

Report to the Cabinet

Report reference: C -xxx-2020/21

Date of meeting: xx xxx xxx



**Epping Forest
District Council**

Portfolio: Planning and Sustainability – Cllr N Bedford

Subject: Green Infrastructure Strategy

Responsible Officer: Alison Blom-Cooper (01992 564066)

Democratic Services: Adrian Hendry (01992 564246)

Recommendations/Decisions Required:

- (1) To agree the Green Infrastructure Strategy (attached at Appendix 1) as a material planning consideration for the preparation of Strategic Masterplans, Concept Frameworks, pre-application advice, assessing planning applications and any other development management and implementation related purposes within the District; for submission to the Local Plan Inspector; and used to inform the Council's update to the Habitats Regulations Assessment to support the emerging Local Plan.**
- (2) To agree that contributions will be sought from residential developments in the parishes of Loughton, Buckhurst Hill and Theydon Bois towards site specific projects to mitigate the impact of recreational pressure on Epping Forest Special Area of Conservation in the sum of £716 per dwelling (see paragraph 24)**
- (3) To agree the Green Infrastructure Strategy as a framework for guiding partnership working and investment in green and blue infrastructure as part of the Council's response to the Climate Emergency.**
- (4) To agree that the Planning Services Director, in consultation with the Planning Portfolio Holder be authorised to make minor amendments to the Green Infrastructure Strategy, including any mapping and links and the addition of a glossary, prior to publication.**

Executive Summary:

The Council's emerging Local Plan sets out policies in relation to the provision and enhancement of Green and Blue Infrastructure, the protection of the District's ecological assets and achieving high quality design. To support these policies and address the requirement to provide suitable avoidance or mitigation measures to manage any potential impacts of growth on protected sites, including the Epping Forest Special Area of Conservation (SAC), the Council has developed a Green Infrastructure Strategy ('the Strategy'). The Strategy will ensure that high quality Green and Blue Infrastructure, including the provision of Suitable Alternative Natural Green Space (SANG) and Infrastructure Enhancement Projects, is delivered alongside the growth proposed in the District as part of the emerging Local Plan.

This report sets out the changes proposed to be made to the draft Green Infrastructure Strategy that was agreed by Cabinet for the purposes of consultation on 15 April 2020. The consultation was undertaken in June and July 2020. The Strategy proposed for adoption is attached at Appendix 1 to this report.

Reasons for Proposed Decision:

- To give the Strategy planning weight by endorsing it as a material consideration in the planning process This will ensure that development proposals will achieve the Council's ambitions for the provision of Green and Blue Infrastructure, and that clear parameters are established for the development of masterplans and concept frameworks, the provision of pre-application advice, the assessment of planning applications and any other development management and implementation related purposes within the District.
- To comply with the Council's general obligations as a competent authority under the Habitats Directive [article 6(3)] and the Species and Habitats Regulations 2018 [Regulation 9(1)].
- To respond to the Local Plan Inspector's Advice dated 2 August 2019 (ED98) following the hearing sessions of the Local Plan examination in relation to mitigating the effects of recreational pressure upon the Epping Forest SAC.

Other Options for Action:

Not to agree the Strategy and endorse it as a material consideration in the planning process would mean that there would be no mechanism to support the delivery of development proposals and achieve the vision and objectives set out in the Council's emerging Local Plan, or the application of the policies within it. In addition, there would be no overarching framework in place to achieve the implementation of important initiatives intended to support the Council's response to the Climate Crisis.

