

GREEN INFRASTRUCTURE STRATEGY

APPENDICES

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GREEN INFRASTRUCTURE IN PLANNING

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A.1 GREEN INFRASTRUCTURE IN PLANNING

Legislative And Policy Context

A significant amount of legislation and national and local planning policy and guidance provide the context to the production of this draft GI Strategy for Epping Forest District. The following section outlines the international, national, regional and local legislation and/or policies that have influenced the development of this draft Strategy.

Legislative Framework

Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making throughout the public sector, which should be seeking to make a significant contribution to the achievement of the commitments made by government in its 25 Year Environment Plan. It therefore goes wider than just a local authority's planning functions.

The Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000, provide the primary legislative framework for the protection wildlife, nature conservation, the countryside, national parks and public rights of way in the UK. This includes the legislative framework in relation to Sites of Special Scientific Interest (SSSI), of which there are a number across the district.

The conservation of the natural environment as it relates to sites of international importance is enshrined in legislation through the EU Habitats Directive the requirements of which have been encapsulated in the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 which came into force on 1 February 2020. The ultimate aim of the Directive is to "maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest" (Habitats Directive, Article 2(2)). The Directive established internationally designated sites of importance for biodiversity (Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites). The District has two internationally designated sites, being the Epping Forest SAC and the Lee Valley SPA and Lee Valley 'Ramsar' site. The Epping Forest (including that area designated as SAC) is legally protected. The Epping Forest Act 1878 established that the unenclosed parts of the Forest should be preserved and maintained as an open space for the recreation and enjoyment of the public and named the City of London Corporation as its conservators.

As well as the statutory designations set out above the district contains a number of local established designations including Local Nature Reserves, County Wildlife and Local Wildlife sites.

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The role of GI in responding to the Climate Emergency should also not be underestimated. Global climate change and species protection provide clear drivers to introduce measures such as local GI networks. International agreements and legislation make provision for addressing both climate change and species protection whilst a growing body of evidence identifies the value of nature to human health and well-being.

At a national level, legislative imperatives are included in the UK Climate Change Strategy with the overarching 'net zero' emissions target by 2050 arising from the Climate Change Act 2008. The Government's 25 Year Environment Plan, 'A Green Future: Our 25 Year Plan to Improve the Environment' sets out a framework to maintain and improve the environment for the next generation. It commits to:

- Making sure that there are high quality, accessible, natural spaces close to where people live and work, particularly in urban areas, and encouraging more people to spend time in them to benefit their health and well-being; and
- Focusing on increasing action to improve the environment from all sectors of society.

To complement its 25 Year Environmental Plan, Industrial Strategy and Clean Growth Strategy, the UK government launched a Clean Air Strategy in 2019. The Clean Air Strategy setting out comprehensive actions required across all parts of government and society to improve air quality. The strategy sets out how we will protect the nation's health, the environment, secure clean growth and innovation, reduce emissions from transport, homes, farming and industry and monitor our progress.

Importantly, Government re-introduced the Environment Bill on 30 January 2020. The Bill sets out how the government plans to protect and improve the natural environment in the UK. There are a number of elements within the Bill which are relevant to this Strategy including the proposed introduction of a mandatory requirement for biodiversity net gain in the planning system to ensure that new developments enhance biodiversity and create new greenspaces for local communities to enjoy. In introducing the Bill Government has made it clear that net gain requirements will supplement, not replace or undermine, existing protections for protected sites or irreplaceable habitats.

The National Planning Policy Framework ('NPPF') (February 2019) sets out national policy for local planning authorities and decision-takers. The NPPF states that there is a presumption in favour of sustainable development (paragraph 11), with sustainable development having economic, social and environmental objectives. The environmental objective is that development should protect and enhance the natural, built and historic environment as well as protecting biodiversity, minimising pollution and adapting to climate change and the demands of a low carbon economy. The NPPF defines Green Infrastructure (which also includes Blue Infrastructure) as:

"A network of multi-functional greenspace, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities."

