



**RESPONSE of THE CITY of LONDON CORPORATION as CONSERVATORS of EPPING FOREST  
to LONDON BOROUGH of WALTHAM FOREST SUBMISSION LOCAL PLAN  
'SHAPING THE BOROUGH' - (REGULATION 19) PUBLIC CONSULTATION  
11<sup>th</sup> December 2020**

**1. Summary of key issues**

Thank you for consulting the City of London Corporation, as the Conservators of Epping Forest, on the London Borough of Waltham Forest's (the Borough) Submission Local Plan 'Shaping the Borough' Regulation 19 public consultation.

The Chairman of the Trustees of the Epping Forest Charitable Trust – the Epping Forest & Commons Committee - is responding on behalf of the trustees and this response will be received and discussed at Committee in January 2021.

Although we welcome many of the additions and changes to the Regulation 19 document since the Regulation 18 consultation of September 2019, and particularly the completion of the Green & Blue Infrastructure Strategy, we remain concerned about the lack of clear off-Forest mitigation measures for the Epping Forest Special Area of Conservation (EFSAC). In addition, we take issue with the conclusions of the Local Plan Habitats Regulations Assessment (HRA) that we consider is not compliant with the Habitat Regulations 2017.

As a result, although there is much we welcome in the Submission Local Plan, we are clear that, in its present form, the Plan is not compliant with the Habitat Regulations 2017 and that it would not protect Epping Forest as a whole from the adverse impacts from the quantum of development proposed in Plan Policy 2.

We remain concerned that our overall impression from the Local Plan is that Epping Forest's resilience to cope with the intensification of development in the Borough (Policy 2) is being taken for granted. We would urge your Council to review the proposed intensification as it impacts on the Forest and ensure that develop proportionate and precise mitigation measures alongside all detailed development masterplans

Therefore, Epping Forest Officers would welcome the opportunity to further discuss the detail of our Regulation 19 comments as part of the section 33A 'Duty to Co-operate in relation to the planning of sustainable development' duty (Planning and Compulsory Purchase Act 2001, as amended by the Localism Act 2011).

Key concerns and issues are:

- the quantum of development proposed in the Submission Local Plan (LP1)
- a non-compliant HRA which does not justify its conclusions in relation to the impacts of the *likely significant effects* on EFSAC of the Local Plan alone;
- the lack of SANGs Strategy with specific measures to provide certainty of mitigation for Epping Forest Special Area of Conservation (EFSAC);
- the lack of costed and precise SAMMS mitigation measures;
- the need for an air quality assessment;
- the need for a comprehensive EFSAC mitigation strategy to be agreed by all local authorities under a revised MoU;
- improved recognition for the City Corporation's current pattern of visitor facilities in the Borough and the Forest's 45% contribution to the Borough's green space provision

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## 2. Introduction and context

Epping Forest is held as a Charitable Trust by the City of London Corporation and comprises some 6,100 acres (2,500 hectares) of public open space and high tier conservation habitat, **including 1,055 acres (427 hectares) in the Borough**. The Forest is supported by a further 1,800 acres (730 hectares) of Buffer Lands, acquired by the City Corporation to protect the North of the Forest from encroaching development and to maintain the links between the Forest and the wider countryside.

The Epping Forest Acts 1878 & 1880 charges the City Corporation, as the Conservators of Epping Forest, with a series of key duties:

- To regulate and maintain the Forest in accordance with the Acts
- To maintain Epping Forest as an open space for the recreation and enjoyment of the public
- To conserve and maintain a range of Forest habitats, particularly wood-pasture
- To preserve the Forest's unique landscape as defined by a *natural aspect* duty
- To preserve the Queens Elizabeth's Hunting Lodge and other historic Forest buildings for their heritage interest

Subsequent to its founding legislation, Epping Forest's conservation significance as one of only a few large-scale examples of surviving ancient wood-pasture including its Atlantic beech forest; North Atlantic wet heaths and European dry Heaths has received further recognition and legal protection as an internationally important IUCN Category IV Protected Area. Epping Forest is part of a European-wide network of habitats protected under the UK's Bern Convention 1979 obligations. The land is statutorily protected as a Special Area of Conservation (SAC) by The Conservation of Habitats and Species Regulations 2017 (as amended) (The Habitats Regulations 2017).

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The Forest area is also statutorily protected as a Site of Special Scientific Interest (SSSI) under the Wildlife and Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000) and all Forest Land within London is recognised under the “umbrella” of Sites of Importance for Nature Conservation (SINCs) under the London Plan.

