

# **EPPING TOWN NEIGHBOURHOOD DEVELOPMENT PLAN**

**Regulation 16 Submission**

**Habitat Regulations Assessment (HRA)  
Screening for Neighbourhood Plans**

**09/05/24**

## HRA Screening Toolkit for Neighbourhood Plans

### 3.0 The Assessment: EPPING TOWN NEIGHBOURHOOD DEVELOPMENT PLAN Regulation 16 Submission

Table 3: Preliminary HRA stages 1-4

| Stage 1: Deciding whether a Neighbourhood Plan should be subject to HRA  | Y/N      | Commentary  |
|--|----------|---|
| <p><b>Is the whole of the plan directly connected with or necessary to the management of a European site for nature conservation purposes?</b></p>   | <b>N</b> | <p>A Neighbourhood Plan is part of the statutory development plan when made. By definition, it will have a broader scope than the management of a European “Natura 2000” site.</p>  |
| <p><b>Is the plan a development plan document? Or part of the statutory development plan?</b></p>  | <b>Y</b> | <p>A Neighbourhood Plan is part of the statutory development plan when made.</p> <p><i>The Plan-making body (i.e., relevant Parish Council or Neighbourhood Forum) should proceed to identify the European sites that may potentially be affected, gather the information about them and ‘screen’ the plan for likelihood of significant effects on a European site. See below.</i></p> |
| Stage 2: Identifying the European sites that should be considered  | Y/N      | Commentary  |
| <p><b>Which European (N2k sites) should be considered? European sites, subject to the Habitats Directive, will have one or more of the following designations:</b></p> <ul style="list-style-type: none"> <li>• Ramsar site</li> <li>• Special Area of Conservation (SAC)</li> <li>• Special Protection Area (SPA)</li> </ul> <p><i>1. Identify international sites in relative proximity to the NP or NDO or any buffer zone agreed with Natural England.</i></p> | <b>Y</b> | <p>The relevant sites to plans within the in Epping Forest District Council boundary are considered to be:</p> <p><b>Epping Forest SAC (1,605ha).</b></p> <p><b>Lee Valley SPA/ Ramsar Site (448ha).</b></p> <p><b>Wormley Hoddesdonpark Woods SAC (335ha).</b></p>   |

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|---|-------------------|---|
| <p>2. Go to Natural England's 'Nature on the Map' website:<br/> <a href="http://www.natureonthemap.naturalengland.org.uk">www.natureonthemap.naturalengland.org.uk</a> to view the location of a SPA/SAC.</p> |                   |   |
| <p><b>Stage 3: Gathering information about Epping Forest SAC, Lee Valley SPA/ Ramsar site and Wormley Hoddesdon Park SAC.</b></p>   | <p><b>Y/N</b></p> | <p><b>Commentary</b></p>  |
| <p><b>Is there data or information already available/ published regarding the Epping Forest SAC/ Lee Valley SPA/ Ramsar and Wormley Hoddesdon Park SAC sites?</b></p>   | <p><b>Y</b></p>   | <p>The following documents provide detailed information as to the characteristics (Habitats Directive qualifying species and vulnerabilities) of the Epping Forest SAC and the Lee Valley SPA/Ramsar Site:</p> <ul style="list-style-type: none"> <li>• JNCC (2010) Epping Forest SAC [online] available at: <a href="http://www.jncc.gov.uk/ProtectedSites/SACselection/sac.asp?EUCode=UK0012720">http://www.jncc.gov.uk/ProtectedSites/SACselection/sac.asp?EUCode=UK0012720</a></li> <li>• JNCC (2010) Lee Valley SPA [online] available at: <a href="http://www.jncc.gov.uk/default.aspx?page=2047">http://www.jncc.gov.uk/default.aspx?page=2047</a></li> <li>• JNCC 2010 Wormley Hoddesdon Park SAC [online] available at : <a href="http://www.jncc.gov.uk/ProtectedSites/SACselection/sac.asp?EUCode=UK0013696">http://www.jncc.gov.uk/ProtectedSites/SACselection/sac.asp?EUCode=UK0013696</a></li> <li>• Nature on the Map (2010) [online] available at: <a href="http://www.natureonthemap.org.uk/identify.aspx">http://www.natureonthemap.org.uk/identify.aspx</a></li> </ul> <p>The information contained in the Core Strategy Sustainability Appraisal and Habitats Regulation Scoping Report (2010) undertaken by Scott Wilson is found at Appendix 2. This sets out reasons for designation, historic trends, and current pressures on the sites. It indicates the vulnerabilities of the sites for consideration of potential impacts.</p> |
| <p><b>Stage 4: Initial discussions on the method and scope of the appraisal</b></p>   | <p><b>Y/N</b></p> | <p><b>Commentary</b></p>  |
| <p><b>Have preliminary discussions taken place with relevant bodies regarding the HRA for the Neighbourhood Plan?</b></p>   | <p><b>N</b></p>   | <p>No, the Epping Forest District Local Plan 2011-2033 (EFDLP) was examined and found sound in February 2023 and adopted by Epping Forest District Council (EFDC) in March 2023. As part of the examination process discussions were held with relevant bodies, including Natural England, and a Habitats Regulations Assessment (HRA) was undertaken</p>   |