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The NPPF outlines the relevance of GI to the development of policies within local plans and neighbourhood plans:

- Paragraph 20 highlights that 'Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for...conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure'.
- Paragraph 91 requires that planning policies and decisions should aim to achieve healthy, inclusive and safe places; referencing safe and accessible green infrastructure, sports facilities and high-quality public space as a means to achieving this.
- Paragraph 150 states that 'New development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change... including through the planning of green infrastructure'.
- Paragraph 171 states that 'Plans should...take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure'.
- Paragraph 181 links the requirement for the identification of green infrastructure provision and enhancement at the plan making stage to the improvement of air quality or mitigation of impacts relating to this issue.

The National Planning Practice Guidance (PPG) encourages a strategic approach to incorporating GI into local plans and implementing planning decisions through an evidence-based approach. It emphasises the importance of GI to the delivery of high-quality sustainable development, alongside other forms of infrastructure such as transport, energy, waste and water. GI provides multiple benefits, notably ecosystem services, at a range of scales, derived from natural systems and processes.

The PPG states that local authorities are required to provide suitable mitigation for potential impacts on international nature conservation sites and recommends the provision of open space to deliver a range of benefits and mitigation measures.

The PPG also requires the sustainable management of GI, which should be identified at the earliest stage, alongside the determination of sources of funding for its on-going management.

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Regional Context

At the strategic / cross-boundary level, Essex County Council's emerging Green Essex Strategy takes into consideration priorities offset out in the 25 Year Environment Plan, and other key national, regional and local policies, strategies and plans, including the Essex Growth Infrastructure Framework, that influence action to protect, manage and enhance our GI network. The emerging Vision and objectives in the Green Essex Strategy and those in this emerging GI Strategy align.

The aim of the Council is to manage the potential impact of development on GI with the strategic objective, working in partnership with other groups, of maintaining and where possible enhancing the ecological, recreational and conservation role of GI within a wider context. Within this strategic, cross-boundary context, the Council will collaborate with partners to:

- Protect and enhance the natural environment of the London Stansted Cambridge Corridor (LSCC) Core Area;
- Protect the natural biodiversity of the Lee Valley Regional Park SPA and Ramsar Convention on Wetlands Site (a wetland of international importance), and support the utilisation of natural assets for recreation purposes where appropriate; and
- Conserve and enhance the Epping Forest Special Area of Conservation (SAC).

The Council is taking a comprehensive approach to managing, protecting and enhancing the GI network through this Strategy. It will support the implementation of a range of policies in the emerging Local Plan to ensure development is delivered in the context of maintaining a high quality built and natural environment. Whilst the emerging Local Plan is yet to be adopted and some changes are proposed to be made to it, the overarching approach to the built and natural environment, including the relevant policies, have been supported.

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These policies include:

- The location of development (Policy SP 2 and Chapter 5)
- Green Belt and District Open Land (Policy SP 6);
- The Natural Environment, Landscape Character and Green and Blue Infrastructure (Policy SP 7);
- Visitor Economy (Policy E 4);
- Supporting sustainable transport choices (Policy T 1);
- Protecting habitat and improving biodiversity (Policy DM 1);
- Epping Forest SAC and the Lee Valley SPA (Policy DM 2);
- Landscape character, ancient landscapes and geodiversity (Policy DM 3);
- Sustainable urban drainage systems (Policy DM 16);
- Green and Blue Infrastructure (Policy DM 5);
- Open space, sport and recreation provision (Policy DM 6);
- High Quality Design (Policy DM 9);
- Managing and reducing flood risk (Policy DM 15);
- Sustainable drainage systems (Policy DM 16);
- Protecting and enhancing watercourses and flood defences (Policy DM 17)
- On site management of waste water and water supply (Policy DM 18)
- Air Quality (Policy DM 22)

Policy DM 5 (Green and Blue Infrastructure) in particular sets out the Council's expectations as to how development proposals should respond to the GI needs of the District to ensure that GI assets are protected and enhanced or new provision made to ensure that a network of multi-functional green and blue assets is created across the District.