Epping Forest also contains Scheduled Ancients Monuments notified under the **Ancient Monuments and Archaeological Areas Act 1979** and Listed Buildings, features and a Grade II\* Registered Park and Garden jointly designated by Historic England and Local Planning Authorities under the auspices of the **Planning (Listed Buildings and Conservation Areas) Act 1990**, with parts of the Forest coinciding with some 17 local plan Conservations Areas, as well as extensive Archaeological Protection Areas (APAs).

Epping Forest also contains 7 Large Raised Reservoirs, notified under the **Reservoirs Act 1975** (as amended by the Flood & Water Management Act 2010); three Flood Management Schemes and two main rivers notified under the **Water Resources Act 1991**.

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### **3. Epping Forest in the London Borough of Waltham Forest**

The London Borough of Waltham Forest shares a special bond with Epping Forest, as the Borough takes its name from Waltham Forest, one of the four Royal Forests that remained after the disafforestation of the 13<sup>th</sup> Century Forest of Essex. Over the following 400 years, the open wood pasture of Waltham Forest gradually ceded to farmland, leaving the major Wood Pasture areas to be named Epping and Hainault Forests from the 17<sup>th</sup> Century.

Some 427 hectares (1,055 acres) of Epping Forest are located within the Borough’s jurisdiction, which equates to 11% of the Borough’s landholding, including Leyton Flats, Gilberts Slade, Walthamstow Forest, Highams Park Lake, Chingford Plain and Pole Hill. In addition to the Borough’s 296.19 hectares (731.9 acres) of open space, by virtue of greenspace land holdings provided by Epping Forest and the Lee Valley Regional Park, the Borough has an estimated 1,204.92 hectares (2,977.42 acres) of unrestricted access open space, the most parks and opens spaces of any Borough north of the River Thames. **An estimated 45% of this provision is provided by Epping Forest Land.**

The City Corporation are pleased to be an active partner with the London Borough of Waltham Forest, cooperating together alongside Transport for London on the construction of the Epping Forest Olympic Cycleway in 2011 and Forest Transport Strategy Safe Crossing Points at Dannett’s Hill, Chingford and Canada Plain, Leytonstone; and more recently, during 2019, as a bidding partner and major venue for the ‘Welcome to the Forest’ London Borough of Culture, as well as assisting in the land transfer and completion of the new Whipps Cross road junction, including the creation of a new wildflower meadow at the site.

The Local Plan process provides new opportunities to identify areas for collaboration between Waltham Forest and the City Corporation on the delivery of improvements to the

quality of life of Waltham Forest residents and visitors, while enhancing the range of ecosystem and public health benefits that greenspaces contribute to the public good.

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#### **4. City of London Corporation Comments**

The City Corporation's comments, in general, are given in response to the Submission Local Plan as The Conservators of Epping Forest in relation to all Forest Land, whether covered by the Epping Forest Act, the Habitats Regulations 2017 or the Wildlife & Countryside Act 1981 or all of these designations.

##### **4.1 HRA - Proposed Submission Habitats Regulations Assessment (21<sup>st</sup> Oct 2020)**

We note that the HRA identifies *likely significant effects* for Epping Forest relating to:

- Recreation
- Urban effects
- Air quality (increased road traffic)

We further note that, at appropriate assessment stage, the HRA concludes:

- Adverse effects on integrity from the plan alone are ruled out for recreation due to the mitigation set out in Policy 83 (SANG and SAMM) but in-combination effects cannot be ruled out due to uncertainty around the EFDC local plan.
- Adverse effects on integrity from the plan alone are ruled out for urban effects due to the requirement in Policy 83 for project level HRA to rule out adverse effects on integrity for all development within 500m of the SAC. In-combination effects cannot be ruled out due to uncertainty around the EFDC Local Plan and how that Plan will address urban effects.
- No conclusion is reached on air quality. The HRA states that an air quality study is underway and an addendum will be produced in November 2020 to inform consultation.

**We cannot agree with the HRA's conclusions on these matters for the reasons below**

The spatial strategies within the Submission Local Plan would potentially lead to 27,000 new homes within 3km of the SAC. The HRA acknowledges this but still rules out adverse effects on integrity alone. This does not seem tenable in the absence of comprehensive, secured mitigation because such an increase in the local population presents major risks to the SAC's integrity from all the identified *likely significant effects*.

