



Canal &
River Trust

Keeping people, nature & history connected

1st February 2018

The Planning Policy Team
Directorate of Neighbourhoods
Epping Forest District Council
Civic Offices
323 High Street
Epping
Essex
CM16 4BZ

Dear Planning Policy Team,

RE: Epping Forest Draft Local Plan Consultation Reg 19

Thank you for the opportunity to comment on the Local Plan Reg 19 consultation, and please accept my apologies for the late submission of these comments. I hope they can be taken into account.

The Trust is the guardian of 2,000 miles of historic waterways across England and Wales, of which approximately 60 miles are within our London Waterway. We are among the largest charities in the UK. Our vision is that “living waterways transform places and enrich lives”.

Within the LLDC area the Trust owns and manages the River Lee Navigation and the River Stort, and their associated towpaths. These do or have the potential to provide important areas for recreation, biodiversity, sustainable transport (with a related air quality benefit), business, tourism, a focal point for cultural activities, a heritage asset and, increasingly, a space where people are choosing to live. Waterways can also provide a resource that can be used to heat and cool buildings, a corridor in which new utilities infrastructure can be installed and a way of sustainably draining surface water away from new developments.

The Trust has reviewed the consultation document, and has the following further comments to make.

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Draft Policy DM 15 Managing and Reducing Flood Risk

“vi) (vi) naturalise water courses where opportunities arise, in line with Policy DM 17 (Watercourses and Flood Defences).”

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Patron: H.R.H. The Prince of Wales. Canal & River Trust is a company limited by guarantee registered in England & Wales under

number 7807276; and a charity registered with the Charity Commission under number 1146792.

With regard to this section of the draft policy, we would reiterate our request that this be amended to “naturalise water courses, where appropriate, in line with Policy DM 17 (Watercourses and Flood Defences).”

This is because it would not be appropriate to naturalise the edge of the rivers owned and managed by the Trust where they have been canalised for navigation. This could undermine their role and function, so we would not accept a blanket policy requiring this.

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Draft Policy DM 17 Protecting and enhancing watercourses and flood defences

The Trust has some serious concerns about the proposed wording of this draft policy. We note that:

“A. New development must be set back at a distance of at least 8 metres from a main river and an ordinary watercourse, or at an appropriate width as agreed by the Council and/or the Environment Agency, in order to provide a naturalised and undeveloped buffer zone, free of built development, other than for site access and other essential infrastructure connections.”

The Canal & River Trust own and manage the River Lee Navigation and the River Stort, so must also be consulted on these proposals, which we should also have the opportunity to agree. We do not support a blanket policy for an 8m set back, as it is important that development is designed in a way that is appropriate to its particular site and setting, with the water addressed at the heart of the design. We have experience of these type of requirements creating ‘dead’ spaces, that fail to appropriately address the waterspace, and can exacerbate anti-social behaviour.

“B. All major development will be required to, and minor development will be expected to:

i) investigate and secure the implementation of environmental enhancements to open sections of the river or watercourse if appropriate.”

The Canal & River Trust own and manage the River Lee Navigation and the River Stort, and would not support works to sections of the river that would affect our operation of these watercourses, or hinder their role for navigation and other leisure uses. It is not clear what ‘open sections of the river’ would mean, but we assume that this refers to changing the profile of the waterway wall, which would not be appropriate.

“C. The Council will resist proposals that would adversely affect the natural functioning of main rivers and ordinary watercourses, including through culverting.”

It is not clear what the ‘natural functioning’ of a river or watercourse is, when this policy is viewed in isolation. We assume that this refers to impeding water flows that may affect flooding, but for example, it might also be interpreted as any activity on the waterway that is not a ‘natural function’, which would appear to be in conflict with historic navigation of the waterways and their other leisure uses. We would therefore request that the policy be clarified.

We are unable to see in the Consultation Statement or other supporting documents how our concerns have been responded to, other than these being noted in the consultation responses. We therefore have no information on which to understand why our requests, particularly to policy DM

17, have been ignored, and would continue to seek this amendment. We would like to take part in the Local Plan hearing to discuss this further, or would be happy to meet with officers beforehand.

Pre-application Advice

We would also request that there be a section in the Local Plan encouraging developers to seek pre-application advice from the Canal & River Trust, and that this refer to the Town and Country Planning Association's Policy Advice note: Inland Waterways (2009). Although it refers to British Waterways (we transferred to the Trust from BW in 2012), it is still relevant to waterside development and the Trust's aims. In particular, see Appendix 1 – 'Water proofing of planning policy':

<https://www.thenbs.com/PublicationIndex/documents/details?Pub=TCPA&DocID=294166>

Should you have any further queries please feel free to contact me.

Yours sincerely,

Claire McLean MRTPI
Area Planner - London

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Please send all consultations to planning@canalrivertrust.org.uk