RESOURCES

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A.2 RESOURCES

Epping Forest District Council Local Plan

[EFDC Local Plan Submission Version 2017 \(EB114\)](#)

[EFDC Local Plan Submission Documents](#)

Epping Forest District Council Local Plan Evidence Base

[EFDC Local Plan Evidence Base](#)

[EFDC Open Space Strategy 2017 \(EB703\)](#)

[EFDC Open Spaces, Sport and Recreation Audit \(EB706\)](#)

[Council's LoWS Review \(EB708\)](#)

[EFDC Landscape Character Assessment 2010 \(EB709\)](#)

[EFDC Visitor Survey August 2017 \(EB715\)](#)

[EFDC Visitor Survey February 2019 \(EB716\)](#)

Epping Forest District Council Relevant Guidance and Strategies

[EFDC Sustainability Guidance / Major Developments \(+10 units\) Draft October 2020](#)

[EFDC Sustainability Guidance / Minor Developments \(1-9 units\) Draft October 2020](#)

EFDC Interim Air Pollution Mitigation Strategy 2021

[EFDC Strategic Masterplanning Briefing Note October 2018](#)

[Interim Approach to Managing Recreational Pressures on the Epping Forest Special Area of Conservation October 2018 \(EB134\)](#)

Harlow and Gilston Garden Town Relevant Guidance and Strategies

[HGGT Vision Document 2018](#)

[HGGT Design Guide 2018](#)

HGGT Stewardship Advice Stage 2 Report 2020

[Harlow Local Development Plan \(adopted 2020\)](#)

[Green Infrastructure Plan for Harlow 2005](#)

A.2 RESOURCES

[Harlow Open Space and Green Infrastructure Study 2013 Chapters 1-5](#)

[Harlow Open Space and Green Infrastructure Study 2013 Chapters 6-9](#)

Essex County Council Relevant Guidance and Strategies

[Essex Design Guide - Landscapes and Greenspaces](#)

[Essex Design Guide - Sustainable Drainage Systems \(SuDS\)](#)

[Essex Design Guide - Garden Communities](#)

[Green Essex Strategy](#)

[Essex County Council Local Flood Risk Management Strategy](#)

National Relevant Guidance and Strategies

[National Planning Policy Framework](#)

[National Planning Practice Guidance - Natural Environment](#)

[National Design Code Consultation Version January 2021](#)

[The Habitats Directive 1992](#)

[The Conservation of Habitats and Species Regulations 2019](#)

[The Agriculture Act 2020](#)

Further Reading

[EFDC Environmental Services](#)

[EFDC Interactive Planning Map](#)

[Essex County Council Public Rights of Way \(PRoW\) Map](#)

[Fields in Trust Guidance for Outdoor Sport and Play](#)

[Harlow Art Trust](#)

[Harlow Sculpture Town](#)

[Landscape Institute's Green Infrastructure: An Integrated Approach to Land Use](#)

[Natural England's Green Infrastructure Guidance 2009 \(NE176\)](#)

A.2 RESOURCES

[North Weald Bassett Parish Council Millennium Walks](#)

[The Wildlife Trust Living Landscapes](#)

[Public Health England's Improving Access to Greenspace 2020](#)

[Rewild My Street](#)

[River Stort Catchment Management Plan](#)

[TCPA Built Today, Treasured Tomorrow 2014](#)

[Urban Design London - Designing Rain Gardens: A Practical Guide](#)

[Woodland Trust Theydon Bois Wood](#)

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Air Pollution Mitigation Strategy

A document produced by the Council with Natural England setting out the steps that will be taken to reduce pollution within an Air Quality Management Area (AQMA). This could include steps to reduce car usage and promote public transport.

Amenity Space

Private residential outdoor space, provided for use on a sole or communal basis, which enables the enjoyment of the property.

Ancient Woodland

An area that has been wooded continuously since 1600 AD.

Biodiversity

The variety of plant and animal life in the world or in a particular habitat, a high level of which is usually considered to be important and desirable.

Biodiversity Net Gain

A metric used to ensure habitats for wildlife are enhanced and left in a measurably better state than they were pre-development.

Blue Infrastructure

Infrastructure provision relating to water. This 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. Blue and Green infrastructure are often considered together, placing emphasis on the importance of biodiversity and flood risk mitigation.

Connectivity

The state of being connected, or degree to which places and people are connected e.g. by transport systems including footpath networks.