##### **4.1a The HRA and reliance on Policy 83**

Policy 83 in the Local Plan is relied on for mitigation by the HRA in its appropriate assessment. This refers to a zone of 6km, which presumably means the recreational *Zone of Influence* of 6.2km which has been agreed by the SAC Oversight Group of local authorities

and Natural England in June 2020. This *Zone of Influence* was established from the evidence in the Epping Forest Visitor Surveys of 2017 and 2019 (Footprint Ecology). Policy 83 requires:

- 1-10 residential units expected to ensure the development provides “maximum ecological benefit”;
- 10-99 units will contribute to SAMMs, according to an SPD to be produced
- 100+ units will provide SANGs, according to an SPD to be produced.

**This mitigation does not seem sufficient nor certain enough to justify the HRA conclusion that the Local Plan *alone* will have no adverse effects on the integrity of Epping Forest SAC with regards to recreational pressure**

There is no analysis within the HRA of what proportion of growth will come forward in the different sizes of development. Developments of 1-10 units do not appear to be required to undertake any SAC mitigation and it is unclear what the phrase “*maximum ecological benefit*” might mean. Reference is made to “Policy 86” although this is taken to mean Policy 81. However, the measures in Policy 81, although positive and aspirational, do not seem to provide a clear mechanism of mitigation for the SAC habitats and qualifying features. Maximum ecological benefit is not a recognised metric as far as we are aware.

#### *4.1b Planning Inspector’s decision*

The recent Planning Inspector’s decision in the appeal case for 69, Browning Road, Leytonstone E11 (**Appeal Ref: APP/U5930/W/20/3245750**) was clear about the pathways for adverse impacts, stating: “*Additional recreational activity would, alone and in combination with other development in the area, be likely to have significant adverse effects through damage to vegetation, erosion of soils and reduction of habitat continuity*”. He makes it clear that justifications need to be provided as to why developments of below 10 units do not need to contribute to the mitigation tariff or provide alternative mitigation measures to protect the SAC from recreational pressure. The HRA does not provide clarification on this.

#### *4.1c Uncertainty about mitigation*

For developments of 10+ units there is no mitigation package secured either. It is not clear why some developments would only contribute towards SAMM and others only towards SANG. SANG and SAMM are likely to work best together, as a package, and it would seem sensible that all development should contribute towards both. Based on the wording in the HRA it is clear that the SPD is yet to be produced and could for example, with respect to SANGs, be a strategic document covering multiple authorities or specific to the Borough. Given such fundamental uncertainty around the mitigation it is our view that the HRA should be highlighting that uncertainty, rather than drawing a conclusion of insignificant effects alone. The detail of the package of SAMMS and SANGS needs to be fully explored in the HRA to demonstrate sufficient mitigation is in place in order to conclude no adverse effects on integrity, and this will be required in the HRA prior to the Local Plan being adopted.

#### *4.1d Sites within 500m of the SAC and urban effects*

Urban effects are ruled out in the HRA, for the Plan alone, due to the requirement in **Policy 83** that all development within 500m will undertake project level HRA to ensure urban effects are addressed. It is not clear why these project level HRAs would be limited to the narrow range of urban effects listed in the HRA when recreational impacts are also likely to be more difficult to mitigate at this distance from the Forest.

This project level approach creates a number of challenges. Given the nature of urban effects and their cumulative effects, it may not be possible to rule them out at project level. Options for mitigation will be limited. In addition, the range of urban effects chosen in the HRA seems to be limited as highlighted above. It is not clear from the HRA how much development is expected within 500m and whether these will be relied on to achieve the spatial strategy/levels of growth in the Plan. However, in the proposed site allocations some very large developments are proposed, including up to 1700 units at the Whipps Cross hospital site alone (Policy 9 and please see comments also in section on Site Allocations LP2 below). We would have expected the HRA to give this information. We would also expect the HRA to set out the scope for the project level assessment and sources of information that may not be available in the Plan level assessment. This would then show why the Plan level HRA had not been able to predict the impacts.

