



## LPE72 Proposed Modifications to Policy 83 **Waltham Forest**

**NOTE:** Modifications set out encompass changes agreed following Stage 1 Hearings and further proposed modifications as a result of Stage 2 of the Examination.

### Policy 83 - The Epping Forest and the Epping Forest Special Area of Conservation

**In line with the Waltham Forest Green Spaces and Places SPD, the** Council will protect and enhance the natural environment of the Epping Forest and its Special Area of Conservation (SAC) and seek to ensure that development proposals contribute to the **avoidance and** mitigation of adverse recreational and **urban effects** air-quality-effects on the SAC by ensuring:

A. All new development **comprising 1 or more new homes** within **the (6km) 6.2km Zone of Influence (ZOI)** of the boundary of the Epping Forest SAC (see Map **figure xx**) likely to have a significant effect on the integrity of the Epping Forest Special Area of Conservation (SAC), either alone or in combination with other plans or projects, will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects through contribution to the mitigation of recreational and air quality impacts on the Epping Forest SAC as follows **contributes to the delivery of:**

**A: the Strategic Access Management and Monitoring (SAMM) Strategy, in line with the mitigation measures agreed with the Conservators of Epping Forest and partner authorities;**

**B: The Suitable Alternative Natural Greenspace (SANG) Strategy, via Community Infrastructure Levy funding secured to make the necessary investment in open space. The delivery of the Strategy is monitored appropriately to ensure that the visitor uplift required is achieved;**

- i. ~~Developments of 1-10 residential units will be expected to provide measures to ensure that the development provides maximum ecological benefit on the site in line with the requirements of Policy 86;~~
- ii. ~~Developments of 10 – 99 units will be required to contribute to SAMMs (Strategic Access Monitoring and Management Strategy) in addition to the above and in line with the mitigation measures agreed with the Conservators of Epping Forest and partner local authorities. These will be set out in the Council's Mitigating the Impact of Development on SAC/SPA SPD;~~
- iii. ~~Developments of 100+ units within the borough will be required to contribute to the mitigation of development impacts on the SAC via the provision of SANGS (Suitable Alternative Natural Green Space) as set out in the Council's Mitigating the Impact of Development on SAC/SPA SPD;~~

B. ~~C.~~ Development proposals affecting Epping Forest **are** should be sensitive and proportionate, delivering enhancements where possible, and **do** must not contribute to adverse impacts on ecological integrity, amenity or visitor enjoyment;

C. ~~D.~~ Planning applications for development and allocations within 500m **400m** of the Epping Forest SAC must demonstrate, through a project level HRA **Habitat Regulation Assessment**, that the development will not generate adverse urban effects on the integrity of the SAC.

## Supporting Text

17.37 Epping Forest is a former Royal Forest, now managed by the City of London as the Conservators of Epping Forest since it was given to the people of London under the Epping Forest Act of 1878. The Epping Forest is a Natura 2000 Special Area of Conservation under the EC Habitats Directive transposed into UK law under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. Natura 2000 is a network of sites selected to ensure the long-term survival of Europe's most valuable and threatened species and habitats.<sup>52</sup>

17.38 The Epping Forest is the largest open space in London. It comprises ancient woodland and acid grassland occupying an area of approximately 2,450-hectares bordering London and Essex. It stretches from Manor Park to just north of Epping, with the main body of the Forest being located to the west of Loughton. Two thirds of the Forest has been designated a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC).

17.39 Broadly the Forest comprises a mix of habitats<sup>53</sup> as follows: Inland water bodies (6%), Bogs, Marshes, Fens (0.2%), Heath, Scrub (3.8%), Dry grassland, Steppes (20%) and Broad-leaved deciduous woodland (70%).

~~17.40 Owing to its location and its general accessibility, it is a popular visitor destination. There are 52 different car parks and four visitor centres on Epping Forest land. (Epping Forest Visitor Survey 2019 Footprint Ecology p3) The most recent estimate of visitor use indicate around 4.2 million visitors each year<sup>54</sup>.~~

17.41 As distinct from the larger part of the Forest, the Epping Forest SAC forms the edge of the borough along its northern aspect where the borough abuts the administrative area of Epping Forest District Council and the eastern edge where the borough abuts the London Borough of Redbridge with the London borough of Newham lying further to the south beyond Wanstead Flats. It should be noted that the entirety of Waltham Forest Borough lies within the ~~6.36km~~ **6.2km** Zone of influence (ZOI) of the SAC.

17.42 In recent years however the challenge to balance the needs of the high (and growing) numbers of visitors with the natural aspect of the Forest and the nature conservation interest has become more challenging. Accordingly, the Council has been working with neighbouring authorities in London and Essex as part of the Memorandum of Understanding (MoU) Group under the "Duty to Cooperate" introduced under the Localism Act 2011.