Conservation Areas

An area of special architectural or historic interest, with the character or appearance of which is desirable to preserve or enhance. Local planning authorities have a duty under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate conservation areas.

Development

'Development' includes building operations (e.g. structural alterations, construction, rebuilding, most demolition); material changes of use of land and buildings; engineering operations (e.g. groundworks); mining operations; other operations normally carried out by a person operating a business as a builder; subdivision of a building (or any part of it) used as a dwelling house for the use as two or more separate dwelling houses. As defined by section 55 of the Town and Country Planning Act 1990 (as amended).

Development Proposals

Any proposed development scheme presented/ submitted to the Council for consideration or determination. This includes, planning applications (outline or full), other consenting mechanisms and proposals submitted as part of pre-application enquiries.

Epping Forest Buffer Land

Areas of land around the fringes of Epping Forest owned by the City of London Corporation and managed by the Conservators of the Forest. The purpose of Buffer Land is to protect the rural environment of the Forest and provide a natural barrier of land for recreation and complementary wildlife habitats.

Evidence Base

The information and data gathered to justify the policy approach set out in the Local Plan, including physical, economic, and social characteristics of an area.

Garden Town Communities/ Garden Villages

Large scale development planned in a holistic and comprehensive way, including extensions to existing settlements. Development of this nature is based on the 'Garden City' principles developed by the Town and Country Planning Association. These aim to improve quality of life by providing high quality design; infrastructure appropriate for the needs of the society such as public transport, public services, education and health facilities as well as community facilities and provision of green spaces, gardens, open spaces and landscaped areas integral to their design.

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Geodiversity

Refers to the variety of the geological and physical elements of nature, such as of minerals, rocks, fossils, soils and landforms, and active geological and geomorphological processes.

Green Belt

Land protected by a policy and land use designation to protect areas of largely undeveloped or agricultural land surrounding or neighbouring urban areas. Review of Green Belt boundaries is undertaken as part of the production of Local Plans where Green Belt exists.

Green Infrastructure

A network of high quality and multifunctional green spaces, both urban and rural, including but not limited to environmental features such as parks, public open spaces, playing fields, sports pitches, woodlands, and allotments, which are capable of delivering a wide range of environmental and quality of life benefits for local communities.

Green and Blue Corridors

A natural linear feature/habitat that supports biodiversity, primarily by enabling wildlife to move along it and connect other wildlife populations and habitats as part of a network. Green Corridors include features such as woodland and hedgerows, railway embankments or grass verges. Blue Corridors include features such as rivers, streams, ponds, wetlands and sustainable drainage measures and can facilitate natural hydrological processes while minimising flooding.

Habitats Directive

Is a Directive adopted in respect of the conservation of natural habitats of wild plants and animals transposed into UK law through the Conservation of Habitats and Species Regulations 2010.

Habitat Regulation Assessment (HRA)

Refers to the several distinct stages of Assessment which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) to determine if a plan or project may affect the protected features of a habitats site before deciding whether to undertake, permit or authorise it.

Heritage Asset

A building, monument, site, place, area or landscape, or archeological remains identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

Infrastructure Delivery Plan (IDP)

This contains the key infrastructure required to support the homes and employment development in the Local Plan. This includes physical infrastructure such as transport energy and water, social and community infrastructure such as health, education and emergency services and green infrastructure such as open spaces and allotments. The Infrastructure Delivery Plan (IDP) sits alongside the Local Plan and will contain a schedule identifying when items of infrastructure are expected to be in place, sources of funding and costs. It will be regularly updated as more information becomes available.

Landscape Character Assessment

An assessment to identify different landscape areas which have a distinct character based on a recognisable pattern of elements, including combinations of geology, land-form, soils, vegetation, land use and human settlement.

Listed Building

A building or structure considered to be of special architectural or historic interest that appears on the National Heritage List for England.

Local Green Space

Land outlined in this Local Plan that is intended to be afforded the same protection as Green Belt land via the use of a Local Green Space designation. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them.

Local Nature Reserve (LNR)

Places with wildlife or geological features that or special interest locally. These are normally owned and statutorily designated by the local authority. In Epping Forest District, Local Nature Reserves (LNR) are managed by the Essex Wildlife Trust.