#### *4.1e Plan level versus project level assessments*

Guidance in HRA Handbook (see F.10.1.5 in Tyldesley, Chapman, & Machin, 2020<sup>1</sup>) is clear that a plan-making body may only rely on mitigation measures at a lower tier of plan making if the higher level plan assessment cannot reasonably predict any effect on a European site in a meaningful way and where the later stage assessment will have the flexibility to enable

**Given the HRA conclusion that adverse effects on integrity from urban effects cannot be ruled out in-combination, there must clearly be concern that any project level HRA could not eliminate the effect entirely and that residual effects would remain. This is not discussed or made apparent in the HRA report.**

adverse effects on integrity to be avoided. It is likely to be very challenging for project level assessment to work effectively and the HRA fails to consider this.

#### *4.1f Air Quality*

Due to the lack of a completed air quality study, the HRA is unable to conclude that there would not be adverse impacts from air pollution due to traffic growth under the Local Plan

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<sup>1</sup> Tyldesley, D., Chapman, C., & Machin, G. (2020). *The Habitats Regulations Handbook*. DTA Publications. Retrieved from <https://www.dtapublications.co.uk/handbook/>

(Section 8.3, page 41). Therefore, we look forward to seeing the completed air quality study and working closely with the Council and Natural England, as we have done in the case of the Epping Forest District Local Plan recently. We acknowledge a recent invitation to a meeting to discuss the air quality issues with your Council's officers and we will attend when the meeting is convened in early 2021.

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## 4.2 Proposed Submission Local Plan LP1

### 4.2a Vision Statement (page 9)

In responding to the Local Plan vision at Regulation 18, we proposed that the Conservators' Epping Forest Management Strategy vision was outlined in the Plan in order to demonstrate the intention for future close working between the Council and the Conservators to protect the Forest and also in recognition of Forest Land's significant role in the provision of green space in the Borough.

**The Epping Forest charity, funded by the City of London Corporation as The Conservators of Epping Forest, provides an estimated 45% of the green space provision in the London Borough of Waltham Forest.**

We welcome **Strategic Objective 13** (page 12) and we will certainly continue to actively work in partnership with your Council. However, given the significance of Forest Land to the Borough's character and its populations well-being and health we would repeat our request for our Epping Forest Management Strategy Vision to be embedded more clearly within in the Council's Local Plan vision. This would underscore support for the holistic approach to Forest protection that is clearly flagged in the Green & Blue Infrastructure Strategy and which **Policy 83B** seems to convey.

### 4.2b Policies 2, 3 and 4

As stated in the introduction and elsewhere, The Conservators remain concerned that the quantum of growth and some of the locations for this growth seem likely to cause adverse impacts on the Forest. There is not sufficient mitigation outlined in the Plan and nor is it secure. More detailed explanation of these concerns are set out above (in relation to the HRA) and below in relation to the site allocations. We fully recognise that Whipps Cross Hospital redevelopment is a key infrastructure project for both the Borough, and a much wider area beyond, but we question the quantum of development, and likely traffic generation, proposed in this housing-led approach without any clear mitigation identified in the Strategic Plan HRA.

### 4.2c Policies 5 and 6

Policy 5C and D and Policy 6I should be important constraints within the overall Plan. However, the gaps in the Plan HRA mitigation measures and the scale of the proposals around sites like Chingford Green Conservation Area (Site Allocation LP2 - SA58) would seem

to bring into question the effectiveness of this Policy in the face of the intensification of development and scale of proposed housing.

#### *4.2d Policy 68*

The proposal for car-free developments and sustainable transport in **Policy 68** is welcome. However, although London is probably unique in the UK in terms of its level of public transport provision, a modal shift of 100% of residents from cars to other modes of transport seems highly ambitious. From academic studies of car-free developments, percentage modal shifts achieved elsewhere in the UK (e.g. Smarter Choice Schemes in Sustainable Travel Towns) are considerably lower despite significant investments. It is not clear to us that S106 agreements will be effective in ensuring this level of modal shift. Whether proposed large developments like Whipps Cross (Policy 9), with around 1,700 units, can remain car-free seems questionable. As discussed below they certainly would not be free of significant vehicular traffic generation.

#### *4.2e Policies 72 to 75*

We welcome these four policies and particularly the Council's active reviewing and updating of the Archaeological Protection Areas/Zones (APA) through the commissioning of a detailed GLAAS report. We also are pleased with the updating of the Chingford Green Conservation Area with an excellent consultation draft appraisal. We will respond to this latter report in January 2021. We also look forward to working with Council Officers to better understand management requirements for the proposed extension to the APA around the City Corporation-owned Queen Elizabeth's Hunting Lodge.