Background Report:

1. The Council's emerging Local Plan promotes a joined up, collaborative and proactive approach to the planning and implementation of development across Epping Forest District. In particular the approach to masterplanning and bringing forward strategic site allocations will ensure that development proposals are brought forward in a coordinated and coherent way in accordance with high quality place making principles (see Cabinet report of 15 June 2017 which agreed the approach to the production of Strategic Masterplans and Concept Frameworks EB107).
2. As indicated in the Cabinet Report on Delivering Infrastructure in the District: Developer Contributions Strategy (11 July 2019 EB145 and EB145A) the delivery and/or enhancement of Green and blue Infrastructure will be expected as part of development proposals in accordance with the guidance contained in the Infrastructure Delivery Plan (IDP) (EB1101A & EB1119) and Open Space Strategy (EB703).
3. In parallel to these requirements to support the policies in the emerging Local Plan, the Council has legal obligations under the Conservation of Habitats and Species Regulations 2017 (as amended) ("the Habitats Regulations") as a 'competent authority' under Regulation 63. This requires the Council to ensure that plans and projects do not have an adverse effect on the integrity of internationally important ecological sites, including the Epping Forest SAC.
4. The responsibility for the development of an approach to avoid or mitigate any harm to

the Epping Forest SAC arising from recreational pressure lies with the Council as the competent authority. On 18 October 2018 the Cabinet agreed an interim approach to managing recreational pressure on the Epping Forest SAC to mitigate any adverse effects on its integrity as a result of recreational pressures arising from new residential development. The interim approach incorporated Strategic Access Management and Monitoring (SAMM) measures. Other measures are also required to ensure that a comprehensive approach is taken by the Council in order to demonstrate that planned growth within the District will not have an adverse effect on the integrity of the Epping Forest SAC. This includes the provision of Suitable Alternative Natural Green Space (SANG) as part of a number of proposed strategic sites, together with the identification of Infrastructure Enhancement Projects, focused in the Debden, Loughton, Buckhurst Hill and Theydon Bois areas of the District in order to encourage residents to use alternative places for recreation. The Strategy has responded to this requirement by taking an integrated approach to the design and delivery of green and blue infrastructure provision in the District. The Strategy will therefore form the Council's response to Action 6 of the Local Plan Inspector's advice note of 2 August 2019 which asks the Council to provide clear evidence that the necessary SANG can be delivered over the Plan period, including proposals for SANG required in the first five years of the Plan itself and to prepare any Main Modifications needed to ensure that all site specific SAMM or SANG requirements are reflected in the Plan.

5. The production of the Strategy is supported by:

- National Planning Policy and Guidance which encourages local planning authorities to take a strategic approach to the provision and enhancement of green and blue infrastructure within local plans and implementing planning decisions through an evidenced based approach;
- The provision of Biodiversity Net Gain (reflecting the emerging mandate in the government's Environment Bill);
- Ensures the future provision of green and blue infrastructure assets to support the needs of new and existing communities, and that the District's existing natural assets are managed in a coherent and sensitive way;
- Responds to the climate change emergency, as agreed by the Council in September 2019, and supports healthy lifestyles through active travel and enhanced recreational opportunities;
- Provides a framework for the long-term sustainable management and maintenance of green and blue infrastructure by identifying potential stewardship models;
- Provides information on the costs for securing delivery and management through the planning process and supports applications for external funding; and
- Provides a delivery timeline and targets for the provision of green infrastructure over the course of the Local Plan period (up to 2033).

Vision

6. The Council's overarching vision for the Green Infrastructure Strategy is:

'By 2033 a well-connected network of Green and Blue Infrastructure will have been created and secured for the future to ensure that both existing and new communities are supported by high-quality, well-maintained multi-functional spaces which are safe and

sociable, support peoples' health and wellbeing and are accessible by all.

The District's important ecological, natural heritage and landscape assets will have been protected and enhanced and links to the wider area will have been strengthened. Net gains in carbon capture and biodiversity will have been achieved and a design-led approach to the provision and integration of Green and Blue Infrastructure will have been at the heart of creating the District's new places.'

