have not yet formally responded.

Policy DM5: Green and Blue Infrastructure

9. Should Part A (i) require designs to have regard to improving the connectivity of habitats? (EA Reps).

Natural England supports the Environment Agency's position and the proposed amendment put forward in their response to the pre-submission Local Plan.

Policy DM6: Designated and Undesignated Open Spaces

10. Having regard to paragraph 73 of the NPPF, has a robust assessment of the need for open space, sports and recreational facilities been carried out? Is it justified to base the

requirements upon nationally adopted standards rather than local ones and should the appropriate standards be set out in Policy?

Natural England has not previously commented on this policy but has advised Epping Forest District Council that there is a need to assess the requirements for suitable accessible natural greenspace to avoid impacts on Epping Forest SAC and SSSI. We consider that in doing this they will need to take account of local requirements rather than national standards and that this work will come forward through the mitigation strategy that they are committed to delivering prior to the adoption of the Local Plan.

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