

EPPING FOREST DISTRICT LOCAL PLAN

EXAMINATION HEARINGS

HOMEWORK NOTE 31

MATTER 1: LEGAL COMPLIANCE

**ISSUE 5: HAVE THE REQUIREMENTS OF THE CONSERVATION OF
HABITATS AND SPECIES REGULATIONS 2017 BEEN MET**

HW31 - UPDATE ON STRATEGIC SANGS PROVISION

1. The Council provides this note which concerns Matter 1, Issue 5 and the Inspector's request that the Council provide further information regarding the provision of strategic Suitable Alternative Natural Green Space ("SANGS") to address the potential impact of increased recreational pressure on the Epping Forest Special Area of Conservation ("EFSAC") arising from the large-scale housing proposed on strategic allocations within the Local Plan Submission Version ("LPSV").
2. In response to the Inspector's specific requests, this note identifies:
 - (a) The strategic allocations (proposing 400+ homes) within the LPSV that require SANGS provision to be made on-site as part of the required Masterplanning process, or delivered off-site by way of a financial contribution; and
 - (b) The extent to which those strategic allocations are located within the Zone of Influence ("ZOI") for the EFSAC and the current position regarding SANGS provision for each of those strategic allocations.

3. For the avoidance of doubt, this note does not address the Council's proposed revisions to LPSV Policies DM 2 and DM 22. Following the hearing session on 21 May 2019, as agreed, the Council consulted Natural England and the Conservators of Epping Forest inviting both parties to provide the Council a joint response setting out the changes to both Policies and associated supporting text, which they contend are necessary for soundness and legal compliance. Natural England and the Conservators of Epping Forest have provided the Council with their joint response on 7 June 2019, the detail of which is being considered by the Council. In the circumstances, to avoid unnecessary delay and inconvenience, the Council will address this issue in a separate note.

Strategic housing allocations and SANGS provision

4. The threshold for the provision of strategic SANGS for sites of 400+ homes is not a specific requirement in either the LPSV or the 'Interim Approach to Managing Recreational Pressures on the Epping Forest Special Area of Conservation' (EB134) approved by the Council's Cabinet on 18 October 2018, as it relates to the provision of SANGS. Rather this figure has been used to inform the site specific requirements for the five strategic sites/Masterplan areas as described later in this note. This provided the opportunity to assess the appropriateness of the individual sites to make such provision, particularly having regard to their location in relation to existing alternative provision. By way of background, the 400+ home threshold is based upon paragraph 5.26 of the 2019 HRA (EB209), where AECOM address Part C of LPSV Policy DM 2 and state:

"5.26 [...] For many developments this could be simply a contribution of the appropriate tariff but it is considered that some individual planning applications may [original emphasis] be able to deliver their own bespoke mitigation. To facilitate this potential, all allocations above a certain size (such as for more than 400 dwellings [...]) in the core catchment of the SAC, and particularly the settlements of Loughton, Epping, Waltham Abbey, Theydon Bois and Chigwell, should consider any potential to deliver their own on-site accessible natural greenspace."

5. Plainly, the 400+ home figure was cited by AECOM as an example of the type of site size where it may be practical and economic to provide large areas of semi-natural greenspace on site, rather than recommended as an absolute threshold. Sites of 400+ homes would broadly generate the need for some 8ha of alternative natural green space based on a

standard of 8ha per 1,000 persons, which has been accepted elsewhere. The Council also understands that Natural England has indicated elsewhere that sites of less than 8ha would be unlikely to be of a sufficient size to accommodate the attributes needed to attract users away from existing protected sites..

6. In this respect, the 'Interim Approach to Managing Recreational Pressures on the Epping Forest Special Area of Conservation' (EB134) ("the Interim Approach") sets out the approach to strategic SANGS provision (at paragraphs 27 to 30 ,on pages 13 to 14), which the Council will follow pending the adoption of the Local Plan:

"Futureproofing through the provision of Strategic Alternative Natural Green Space:

27. *It is important to recognise that there are several strategic sites that have been proposed for allocation within the Epping Forest District Local Plan Submission Version which lie within, or partly within the 6.2km Zone of Influence, namely the Garden Town Communities of Latton Priory and Water Lane, as well as at North Weald Bassett and south of Epping. All of these sites are currently on greenfield land such that visitors to the Epping Forest currently originating from these locations are either non-existent or minimal. However, the sites will individually and collectively result in a significant increase in residents. Without any on-site provision of strategic levels of Natural Green Space of an appropriate form these new communities are likely to add further to recreational pressures on the Forest. Consequently, as part of the Masterplanning of these sites there will be an expectation that Strategic Alternative Natural Greenspace will be an integral part of their design. Dependent on the scale and form of such Green Space there may be a need to secure some financial contribution towards the implementation of the above projects and associated activities. This is because the Green Space may not provide all of the attributes necessary to attract all users away from the Forest. It should be noted that the provision of Greenspace at Water Lane and Latton Priory in particular could also contribute to 'futureproofing' development in terms of recreational pressures on those areas of Epping Forest outside of the SAC that are designated as Sites of Special Scientific Interest (SSSIs), the Lee Valley Special Protection Area/ Ramsar Sites and the Harlow Woods SSSI.*
28. *The following allocations within the Epping Forest District Local Plan Submission Version should therefore be required to provide Strategic Natural Green Space:*
- *Latton Priory*
 - *Water Lane*

- North Weald Bassett
- South of Epping Masterplan Area

At present no other opportunities outside of the Epping Forest District administrative area have been identified as providing the potential to act as Strategic Alternative [Natural] Green Space.

Monitoring and Review:

29. *It is important to recognise that whilst the schemes/resources identified, and the costs attributed cover the period up to 2033 this is an Interim Strategy. Monitoring of both the projects themselves, and further visitor surveys have been identified within the costings set out in Table 1 above. This includes undertaking a further Visitor Survey during the period June – August 2019 following which this Interim Strategy and, if necessary, the ZOI will be reviewed. In addition additional and/or alternative projects may arise in the future, or income generation created such as to off-set some of the costs identified above. Such projects and income-generating activities could, for example, involve the potential use of City of London Corporation owned 'buffer lands' as Strategic Alternative Natural Green Space, the need for increases in Keepers/Rangers or as a result of income gained from car parking charging or bike hire. It is also recognised that during the lifespan of the indicated projects there may be changes in terms of Local Plan Housing Requirements across the Zone of Influence. Any of these may result in a need to review and amend:*
 - i) *The projects identified;*
 - ii) *The costs identified; and*
 - iii) *The apportionment from which contributions are sought in terms of the sum of monies that each authority is required to secure including the addition of authorities not currently identified above.*
30. *In reviewing further iterations of the Strategy beyond that indicated for 2019, it is important that an appropriate balance is achieved in terms of ensuring that the schemes proposed are achieving their purpose, and providing certainty to both the development industry and local planning authorities in terms of the requirements being sought such that neither the Strategy or the ZOI is reviewed year on year (this is distinct from the annual review of costs referred to in paragraph 20 above). Consequently, it is proposed that further reviews will be undertaken following the receipt of the outputs from the Visitor Surveys proposed in Years 4 and 9."*

Strategic housing allocations within EFSAC Zone of Influence

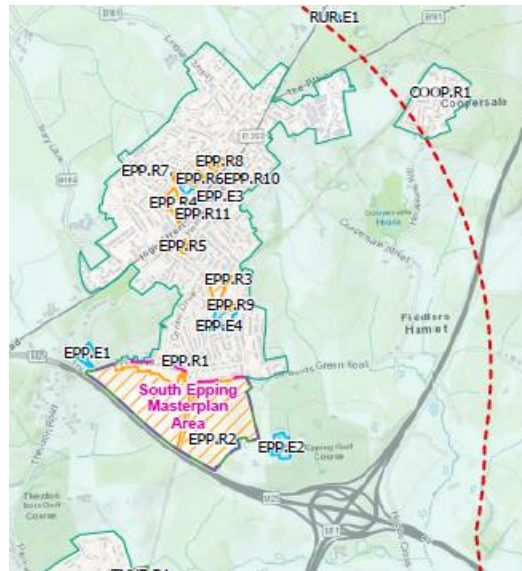
7. The plan attached to this note shows the LPSV strategic allocations located within the ZOI. EFDC describes the area within 3km as the "Inner Zone" to reflect the fact that a significant proportion of visitors to the Epping Forest arise from within this area (the outer extent of which is identified by a red broken line) and the 3km to 6.2km ZOI, which EFDC describes as the "Outer Zone" (the outer extent of which is identified by an orange broken line), respectively.
8. For the sake of clarity, each strategic allocation and its location within the ZOI (both "Inner" and "Outer"), is considered in turn.
9. This is important because it provides an understanding as to how each of the strategic sites relates geographically to the EFSAC and how those sites will be expected to contribute to either:
 - (a) avoid placing pressure on the EFSAC from a recreational perspective; or
 - (b) mitigate that pressure through financial contributions towards Strategic Access Management and Monitoring because their proximity to the EFSAC is such that the provision of avoidance measures are unlikely to be effective; or
 - (c) are located in close proximity to alternative recreational space,

The Council is of the view that these sites would not, either alone or in combination with other plans and projects, harm the integrity of the EFSAC.