#### *4.2f Policy 79*

We welcome Policy 79F which seeks to protect EFSAC from increased recreational pressure while promoting green corridor connections. However, this Policy could also emphasise the importance of Epping Forest as a unique cultural and wildlife landscape and one that could act as a "building block" for the enhancement of the Borough's overall green environment. Policy 79A, this could be modified to include reference to the Forest's fundamental importance to the Borough's identity, and indeed its very name. For example, the first sentence of 79A could read: "The preservation and enhancement of the landscape setting and wildlife of Epping Forest, and other green and blue infrastructure, to ensure the improvement of the quality of open spaces and access to them, as befits the historic origins of Waltham Forest."

#### *4.2g Policy 81*

Policy 81H provides important protection for biodiversity alongside Policy 79 but the test for the effectiveness of this Policy will be in the response to windfall developments and other applications. The case of 69 Browning Road, highlighted above, suggests that the provision of information about protected sites and biodiversity prior to decision-making on development planning applications may not always ensure the protection envisaged in the Plan policies. Strengthening connections between planning policy and development management work will be key to the success of these policies in the face of the significantly



increased development pressure and the likely increase in planning applications that the development management team will face.

#### 4.2h Policy 83

We very much welcome intention and scope of this policy as a specific and separate, distinct policy to protect Epping Forest. Not only does this allow proper consideration of the protection and mitigation measures for the Special Area of Conservation (EFSAC), **that Policy 83A** seeks to address (but see our comments on the HRA above and on the details below), but it also allows a more holistic approach to the protection of the whole Forest. In this respect the inclusion of amenity and visitor enjoyment, alongside ecological integrity, is particularly welcome in **Policy 83B**, as this aligns directly with Sections 7 and 9 of the Epping Forest Act 1878 and the purposes of that Act and subsequent amendments. Some additional wording to **83B** would also be welcome in recognition of the heritage and landscape importance of the Forest to the Borough's character. For example: "... delivering enhancements to its *landscape* where possible and must not contribute to adverse impacts on ecological integrity *or heritage features*...."

However, it should be noted that we have reservations about the effectiveness of this policy and its compliance with the Habitat Regulations 2017, particularly **Policy 83A. (I - iii)**. As such detailed comments on this Policy are made above in relation to the Plan's HRA. In addition, we need to emphasise here our concern with the current text of this Policy. It contains no wording which ensures that mitigation would be in place before development commenced. The Policy simply refers to contributions being made towards mitigation packages, but it does not make clear the timing of any measures in relation to the initiation of site allocations. The Policy contains no thresholds or triggers in relation to mitigation measures that would need to be reached before commencement of works or occupancy of sites.

In addition, there is no specificity to the measures referred to in the Policy. No detailed measures are yet agreed for mitigation. **Policy 83** refers to the SAMMS and SANGS Strategies. This might be acceptable if those strategies clearly enabled the measures relied on in the Plan to be regarded as secure, but the Interim SAMMS Strategy does not yet provide sufficient detail in respect of the proposed mitigation measures to do this and there is no SANGS Strategy in place. We recognise that the Council intends to work with us and others to produce a SANGS Strategy ahead of the adoption of the Local Plan, and we wholeheartedly welcome this and look forward this work. However, the Policy text's precision will remain important and at this stage qualifying wording is required in our view.

**In relation to more precise, secure and defined measures we would draw your Council's attention to the Conservators' costed proposals for on-site SAMMS mitigation (December 2020) that were sent to you under separate heading this month. These were approved by The Conservators for consultation with the local authorities in the EFSAC Oversight Group to ensure *in perpetuity* avoidance of adverse effects in conjunction with other effective off-site measures**

It is also not clear how the effectiveness of the Strategies would be monitored and measured and whether, in the face of evidence of residual adverse impacts, further development would be halted until more effective measures were introduced.

It is essential, therefore, that qualifying wording is added to this policy to ensure that the Plan can be demonstrated to effectively constrain the development that it provides for until these measures relied upon by the Policy and the HRA have been defined and 'secured'. In order to do this the UK Courts have established that the Plan must include clear and firm policies to eliminate or mitigate the residual risks to the SAC which currently remain.

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#### **4.3 LBWF Green & Blue Infrastructure Strategy (LUC Nov 2020)**

We very much welcome this G&BI Strategy which draws together the policies relating to green spaces and biodiversity and makes many good recommendations for improving the Borough's environment. We are also pleased with the extensive referencing of the importance of Epping Forest, and as we have discussed above, we would hope this might be reflected more strongly in the Vision and text of the Submission Local Plan (LP1) itself.