7. The Strategy incorporates 'Green Infrastructure' i.e. a network of high quality green spaces and other environmental features such as parks, public open spaces, playing fields, woodlands, and allotments, and 'Blue Infrastructure', which includes natural features such as rivers, streams and ponds, semi-natural features such as sustainable drainage systems, bio swales and canals, and other engineering features such as dams, weirs and culverts.
8. There is a focus on the role of strategic developments to deliver new, and enhance existing, green and blue infrastructure assets, bring new and existing communities together, and connect to the countryside. However, the Strategy also identifies the contribution that smaller developments can make, links with other Council and partners projects, and provides a framework against which to seek funding opportunities as and when they arise.
9. The Strategy seeks to:
 - Raise awareness of and support for the delivery of high quality and well-managed green and blue infrastructure in the District;
 - Set the Council's expectations for landscape-led masterplanning;
 - Support the development of a local network of spaces and routes to link existing communities with proposed site allocations;
 - Set out the proposed provision of measures to avoid or mitigate the potential impacts of growth on protected sites, including the Epping Forest SAC, and;
 - Sets out requirements for high quality landscape-led design.

The Purpose of the Strategy

10. The principle purpose of the strategy is to act as a practical guide in the design, development management and implementation processes to ensure the creation of a sustainable network of high-quality, multifunctional spaces that provide greater connections between existing and new communities, other amenity spaces and the local countryside.
11. There is a focus on design, in particular landscape-led design in masterplanning, to achieve high quality provision to maximise social, environmental and economic value, while also establishing a framework for community engagement and setting out tangible steps to successful delivery.
12. The Strategy reflects and recognises the wealth of the District's existing green and blue infrastructure assets. It seeks to make the most of these existing assets to maximise their functionality and create a connected network of spaces which frame sustainable,

sociable and healthy communities.

13. The Council will work with a range of partners including with local communities, farmers, large landowners, the Conservators of Epping Forest, Natural England, Essex County Council and through cross boundary initiatives such as the Harlow and Gilston Garden Town and the Green Arc (One Partnership) to improve green and blue infrastructure in the District.
14. The design of new development must be, wherever appropriate, landscape led and cross disciplinary and should inform a proposal from its initial scoping through to detailed design and subsequent submission of a planning application. It is important that this design process is iterative involving Council officers, stakeholders; and that, where appropriate, it is informed by use of the Council's Quality Review Panel.

Proposed Approach

15. The proposed approach to the Strategy (attached at Appendix 1) responds to the need to design and deliver different types and scales of green and blue infrastructure in the District, and different intended audiences or delivery partners for these green and blue spaces. The Strategy has a focus on integrated green and blue infrastructure in the context of District-wide and community projects, and within new developments and strategic sites.
16. The Strategy sets out clear requirements for the design of development to be landscape led and to be brought forward across all green and blue infrastructure typologies, as well as identifying local projects. Identified projects for the provision of green and blue infrastructure will require long term management and maintenance arrangements to be put in place as appropriate, with the intention for these to be included in the Council's Infrastructure Delivery Plan (IDP), which is a 'live' document that will be monitored and updated regularly. An extract from the current IDP showing related projects is attached at Appendix 3.

Consultation

17. The Council undertook initial informal engagement prior to the development of the draft Strategy which was published for formal consultation for a six-week period from 4 June 2020 - 16 July 2020. The consultation was undertaken in accordance with the Council's adopted Statement of Community Involvement and included the following approaches:
 - The creation of a webpage with an accessible format draft document, a short survey, FAQs page, email address and postal address for comments, and link to book phone call with officers;
 - A telephone surgery was available for the general public to discuss the strategy with officers;
 - An online Q&A session with the Epping Forest SAC Oversight Group, which includes neighbouring authorities;
 - Internal workshops and briefings across EFDC Service Departments via the Local Plan Implementation Forum and Stronger Place Leadership Group.
 - An online EFDC Developer Forum workshop/Q&A session with 35 developers and agents in attendance;