EFSAC 3km "Inner Zone"

10. The following LPSV strategic allocations are located within the current EFSAC "Inner Zone":

(a) Policy P 1 – South of Epping Masterplan Area (~950 homes)



11. As the above inset plan shows, the entire South of Epping Masterplan Area (SEMPA) lies within 3km of the boundary of the EFSAC. The Council's 'Interim Approach to Managing Recreational Pressures on the Epping Forest Special Area of Conservation' (EB134), approved by Cabinet on 18 December 2018 ("the Interim Approach") explains that all development which result in a net additional increase in dwellings within the EFSAC Inner Zone will be required to make a financial contribution toward Strategic Access Management and Monitoring ("SAMM").
12. Moreover, Part K (xv) of Policy P 1: Epping, requires the Strategic Masterplan to include "adequate levels of high quality public open space, including the replacement of Brook Road Informal Recreation Ground ...". The principle of securing appropriate avoidance and mitigation measures, including provision of recreation space on site, has been agreed with the SEMPA site promoters (see Statement of Common Ground for South Epping Masterplan Area (ED39), at paragraphs 17.2 and 17.3).

(b) Policy P 3 Waltham Abbey North Masterplan Area (~610 homes¹)



13. As the above inset plan shows, the vast majority of the Waltham Abbey North Masterplan Area falls entirely within 3km of the EFSAC boundary. However, the Masterplan Area is located immediately to the east of the Lee Valley Regional Park and new residents would, therefore, be more likely to use the Regional Park for recreational purposes. The conclusion is supported by the findings of the Epping Forest Visitor Survey (EB715), at Map 11 'Buffers around the SAC based on visitor data', Map 11 shows survey respondent locations by frequency of visit to the SAC, which shows a concentration of visitors in this location who visit the SAC once per month or less.
14. Consequently, due to the location of the Masterplan Area and the available evidence, the Council considers that requiring the provision of SANGS would not be justified, although SAMM contributions would still be required. Instead, Policy P 3 Part N (xii) requires an

¹ The combined total number of homes to be delivered on site allocations WAL.R1, WAL.R2 and WAL.R3 totals 740. However, Policy P 3 N (i) currently identifies a minimum of 610 homes, which erroneously relates only the housing to be delivered on sites WAL.R1 and WAL.R2. The Council has proposed an amendment to correct this error.

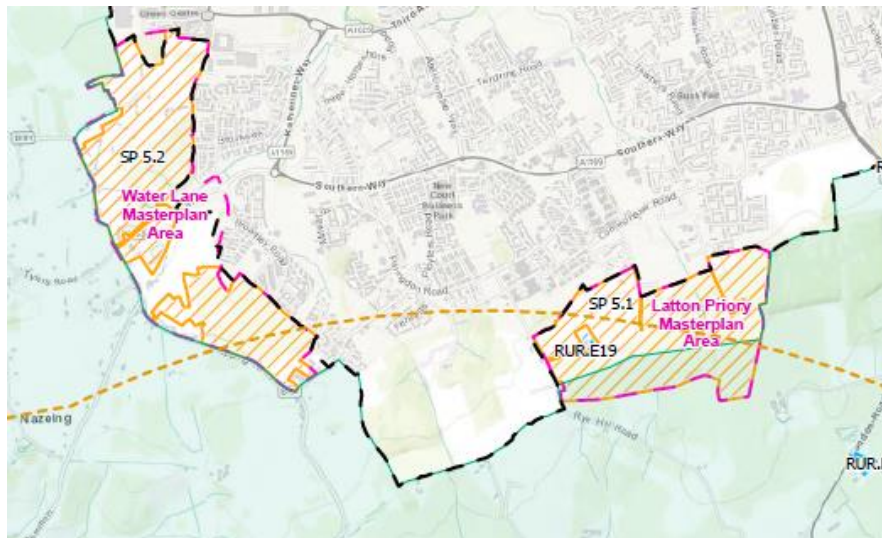
adequate level of public open space to be provided within the site. Moreover, Policy P 3 Part N (xi) requires the provision of new pedestrian and cycle links through the site to the Lee Valley Regional Park and Park K requires the provision of financial contributions for those purposes. This approach has been agreed with the promoters of this strategic allocation in the Statement of Common Ground for Waltham Abbey North Masterplan Area (ED41), at paragraphs 12.1 to 12.3.