17.43 Under the Conservation of Species and Habitats Regulations 2017 (as amended) the Council is a "competent authority" working with other competent authorities to decide whether or not a plan or project can proceed having undertaken the following "appropriate assessment requirements" to:

- Determine whether a plan or project may have a significant effect on a European site;
- If required, undertake an appropriate assessment of the plan or project;
- Decide whether there may be an adverse effect on the integrity of the European site in light of the appropriate assessment.

17.44 There are known current challenges to the integrity of the SAC in which Waltham Forest plays a role. These include in particular, threats posed by air pollution and recreational pressures. The main threats and challenges are set out in Natural England's (NE's) European Site Conservation Objectives.<sup>55</sup>

17.45 The Council therefore has duties as a competent authority to ensure that planning **policy and** decisions do not result in adverse effects upon the SAC. The Councils' Habitats Regulations Assessment (HRA) confirms that new residential development above the level of existing will have a significant effect on the ecological integrity of the Epping Forest SAC alone and in combination with other plans (HRA). The Epping Forest Mitigation Strategy is currently in development, and once finalised will comprise a package of mitigation measures to address negative impacts on the site. Waltham Forest will help to deliver the mitigation strategy in cooperation with surrounding authorities and will be funded through developer contributions. **not** have a significant effect on the ecological integrity of the Epping Forest SAC alone and in combination with other plans (HRA) **in relation to air quality. Policy 97 ensures that a Plan review would be triggered in the unlikely event that traffic levels in the vicinity of the Epping Forest Special Area of Conservation increase as a result of the planned growth in Waltham Forest.**

**[New Paragraph] In order to avoid and mitigate any potential negative effects resulting from recreational pressure, in line with Policy 83, SAMMS contributions will be sought, and the SANGs Strategy will be delivered.**

**[New Paragraph] The effectiveness of the SANG strategy will be assessed by measuring visitor numbers on the sites identified within it and a full or partial review of the plan will be triggered if the estimated visitor uplift figures are not met (see policy 97). This is required to ensure that there is evidence of the direct impact of new housing completions on the use of these green spaces once the proposed interventions have been put in place. In addition to this targeted monitoring of new developments, other monitoring is in place to track visitor numbers to the Epping Forest SAC and the quality of the SAC itself. A commitment has been made in the SAMM Strategy to review visitor numbers to the SAC at least every five years. Natural England, along with the Conservators of Epping Forest, are also obliged to carry out condition surveys of the Epping Forest SAC and would notify the competent authorities of the findings from these, including any further deterioration in quality.**

**[New Paragraph] Development proposals which may result in urban effects will be encouraged to have early discussions and engagement with Natural England on potential mitigation measures.**

17.46 The need for Mitigation Strategies adopted by the Council to offset the effects of recreational pressure on Epping Forest SAC have been identified. These strategies are set out below and will be reviewed and updated as required over the plan period. Presently the Council is working with partners to develop a package of mitigation measures which currently fall into two categories:

Mitigation Measure	Requirements
Strategic Access Monitoring & Management Strategy (SAMMS)	Developments of 10 – 99 units. This is set at £100 per unit as set out in the Planning Contributions SPD. To mitigate for potential or identified adverse recreational effects of additional development in the borough, all residential developments within the zone of influence identified by visitor survey work are required to be mitigated for through SAMM measures. Developments are required to make a contribution in accordance with the SAMM

	strategy. Where developments exceed the 99 unit threshold, SAMMs contributions will be set through negotiation.
Suitable Alternative Natural Greenspace (SANGs)	SANGS will be provided by larger developments of 100 + units as a mix of financial contribution, environmental improvements and open space. The Council expect that developers will engage extensively with Natural England in addition to other partners (eg the Conservators of Epping Forest where necessary). To mitigate for potential or identified adverse recreational effects of additional development in the borough, in particular from strategic developments, the Council will ensure provision of and access to sufficient Suitable Alternative Natural Green Space (SANGs). For Epping Forest SAC, SANGs provision should be in accordance with an agreed SANGs Strategy. This could involve: (i) providing new green spaces; or (ii) improving access to green spaces; or (iii) improving the recreation facilities, naturalness, and habitat quality at existing greenspaces; or (iv) improving connectivity between green spaces where this would not contribute to a material increase in recreational pressure on designated sites.” Further details will be set out in the Mitigating the Impact of Development on SAC/SPA (SPD).

Table 17.2

52 [https://ec.europa.eu/environment/nature/natura2000/sites/index\\_en.htm](https://ec.europa.eu/environment/nature/natura2000/sites/index_en.htm)

53 Epping Forest Habitat Mix: <https://sac.jncc.gov.uk/site/UK0012720>

54 [https://consult.cityoflondon.gov.uk/consult.ti/EF\\_Management\\_Plan\\_1/view?objectId=6711348](https://consult.cityoflondon.gov.uk/consult.ti/EF_Management_Plan_1/view?objectId=6711348) Management issues and future proposals for Epping Forest)

55 Supplementary advice on conserving and restoring site features (2019) .  
(UK0012720\_EppingForestSAC\_COSA\_Formal%20Published%2023%20Jan%2019%20(1).pdf)