

## **Report to the Cabinet**

**Report reference:** C-035-2019/20

**Date of meeting:** 26 March 2020



**Epping Forest  
District Council**

**Portfolio:** Planning Services – Cllr J Philip

**Subject:** Green Infrastructure Strategy

**Responsible Officer:** Alison Blom-Cooper (01992 564066)

**Democratic Services:** Adrian Hendry (01992 564246)

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### **Recommendations/Decisions Required:**

- (1) To agree that the Draft Green Infrastructure Strategy (attached at Appendix 1) be approved for public consultation for a six week period, and;**
- (2) To agree that the Planning Services Director, in consultation with the Planning Portfolio Holder be authorised to make minor amendments to the Draft Green Infrastructure Strategy prior to the public consultation.**

### **Executive Summary:**

The Council's emerging Local Plan sets out policies in relation to Green and Blue Infrastructure, the protection of ecological assets and 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, primarily the Epping Forest SAC and a number of SSSI's, the Council has produced a Draft Green Infrastructure Strategy. This will ensure high quality Green and Blue Infrastructure, including the provision of Suitable Alternative Natural Green Spaces (SANG), is delivered alongside the proposed growth in the District.

This report therefore provides members with an update on the aims, objectives and purpose of the Green Infrastructure Strategy and confirms the proposed consultation programme on the Draft Strategy. The intention is that following the consultation and any updates arising that the Final strategy will be brought back to Cabinet for endorsement as a material consideration in the determination of planning applications, masterplans/concept frameworks and guide design and implementation processes.

### **Reasons for Proposed Decision:**

- To ensure that members are kept fully up to date on progress of the Green Infrastructure Strategy.
- 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)].

- In response to the Inspector's Advice dated 2 August 2019 (ED98) following the hearing sessions of the Local Plan examination for a SANG Strategy to mitigate the full effect of recreational pressure upon the Epping Forest SAC.

### **Other Options for Action:**

Not to bring forward the Draft Green Infrastructure Strategy for consultation would mean that there would be no guidance to support the delivery of development proposals and achieve the objectives set out in the Council's local plan policies SP 7, DM 1, DM 2, DM 16, T 1 and DM 6.

### **Report:**

1. The Local Plan Submission Version 2017 (LPSV) promotes a joined up, collaborative and proactive approach to the planning and implementation of key strategic sites across Epping Forest District. Masterplans and strategic site allocations will ensure 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) for larger developments the delivery of more strategic open space will be expected with development proposals required to provide open space, or links to open space in accordance with the guidance contained in the Infrastructure Delivery Plan (IDP) (EB1101A & EB1101B) and Open Space Strategy (EB703).
3. In parallel to these requirements to support the policies in the Local Plan and accompanying evidence base, the Council is aware of its legal obligations under the Conservation of Habitats and Species Regulations 2017 (as amended) ("the Habitats Regulations"), specifically, its duties as the 'competent authority' under Regulation 63 concerning the assessment of the implications of plans and projects for 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 Epping Forest to mitigate the effects on the health of the Forest from recreational pressures arising from new residential work. Further work is now being undertaken to update the visitor survey which informed the interim approach/Strategic Access Management and Monitoring (SAMM) Strategy and to finalise the approach. A Suitable Alternative Natural Greenspace (SANG) Strategy is also needed to mitigate the full effect of recreational pressure. The Draft Green Infrastructure Strategy seeks to develop the approach to SANG as part of an integrated approach to green infrastructure provision, in conjunction with advice from Natural England. This will form the Council's response to Action 6 of the 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. A Draft Green Infrastructure Strategy has been developed that supports key LPSV

policies, in particular masterplan areas, on high-quality place making alongside the Council's commitment and legal obligation to avoid or mitigate harm to protected sites.

6. The production of a Green Infrastructure Strategy is supported by:

- National Planning Guidance which encourages a strategic approach to incorporating green infrastructure into local plans and implementing planning decisions through an evidenced based approach;
- The provision of net biodiversity gain (reflecting the emerging mandate in the Government's Environment Bill);
- Ensures the future provision of green space to support the needs of new and existing communities and that the District's natural assets are managed in a coherent and sensitive way;
- Responds to the climate change emergency, as agreed by the Council in November 2019, and supports healthy lifestyles through active travel and recreational opportunities;
- Provides a framework for long term sustainable management and maintenance of green infrastructure with potential implementation of stewardship models; and
- Provides information on the costs for securing delivery and management through the planning process and supports applications for external funding.