EFSAC 3km - 6.2km “Outer Zone”

15. The following LPSV strategic allocations are partly located within the current EFSAC “Outer Zone”:

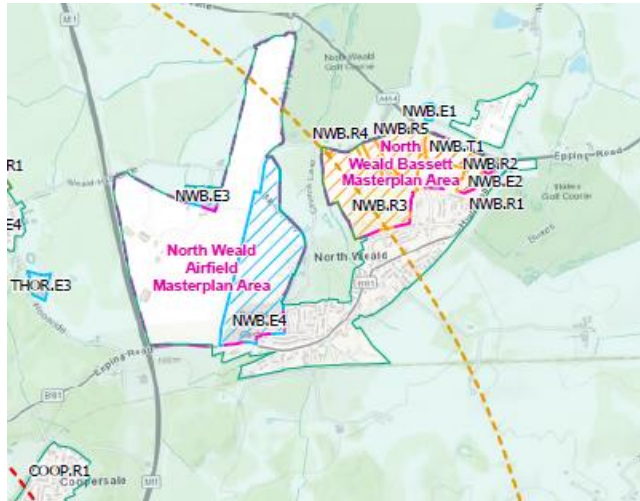
Garden Town Communities

- (a) SP 5.1 Latton Priory (~1,050 homes);
- (b) SP 5.2 Water Lane (~2,100 homes)



North Weald Bassett

(c) P 6 North Weald Bassett Masterplan area (~1,050 homes)



16. As the inset plans above show, for each of these strategic allocations, only part of the designated area lies within the EFSAC 6.2km Zone of Influence. Nevertheless, as the Interim Approach (EB134) confirms, the Council expects the provision of on-site SANGS to support the total number of new homes proposed to be delivered on each site, in order to 'futureproof' development and protect the integrity of EFSAC from the risk of adverse environment impact from increased recreational pressure.
17. In the circumstances, the Council considers this approach to be necessary and reasonable, as the EFSAC Zones of Influence will be reviewed periodically, having regard to the best evidence available at the time, including the results of future Epping Forest visitor surveys. As such, the LPSV properly takes account of the possibility that Natural England may extend the current 6.2km ZOI during the Plan period. In that event, without appropriate futureproofing, additional diversionary recreational measures would need to be secured before planning permission could be granted for the homes proposed on these three strategic sites.
18. The principle of delivering appropriate on-site provision of Suitable Alternative Natural Green Space as an integral component of the Masterplanning process has been agreed

by the promoters of each of these strategic allocations, as evidenced by the following Statements of Common Ground:

- (a) ED23: Statement of Common Ground Latton Priory CEG Hallam, 'Ecology' (at pages 5 to 6);
 - (b) ED28: Statement of Common Ground Latton Priory Site SP5.1 other landowners, 'Ecology' (at page 6);
 - (c) ED27: Statement of Common Ground Water Lane Site SP5.2, 'Ecology' 9at pages 5 to 6);
 - (d) ED42: North Weald Bassett Masterplan Area at paragraphs 12.1 – 12.3 (at page 6).
19. In practical terms, detailed discussions with the promoters of these strategic allocations regarding the provision of appropriate on-site SANGS provision continues as part of the of the Masterplanning process required by the LPSV. Necessarily, in terms of Masterplanning generally and discussions concerning on-site SANGS provision in particular, the progress made to date has been heavily influenced by allocation-specific considerations. However, at this stage, the greatest progress has been made with the Latton Priory Masterplan, which has reached a stage where initial on-site SANGS proposals have been presented to Natural England for comment. Moreover, should off-site SANGS be required, the promoters of the Latton Priory Garden Town Community have indicated that additional land immediately to the south of the current strategic allocation (and the location of the proposed on-site SANGS), could be made available to support wider SANGS provision within the District (see ED23 referred to above).

Legend

- Epping Forest District Boundary

Epping Forest District Green Belt

Allocations

Masterplan Area

Concept Framework Plan Area

Employment

Residential

Traveller
- SAC Buffers

3,084m

6,176m

Scale: 1:30,000 @A0
December 2017

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