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|  | <p>and produced by AECOM in June 2021. Mitigation measures have been adopted to address any adverse effects to the Epping Forest Special Area of Conservation (EFSAC) due to traffic and recreational pressures resulting from any new proposed development in the zone of influence around the EFSAC. The Epping Town Neighbourhood Plan (ETNP) does not introduce additional matters as it does not propose any new development and only references the development allocations made in the EFDLP. The ETNP can therefore rely upon the HRA screening for the EFDLP and the assessment that the EFDLP is sound. Further the ETNP does not seek to encourage recreational visits to the EFSAC. Instead, it encourages visits to be made to other areas of the wider countryside around Epping away from the EFSAC and seeks to promote that these visits take place in a sustainable way.</p> |
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**Table 4: Screening the plan for likely significant effects**

| Policy typology/<br>Policy references   | Positive<br>Impact | Significant<br>Negative<br>Impact | Neutral<br>Impact | Commentary – refer to<br>Appendices 3 and 4 and other<br>published information  |
|---|--------------------|-----------------------------------|-------------------|---|
| <b>Step 1- Screening out general policy statements</b>  |                    |                                   |                   |   |
| <b>Overarching Neighbourhood Plan vision and outcomes</b><br>The Vision and Aims of the NDP are outlined at Paragraphs 3.3 and 3.4 of the NP. |                    |                                   | X                 | The aims in themselves are unlikely to have any significant effect on the European Sites.   |
| <b>Vision (and objectives as relevant)</b><br>As above, the aims can be viewed as outcomes sought see below                                   |                    |                                   | X                 |   |
| <b>Outcome a)</b><br>To respond to local housing needs without materially damaging the local environment                                      |                    |                                   |                   | As there are no allocations made for development in the ETNP and due to the fact that the policies of the plan are all considered to be general policy statements that set general criteria which are almost wholly for the protection of the assets, it is considered that there is no conceivable outcome likely to impact on the characteristics of the European Sites set out in Appendix 2 of this assessment. |
| <b>Outcome b)</b><br>To shape development with the town centre to contribute to the town's vibrancy and attractiveness                        |                    |                                   |                   | As above  |

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| Policy typology/<br>Policy references   | Positive<br>Impact | Significant<br>Negative<br>Impact | Neutral<br>Impact | Commentary – refer to<br>Appendices 3 and 4 and other<br>published information   |
|---|--------------------|-----------------------------------|-------------------|--|
| <p><b>Outcome c)</b><br/>Ensuring there is a mix of facilities and infrastructure for all age groups, and particularly young people</p>   |                    |                                   |                   | As above   |
| <p><b>Outcome d)</b><br/>Retaining Epping Town’s historic assets and its links to the Forest and Green Belt</p>   |                    |                                   |                   | As above.<br>The ETNP makes it clear in Policy 1 that none of the policies in the ETNP seek to encourage visits to Epping Forest, only to encourage any visits that do take place to take place in a more sustainable way. Policy 1 also seeks to direct visitors and residents to access other parts of the countryside around Epping other than Epping Forest. |
| <p><b>Outcome e)</b><br/>Identifying improvements to the existing transport network putting accessibility and sustainability at the core</p>  |                    |                                   |                   | As above   |
| <p><b>Outcome f)</b><br/>Enhanced appearance of the town centre through improvements to the public realm</p>  |                    |                                   |                   | As above   |
| <p><b>Outcome g)</b><br/>Identify opportunities for commercial activities and maximize Epping as a destination of historical significance, and a centre for the area’s arts, recreation, cultural and heritage offers</p> |                    |                                   |                   | As above   |