## **Vision**

7. The Council's overarching vision for the Green Infrastructure Strategy is to create a connected network of multi-purpose green spaces to support sustainable, sociable and healthy communities and address present and predicted ecological and environmental challenges.
8. 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, sports pitches, 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.
9. Although the focus is on strategic developments to promote the green network to bring new and existing communities together and connect to the countryside, there is a role for smaller developments to contribute and link in with other Council projects and funding opportunities.
10. The purpose of this strategy is to set the Council's expectations for landscape-led masterplanning, support the development of a network of spaces and routes to link existing urban areas with proposed site allocations, set out the proposed provision of SANGS to avoid or mitigate the potential impacts of growth on protected sites, primarily the Epping Forest SAC and a number of SSSI's, and set out requirements for high quality landscape design.

## Objectives

11. The principle objective for the strategy is to act as a practical guide in the design, development management and implementation processes to implement a green and sustainable network of high-quality, multifunctional green spaces that provide greater connections between existing and new communities, other amenity spaces and the local countryside.
12. Within this objective is a focus on design, in particular landscape-led design in masterplanning, to deliver 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.
13. It is also important to recognise the wealth of the District's existing green and blue infrastructure assets and to make the most of these existing assets to maximise functionality of green space and create a connected network of multi-purpose green spaces which frame sustainable, sociable and healthy communities.
14. The Council will work with partners at all scales including with local communities, farmers, large landowners, the Conservators of Epping Forest, 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.
15. The design of all new developments must be 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 the Council's urban and landscape design officers, stakeholders; and that, where appropriate, it is informed by use of the Quality Review Panel.
16. The intention is that following consultation for the Green Infrastructure Strategy to be endorsed as a material planning consideration in the determination of planning applications.

## Proposed Approach

17. The proposed approach to the Strategy (attached at Appendix 1 and Appendix 2) responds to the different types of green infrastructure in the District, with a focus on integrated green and blue infrastructure in the context of strategic site development.
18. For example, for natural spaces this includes the extension and connection of natural spaces, rewilding of local spaces, lifting canopies and clearing scrub on the edge of woodlands, provision of more interpretation/wayfinding packages and integration of sustainable urban drainage systems (SUDs).
19. The Strategy sets out clear requirements for landscape led design development to be brought forward across all green and blue infrastructure typologies, as well as identifying local projects which align with its objectives. Identified projects for the provision of green 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), a live document that will continue to be monitored and updated regularly. An extract from the current IDP showing related projects is attached at Appendix 3.

## **Programme for consultation**

20. The Council has and will continue to consult Natural England on the form and content of the Green Infrastructure Strategy and has conducted workshops with town and parish councillors, developers, landowners and conservators on the emerging approach.
21. Some informal consultation has also been undertaken with key stakeholders to inform the Draft Green Infrastructure Strategy including with neighbouring authorities through the Cooperation for Sustainable Development Officer and Member Groups and will be reviewed by the Quality Review Panel on 6 March 2020.
22. In accordance with the Council's Statement of Community Involvement (SCI), the Council is required to consult stakeholders and the general public on the draft Green Infrastructure Strategy. The proposed period of consultation in line with the SCI is six weeks. All those on the Council's planning policy database will be notified, information made available on the Council's website and by notification to statutory consultees and neighbouring authorities. Following the consultation, the results will be collated and where appropriate amendments made to the strategy. The Strategy will then be brought back to Cabinet for formal endorsement as a material planning consideration.

## **Resource Implications:**

The work to support the Draft Green Infrastructure Strategy as a document to be viewed alongside the emerging Local Plan is covered by the local plan budget. Obtaining further legal advice may result in additional fees being incurred over and above the current budget.

## **Legal and Governance Implications:**

The Council is aware of its legal obligations under the Conservation of Habitats and Species Regulations 2017 (as amended) ("the Habitats Regulations"), specifically, its duties as the 'competent authority' under Regulation 63 concerning the assessment of the implications of plans and projects for the Epping Forest SAC. The responsibility for the development of an approach to avoid or mitigate any harm to the Epping Forest SAC lies with EFDC as the competent authority.

The Green Infrastructure Strategy has been developed in the context of Government Policy (NPPF) and Planning Practice Guidance.

## **Safer, Cleaner and Greener Implications:**

The delivery of the Green Infrastructure Strategy as part of a wider Mitigation Strategy to address the impacts of recreational pressure and air quality on Epping Forest Special Area of Conservation will contribute to safer, cleaner, greener objectives by planning for sustainable development.

## **Consultation Undertaken:**

Informal consultation 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.

**Background Papers:**

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 Survey 2018 (EB715)

Infrastructure Delivery Plan (EB1101A & EB1101B)

**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 from development on the Epping Forest SAC and a number of SSSI's, there is a risk that Natural England and the Conservators will continue to oppose adoption of the Local Plan and the determination of planning applications.