Local Plan (LP)

The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community and stakeholders. Once adopted the Local Plan will legally form part of the Development Plan for the District, superseding the Replacement Local Plan (2006).

Local Wildlife Sites (LWS)

Local Wildlife Sites (LWS), whilst not of national status, have a county-wide significance. Each site identified provides a high-grade habitat for a diverse range of flora and fauna meriting careful conservation. Sites are evaluated according to criteria, including: diversity of species; features of wildlife importance; rarity of habitat and species in local and county context; management and current use; public access and linkages with other sites and areas.

Memorandum of Understanding (MoU)

A formal agreement between two or more parties which is not legally binding. It sets out a statement of the responsibilities, activities, outcomes, and lead contacts between the parties involved in a project.

National Planning Policy Framework (NPPF)

Sets out the Government's planning policies for England, and provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflects the needs and priorities of their communities.

Open Space

All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

Place-making

The process through which communities shape their public and open spaces. It involves the planning, design, management and programming of open spaces to improve a community's cultural, economic, social and ecological situation.

Planning Obligation

A legally enforceable obligation entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

Planning Practice Guidance

Online guidance from government that expands upon the provisions in the National Planning Policy Framework.

Quality Review Panel (QRP)

An independent panel of planning, architecture, urban design and construction experts set up by the Council to provide impartial expert advice to both applicants and local authorities. The panel considers design issues in relation to new development schemes and proposals for important public spaces including significant minor applications, major planning applications, preapplication development proposals, Strategic Masterplans and Concept Framework Plans. The Quality Review Panel's feedback is a material consideration for local authorities and the planning inspectorate when determining planning applications. The purpose of the Quality Review Panel is to ensure that new development is of a high quality and contributes to place making.

Ramsar Site

Wetlands of international importance designated under the 1971 Ramsar Convention.

Registered Parks and Gardens

Are to be found on the Register of Parks and Gardens of Special Historic Interest in England that recognises the importance of these as heritage assets of particular significance.

Section 106 Agreement

A mechanism listed under Section 106 of the Town and Country Planning Act 1990 to make a development proposal acceptable in planning terms that would otherwise not be acceptable, focused on site-specific mitigation of the impact of development. They can involve the provision of facilities or contributions toward infrastructure.

Scheduled Monument

Scheduled for their archaeological and historic character, these are nationally important sites that would particularly benefit from close management.

Site of Special Scientific Interest (SSSI)

Sites designated by Natural England to protect their wildlife or geology including those designated under the Wildlife and Countryside Act 1981.

Special Area of Conservation (SAC)

Area given special protection under the European Union's Habitats Directive which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010. Special Protection Area (SPA) that has been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the Birds Directive.

Special Protection Area (SPA)

Areas classified under regulation 15 of the Conservation of Habitats and Species Regulations 2017 which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds.

Strategic Allocations

Allocations for specific or mixed uses of development contained in Development Plan Documents. The policies in the document identify any specific requirements for individual allocations.

Strategic Masterplan

Is a plan that takes a comprehensive approach to the planning and delivery of Strategic Masterplan Areas and associated infrastructure. The Masterplan should be produced and undertaken jointly by the landowners/promoters of the relevant sites and endorsed by the Council prior to the determination of any planning applications. Planning applications and any other consenting mechanisms for sites located within the Strategic Masterplan Area must be in general conformity with the Strategic Masterplan which has been formally endorsed by the Council.

Sustainable Drainage Systems (SuDS)

These are drainage systems designed to mimic natural drainage systems as closely as possible and manage surface water and groundwater to sustainably reduce the potential impact of new and existing developments on flood risk.

Sustainable Transport

Efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport.

Swale

Are linear grass covered depressions which lead surface water overland from the drained surface to a storage or discharge system, typically using road verges.

Tree Preservation Order (TPO)

An order made by a local planning authority to protect specific trees, groups of trees or woodlands in the interests of amenity

Veteran Tree

A tree which, because of its great age, size or condition is of exceptional value for wildlife, in the landscape or culturally. Ancient trees are all veterans but veterans are not all ancient.