- An online workshop/Q&A session with District, Town and Parish Councillors
 - An online EFDC Youth Council workshop/Q&A session with 23 young people aged between 12-17 years.
18. The consultation took place during the COVID-19 pandemic, consequently communications and advertising of online events and workshops and telephone surgeries was undertaken through both digital and non-digital means, such as internal and external magazine and newsletters, posters, and social media.
19. The Council received comments from 175 respondents, through the survey and emailed/posted comments, and engaged with over 90 people in online events workshops and telephone surgeries. A schedule of the representations received (over 900) together with the officers proposed response is attached at Appendix 2. As there were a large number of comments which related specifically to Epping Forest SAC matters, and which had similar themes, a separate overarching response has been provided at Appendix 6.
20. The draft Strategy was also reviewed twice by independent experts with planning and strategic landscaping knowledge through the Council's Quality Review Panel (QRP), in March 2020 and September 2020 (see QRP reports attached at Appendix 4 and 5).
21. The comments received in response to the consultation (see Appendix 2 and 6) can be broadly categorised into the following themes:
- Issues around legibility and accessibility of Strategy, including clarity needed on the Vision and Objectives of the Strategy, with more specific local emphasis, who the Strategy is intended to be used by and how/when objectives will be actioned.
 - More evidenced approach to demonstrating that planned development would not have an adverse effect on the integrity of the Epping Forest SAC, requests for more site specific SANG guidance, including specific quantum requirements, and mechanisms for implementation and funding. SAMMS process to be recognised and included in Strategy and the need to include site specific projects to avoid or mitigate an adverse effect as a result of recreational pressure on the Epping Forest SAC
 - Additional information on environmental net gain, climate crisis and blue infrastructure would be beneficial, and how the Strategy ties into other strategies, neighbouring areas and partnerships on these and other aspects.
 - Clearer role for monitoring and management of Green and Blue Infrastructure outcomes and spaces.
 - Comments relating to specific projects and locations (District-wide, community, local and strategic sites).
 - Of the 121 surveys completed:
 - 91.7% of respondents would like to be kept informed about the work on green and blue infrastructure (5.8% would not, 2.5% did not answer this question).
 - 31.4% agreed that the consultation draft of the strategy included all of the GI assets within the District and assessed them correctly in Section 2 (31.4% disagreed, and 37.2% did not answer this question)
 - 33.9% of respondents agreed with the Vision and Objectives, (24% disagreed,

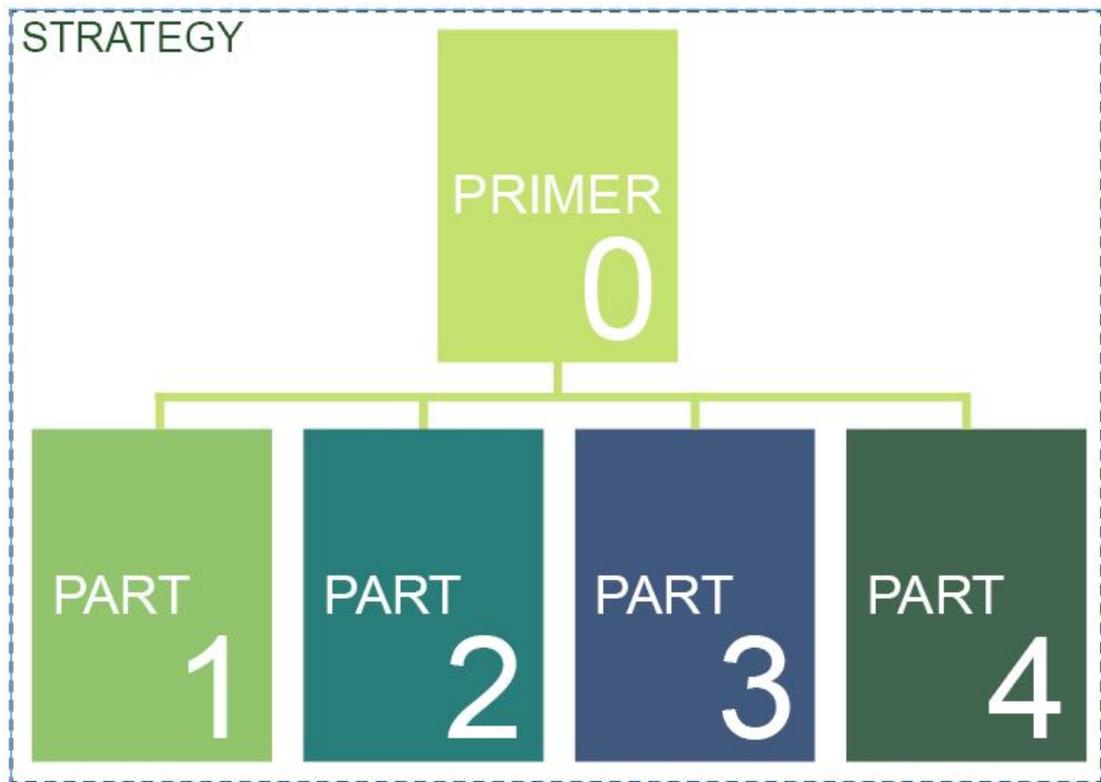
42.1% did not answer this question).