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| <b>Step 2 – Screening out projects referred to in, but not proposed by, the plan</b>  |                            |  |                           |   |
|---|----------------------------|--|---------------------------|---|
| <b>Policy typology/<br/>Policy references</b>   | <b>Positive<br/>Impact</b> | <b>Significant<br/>Negative<br/>Impact</b> | <b>Neutral<br/>Impact</b> | <b>Commentary – refer to<br/>Appendices 3 and 4 and other<br/>published information</b>   |
| EFDLP policies and allocations. In particular the density of development EPP.R1 & R2 South Epping Masterplan Area and the other allocations outlined in Policy P1 in the EFDLP as they relate to these Local Plan policies. |                            |  | <b>X</b>                  | These allocations have been separately scoped and need to demonstrate that they are in accordance with relevant policies in the EFDLP most especially policies P1 'Epping', DM2 'Epping Forest SAC and the Lee Valley SPA', and DM22 'Air Quality', as well with EFD's adopted Air Pollution Mitigation Strategy. |

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### Step 3- Screening out aspects of a plan that could have significant effect on a site, alone or in combination with other aspects of the same plan, or with other plans and projects

| Policy typology/<br>Policy references  | Positive<br>Impact | Significant<br>Negative<br>Impact | Neutral<br>Impact | Commentary – refer to<br>Appendices 3 and 4 and other<br>published information   |
|--|--------------------|-----------------------------------|-------------------|--|
| <b>Development<br/>Management<br/>policies</b>                               |                    |                                   | <b>X</b>          |  |
| Residential<br>development:<br>Policy 3<br>Policy 4<br>Policy 5<br>Policy 14 |                    |                                   | <b>X</b>          | The ETNP is supportive of the approach to development in the ETNP area but it is not allocating any sites in addition to those listed in the EFDLP. Therefore, there is no additional impact upon the SAC/ SPA/ Ramsar sites created by the ETNP and these policies can be screened out.   |
| Employment:<br>Policy 12   |                    |                                   | <b>X</b>          | There are no new employment sites proposed in either the ETNP or the EFDLP. Therefore, there is no additional impact upon the SAC/ SPA/ Ramsar sites created by the ETNP and these policies can be screened out.   |
| Detailed design:<br>Policy 10<br>Policy 11<br>Policy 14                      |                    |                                   | <b>X</b>          | These small-scale, development management policies are most relevant for householder or other minor applications, or minor aspects of larger schemes. The detailed, localised nature of such policies enables these to be screened out, as not having any significant impact upon the SAC/ SPA/ Ramsar sites.  |
| Accessibility and<br>connectivity:<br>Policy 6<br>Policy 7                   | <b>X</b>           |                                   | <b>X</b>          | These policies focus on improvements to sustainable modes of transport with some protection given to existing transport infrastructure or facilities. Improvements to the former can only have a positive impact upon the SAC/ SPA/ Ramsar sites, whilst protection of the latter would not increase impact on these sites. Therefore, these policies can be screened out. |



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| <b>Protection policies</b>   |  |  | <b>X</b> | Protection policies seek to maintain the 'status quo.' As such, by definition, any decision to retain existing land use types or operations at a particular location would not lead to any changes to 'baseline' circumstances. Therefore, these policies could not be expected to have a significant impact upon the European sites, so may be screened out. |
| Protection of landscape/ open space / climate:<br>Policy 1<br>Policy 2<br>Policy 6<br>Policy 7<br>Policy 8<br>Policy 18        |  |  |          | As above  |
| Protection of assets' policies and site-specific designations:<br>Policy 7<br>Policy 10<br>Policy 15<br>Policy 16<br>Policy 17 |  |  |          | As above  |
| Protection of town centres and primary shopping frontages:<br>Policy 9<br>Policy 10<br>Policy 11                               |  |  |          | As above  |
| Protection of community facilities:<br>Policy 13   |  |  |          | As above.   |