In **Paragraph 6.17**, we welcome wholeheartedly the Council's commitment to work together with partners, including The Conservators, on a SANGS Strategy and the recognition that this needs to be in place before the adoption of the Local Plan. We look forward to working with Council officers to achieve this goal as soon as possible.

##### *4.3a Balance between SAMMS and SANGS*

Our concerns expressed above about the HRA and Local Plan (LP1) **Policy 83A. (i - iii)** relate to the funding of the SANGS and the way in which the impacts on the SAC from different-sized developments might be mitigated. We also remain concerned about the balance between SAMMS and SANGS given the considerable constraints on providing new green spaces within the Borough and we question how this can be achieved with the quantum of development proposed by the Plan.

##### *4.3b Policy 83 as a separate Epping Forest Policy*

We welcome the recommendation in **paragraph 6.19** to separate Lea Valley and Epping Forest policies to ensure stronger protection for each site. As we commented back in 2012, during the consultation on the Council's Core Strategy then, we consider this a very important recognition for the Forest in the Local Plan. As stated above, we are very pleased that your Council has persevered with this separation of Policies.

##### *4.3c Cultural and landscape importance of the Forest*

In **paragraph 10.1** we are pleased to see the recognition of the cultural importance of the Forest and, in **paragraph 10.2**, the listing of it as a key historic landscape. Recognition of these attributes, alongside the Forest's international importance for biodiversity, and its

importance as a place of recreation and enjoyment for peoples' well-being and health, is especially important in taking an holistic approach to the protection of the Forest by Local Plan policies.

#### *4.3d Gateways to the Forest*

Finally, we welcome the details in Table 11.2, and particularly the highlighting of Sewardstone Road and North Chingford (Table 11.2 I and J respectively) as gateways to the Forest .However, this recognition as gateways with options for sustainable transport and access to countryside must be set against the large increases in residential populations proposed with 500m of EFSAC (see our detailed comments below on Site Allocations SA53, SA59 and SA60).

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#### **4.4 Draft Site Allocations Document LP2 (Regulation 18)**

We have already drawn attention, above, to our overriding concern with the quantum of development being proposed by the Local Plan and its intensification of recreational, urbanisation and likely pollution pressures on Epping Forest. We consider that the amount of growth proposed, and some of the allocation sites, should be reviewed alongside more specific mitigation proposals.

**We would advocate a review of the level and locations of growth and suggest that the Local Plan LP2 should be revised at Regulation 19 in order to reduce likely significant effects on the Epping Forest SAC, as well as the overall heritage landscape of Epping Forest, and be accompanied by clear, precise and coordinated SAC mitigation measures that have effect at a strategic level, being Plan-led rather than Project-led**

In the Site Allocations Proposals document LP2, there are particular areas which highlight the problems inherent in the Local Plan growth and the likely significant effects on the Forest. We raise particular concerns with these in the overall context of the comments on the strategic issues above.

#### *4.4a Allocations within 500m of Epping Forest and the EFSAC*

Of particular concern to The Conservators are the proposed residential developments within 500m of the Forest boundaries in general, as well as the SAC in particular. **We consider that the site allocations choices, densities and design must be modified at the Regulation 19 stage, and in the submission Local Plan itself, to protect the character of Epping Forest and ensure a more clearly “tapered” edge between dense urbanity and the Forest’s natural aspect.** This is particularly important in North Chingford and Leytonstone, as discussed below, but needs to apply to all place-making within 500m of Forest edges, including its historic green lanes. We would welcome the opportunity to collaborate with your Council in this sensitive approach to design and place-making and will be seeking to engage with major developments, such as Whipps Cross and Chingford Library, to this effect.

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In the Submission Local Plan (LP1) Policy 83C, in demanding Project-level HRAs for developments in this zone, there is acknowledgement that urbanisation effects may lead to adverse impacts on the SAC. However, we would also add that for such sites within a short walking time of the Forest, it is very difficult to mitigate the impacts of recreational pressure also. Frequency of visits to the Forest from such close allocations are likely to be disproportionately high compared to allocations further away, especially in the more urban context of the Borough. Without comprehensive and approved SANGS and SAMMS Strategies in place adverse impacts cannot be ruled out.