- 39.7% of respondents agreed with the multi-functional approach to green infrastructure (23.1% disagreed, 37.2% did not answer the question) and 33% of respondents agreed that the right themes had been identified in the Strategy (20.7% disagreed, 46.3% did not answer this question).

Revisions for Final Green Infrastructure Strategy

22. Key updates and changes to the strategy, to respond to the consultation comments, include:

- Restructuring of the Strategy. This was undertaken in order to respond to comments raised through the consultation and from the Quality Review Panel. This has resulted in some restructuring of the draft Strategy that was published for consultation. Consequently, whilst certain elements have been moved, the key components of the draft Strategy have not changed. The Strategy now consists of five parts as summarised below:
 - Primer: Introducing Green and Blue Infrastructure
 - Part 1: Implementation – Enhancing Our Existing Network (*focus for community, Town and Parish Councils, authority officers*)
 - Part 2: Implementation – Landscape Led Design (*focus for planning applicants, designers and authority officers*)
 - Part 3: Implementation – Strategic Allocations and Suitable Alternative Natural Greenspace (SANG) (*focus for strategic site developers, designers, authority officers and policy makers*)
 - Part 4: Implementation – Infrastructure Enhancement Projects (*focus on projects in Debden, Loughton, Theydon Bois and Buckhurst Hill to mitigate the effects of development on the Epping Forest SAC*).



- The Primer is to be read first, to familiarise the reader with the purpose, District context and vision and objectives of the Strategy. The different parts of the strategy (1, 2, 3 and 4) then each have a particular focus, which may be more relevant to different audiences, depending on where their interest lies.
 - Providing District-focused key messages upfront in the Primer document.
 - Language and appearance of Strategy made clearer throughout, focussed on the intended audiences for each Part and use of plain English to enable accessibility.
 - Further information provided on stewardship and funding mechanisms for green and blue infrastructure projects in Parts 1 and 2, including for community-focused projects
 - Provision of a delivery programme aligned with the Local Plan housing trajectory and potential smaller community projects to show when and how the green infrastructure in the District will be delivered up to 2033.
 - Clear reference to, and monitoring/ assessing of, key objectives of the Strategy (landscape-led design, biodiversity, provision of multifunctional and high-quality spaces), through the draft EFDC and HGGT Sustainability Guidance and Checklists documents within their green and blue infrastructure pages and other sections.
 - Key changes in relation to Epping Forest SAC matters in Part 3 following ongoing discussion with Natural England and the Conservators of Epping Forest and a new Part 4 providing guidance on specific infrastructure projects required to be delivered in order to mitigate the impacts on recreational pressure on Epping Forest SAC
23. The final Strategy has sought to address the issues raised in the consultation including by key partners and stakeholders, to ensure that a robust, measurable and clear Strategy has been produced, with a number of action points to carry forward to continue

this important work of designing and delivering green and blue infrastructure in the District.