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| Policy typology/<br>Policy references   | Positive<br>Impact | Significant<br>Negative<br>Impact | Neutral<br>Impact | Commentary – refer to<br>Appendices 3 and 4 and other<br>published information  |
|---|--------------------|-----------------------------------|-------------------|---|
| <b>Development land allocations</b>   |                    |                                   | <b>X</b>          | There are no development land allocations proposed in the ETNP  |
| <b>Transport/<br/>connectivity<br/>policies</b><br>Policies 6 & 7   |                    |                                   | <b>X</b>          | Policies relate to small-scale access proposals for active travel only  |
| <b>Green<br/>infrastructure/<br/>tourism policies</b><br>Policies 1,2,8   |                    |                                   | <b>X</b>          | Policies do not seek to encourage visits to Epping Forest but to the wider countryside around Epping and for these visits to take place in a sustainable way (walking, cycling etc.).                       |
| Potential green infrastructure connections to Epping Forest SAC/ Lee Valley SPA/Ramsar Sites                                |                    |                                   | <b>X</b>          | Policies stress the need to encourage residents and visitors to visit the countryside outside of the EFSAC and to conduct any future visits to the Forest and other countryside areas in a sustainable way. |
| Proposals for tourist hubs or facilities  |                    |                                   | <b>n/a</b>        |   |
| <b>Consideration of in combination effects</b>  |                    |                                   |                   |   |
| <b>Are there any cumulative effects of the whole plan – or the plan in combination with others that may be significant?</b> |                    |                                   | <b>X</b>          | Due to its scale and proposals, there are no identified likely significant effects and therefore no cumulative effects.   |

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### Appendix 4: HRA Screening PRO-FORMA - Epping Town Neighbourhood plan Regulation 16 Submission Version

| <b>EPPING FOREST DISTRICT COUNCIL</b>   |   |
|---|---|
| <b>Neighbourhood Plan HRA Pro-forma</b>   |   |
| Name of Qualifying Body   | Epping Town Council – assessment produced on their behalf by EFDC |
| Name of Neighbourhood Plan  | Epping Town Neighbourhood Plan Regulation 16 Submission Version   |
| Date  | November 2023   |
| <p>HRA Preliminary Stages 1-4</p> <p>The relevant European Sites are: <b>Epping Forest SAC</b> (1,605ha), <b>Lee Valley SPA/Ramsar Site</b> (448ha), and <b>Wormley Hoddesdonpark Woods SAC</b> (335ha).</p> <p>Due to the fact that the policies of the plan are all considered to be general policy statements that set general criteria which are almost wholly for the protection of the assets, and there are no allocations for development made, it is considered that there is no conceivable outcome likely to impact on the characteristics of the European Sites set out in this assessment.</p> |   |
| HRA Stage 5 Have any potential Significant Likely Effects been identified?  | <b>No</b>   |
| <p>HRA Stage 6 If a potentially significant negative impact of an emerging NP or NDO proposal or policy has been identified upon Epping Forest SAC, Lee Valley SPA/Ramsar Sites or Wormley Hoddesdonpark Woods SAC, the following questions should be considered:</p>   |   |
| Is the policy or proposal essential to deliver the overall vision and objectives of the emerging neighbourhood Plan?  | <b>N/A</b>  |
| If YES, could the policy or proposal be deleted, amended or its scale reduced; so as to ensure that any potential harm is eliminated or minimised to the extent that it could not lead to any significant impact upon the SAC/SPA/Ramsar site?  | <b>N/A</b>  |
| Could the policy or proposal be redrafted or relocated i.e., community asset/ local community project, to ensure it is sufficiently well situated so as to remove any potential significant impacts?  | <b>N/A</b>  |
| Could the policy or proposal be developed in association with other policies or proposals being put forward through the emerging Local Plan?  | <b>N/A</b>  |

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### Conclusions on proposed mitigation measures:

N/A

In order to overcome any potentially significant Likely Effects, the following amendments to policies and proposals within the emerging Neighbourhood Plan are proposed: **N/A**

A view was sought from Natural England as to whether it was necessary for the emerging Epping Town Neighbourhood Plan to be accompanied by a full “appropriate assessment” (HRA). Natural England responded on 19<sup>th</sup> June 2024 and stated that:

It is Natural England’s advice, on the basis of the material supplied with the consultation, that:

- **Significant effects on statutorily designated nature conservation sites or landscapes are unlikely and,**
- **Significant effects on Habitats sites, either alone or in combination, are unlikely**

Prior to the responses from the consultees listed above this HRA Screening has concluded that it **will not** be necessary to undertake a full HRA/ Appropriate Assessment to accompany the Regulation 16 version of the Epping Town Neighbourhood Plan.

**PLEASE NOTE: should a Full HRA/ AA be deemed necessary, then it will also be necessary for a full Strategic Environmental Assessment to be undertaken to accompany the Neighbourhood Plan.**