In addition, impacts of vehicular pollution generated by these sites may also be a particular problem given that traffic pollutants (in the form of both gaseous ammonia and nitrous oxides) are the most significant contributors to air pollution on the Forest and the current exceedance of the nitrogen *Critical Load* across all the Forest's wooded, heath and grassland habitats.

#### *4.4b Policy 9 South Waltham Forest: Leytonstone allocations*

*4.4bi* Three site allocations in Leytonstone are particularly problematic for the protection of Epping Forest and for the mitigation of adverse impacts. Within 250 to 450m walking distance of Leyton Flats the three proposed developments, at Whipps Cross Hospital (SA17 minimum 1700 new homes - as listed in Policy 9 for South Waltham Forest), The Territorial Army Centre (SA16 minimum 130 new homes) and Tesco's, Leytonstone site (SA20 minimum 650 new homes), would create 2,280 new dwellings. Based on the average household size within the London Borough of Waltham Forest (Office of National Statistics (ONS) 2011 Census) of 2.6, this would lead to a likely population increase of nearly 6,000 people and a concomitant increase in visitor pressure on the EFSAC.

None of the developments seem to offer, or are capable of offering, any SANGS provision. The Whipps Cross site could possibly provide more green space should the housing footprint be reduced. However, the size of any green space it might provide seems unlikely to be sufficient to provide a suitable SANGS.

**All three of these site allocations in Leytonstone are for greater than 100 units and, therefore, seem to directly contradict Policy 83A.iii. of the Local Plan.**

#### *4.4bii Car-free*

Furthermore, although Policy 68 of the Plan proposes that all developments should be car-free, it does not mean that such large developments will not attract large amounts of traffic from delivery and other domestic services to taxis and visitors. This seems highly likely with the proposed Whipps Cross development and traffic volumes, on already congested roads and difficult junctions, would seem set to increase significantly. In our view there needs to be an overall detailed travel plan for major development such as this and it needs to tie in with the air quality study that the HRA will be undertaking. In particular, if car parking facilities are not provided or not sufficient for demand it seems likely that cars will be displaced onto other areas, including Forest car parks.

*4.4c Policy 11 North Waltham Forest: North Chingford & Sewardstone Road allocations*

*4.4ci* Together the allocations in these sites, which lie within 500m of the SAC boundaries, amount to around at least 600 new dwellings. Based on the Waltham Forest average household size (ONS 2011) of 2.6, this would result in an increase in population of over 1,500 people and a very significant increase in visitor pressure on the Forest SAC. None of these allocations can provide for SANGS, which is of particular relevance in relation to the proposed SA53 Motorpoint site of a minimum of 385 residential units.

**The SA53 Motorpoint site allocation cannot provide SANGS and does not have accessible Lea Valley open spaces as alternatives to the Forest. The proposed scale of this development, in excess of 100 units, seems to be in clear conflict with Local Plan Policy 83A.iii.**

In addition, the sites in North Chingford at SA59 and SA60 seem likely to have an impact on the “*natural aspect*” of the Forest, protected by the Epping Forest Act 1878, and are likely to be to the detriment of this important heritage landscape, adding to light pollution and visual intrusion. In addition to the likely significant ‘in combination’ effects on the SAC, The Conservators are concerned by the scale of these allocations in relation to the Forest boundaries. Such developments adjacent to Forest Land, particularly SA60, do not seem proportionate and would seem likely to conflict with Policy 83B.

The number of housing units, as well as the 6-storey height of the building currently proposed for the SA58 Chingford Library, seems to be out of place with this important heritage village green on Forest Land. Chingford Green is a Conservation Area because it represents the only remaining area in the borough that displays the buildings across all the periods of development from rural forest settlement through to the present day (Chingford Green Conservation Area Appraisal and Management Plan Nov 2020, London Borough of Waltham Forest). Its special character derives from the setting, with Forest Land preserved at its heart.

In addition to the likely significant effects ‘in combination’ on the SAC, as discussed above, we are concerned that development on this scale would damage the environs of an important area of Forest Land and would also conflict with Policy 83B.

*4.4cii Car-free*

It seems highly unlikely that any of these developments would remain 100% car-free and, therefore, significant traffic increases could be expected along roads through the Forest, such as along Rangers Road and the A104 out to the M25 Junction 26 and along Whitehall Road to the east and Daws Hill to the north. This seems likely to screen in as a likely significant effect which has not yet been screened in by the HRA. No specific Mitigation measures are set out in the Plan (see comments on the HRA above).

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