24. Part 4 has introduced site specific infrastructure projects that are required to be delivered in order to avoid or mitigate an adverse effect on the integrity of the Epping Forest SAC as a result of recreational pressure. This includes two infrastructure projects that are intended to address the recreational impact of growth anticipated in Loughton/Debden, Theydon Bois and Buckhurst Hill – namely improvements to Roding Valley Recreation Ground and improved links to the Theydon Bois Wood. The update to the Council's Infrastructure Delivery Plan in September 2020 (EB1118) sets out the need to upgrade the Roding Valley Recreational Ground, to improve signage to the Roding Valley area and Woodland Trust site in Theydon Bois and improve the play areas (see references LOU 28, 29 and 31). The costs of these two projects were not previously identified but implementation and maintenance of them is now included at an overall cost of £428.915. Based on the 599 dwellings proposed for allocation in the emerging Local Plan within the parishes of Loughton, Buckhurst Hill and Theydon Bois (having taken account of the Inspector's advice note of 2 August 2019 ED98) the cost per dwelling is calculated at £716 per dwelling.
25. Next steps include: ongoing work with strategic site developers and planning applicants to ensure that landscape-led design, as set out, is being achieved; consideration of green and blue infrastructure aspects of design coding for strategic masterplan and concept framework sites; taking forward the design and delivery of the Infrastructure Enhancement Projects; potential for engaging communities on local green and blue infrastructure projects through the setting up of cross-service digital platforms; and ensuring that the Strategy is understood and disseminated to key Service areas and officers within the Council.

Resource Implications:

The work to support the Strategy as a supporting document to the emerging Local Plan is covered by existing budgets.

Legal and Governance Implications:

The Council has legal obligations under the Conservation of Habitats and Species Regulations 2017 (as amended) ("the Habitats Regulations") as a 'competent authority' under Regulation 63. This requires the Council to assess the implications of plans and projects on internationally important ecological sites, including the Epping Forest SAC, and develop any approaches necessary to avoid or mitigate any adverse effect on the integrity of such sites.

The Strategy has been developed in the context of Government Planning Policy and Guidance.

Safer, Cleaner and Greener Implications:

The delivery of the Strategy will contribute to the Council's safer, cleaner, greener objectives by planning for sustainable development.

Consultation Undertaken:

Informal engagement with statutory consultees including Natural England and Conservators of Epping Forest, Cooperation for Sustainable Development Officer and Member Boards, Leadership Team and Local Plan Officer Working Group was undertaken.

A six-week formal period of public consultation was undertaken in June-July 2020, as set out above in paragraphs 18-24.

Background Papers:

Cabinet Report C-035-2019/20 Draft Green Infrastructure Strategy 15 April 2020 (EB149)

Inspector's advice note dated 2 August 2019 (EB98)

Cabinet report C-001-2017/18 Local Plan Implementation 15 June 2017 (EB107)

Cabinet report C-001-2018/19 Interim Approach to Managing Recreational Pressures on the Epping Forest Special Area of Conservation 18 October 2018 (EB143)

Cabinet report C-007-2018/19 Delivering Infrastructure in the District: Developer Contributions Strategy 11 July 2019 (EB145)

Open Space Strategy 2017 (EB703)

Landscape Character Assessment 2010 (EB709)

Epping Forest Visitor Surveys 2017 (EB715) and 2019 (EB716)

Infrastructure Delivery Plan (EB1101A 2017 & EB1118 2020)

Risk Management:

If the Council does not demonstrate that it is taking a pro-active approach to developing and implementing an approach to managing the effects of recreational pressure and air quality arising from development on the Epping Forest SAC there is a risk that the emerging Local Plan will be found 'unsound' which would have adverse social, environmental and economic consequences for the District.