

Planning Policy Team  
Epping Forest District Council  
Forward Planning  
323 High Street  
Epping  
Essex  
CM16 4BZ

**Our ref:** 121176/CS-01/PO1-L01

**Date:** 20 September 2021

Dear Planning Policy Team,

**Emerging Epping Forest District Local Plan: Consultation on Main Modifications.**

Thank you for your consultation on the Epping Forest Local Plan Main Modifications. We welcome the amendments taken forward as part of the consultation, and thank you for taking into account our requests and suggestions as part of the statement of common ground (dated October 2018). We have no further recommendations.

Please see below our comments for your records.

**Final comments**

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

Should you have any queries regarding this response, please do not hesitate to contact me.

Yours sincerely,

**George Lloyd**  
**Planning Advisor**

Number: [REDACTED]

E-mail: [REDACTED]



## EA requested changes from Statement of Common Ground (October 2018)

Policy	Comments <u>Underlined: new text</u> / <u>In red: deleted text</u>	Main Modification reference	Amendments made?	Further Comment
Part H(iv) of SP 5	" <u>Except for essential infrastructure and water compatible developments, no</u> <del>No</del> built development will be permitted on land within Flood Zone 2 and 3 <del>as indicated on the Environment Agency maps</del> <u>in the Council's latest SFRA, including the appropriate allowance for climate change.</u> "	MM21	Yes	We welcome the additional text clarifying the type of development permitted in FZ2 and 3 and highlighting the climate change allowances.
Part G of SP 5	" <u>Except for essential infrastructure and water compatible developments, no</u> <del>No</del> built development will be permitted on land within Flood Zone 2 and 3 <del>as indicated on the Environment Agency maps</del> <u>in the Council's latest SFRA, including the appropriate allowance for climate change.</u> "		No – but included above	
SP 5 - supporting text 2.130	The development of the site also provides the opportunity to resolve flood risk issues, both onsite and off-site, downstream and upstream. <u>The masterplan and design of the site should be informed by the recommendations of the latest SFRA report to address flood risk.</u>	MM20	Yes	We welcome the additional text highlighting the importance of the SFRA.
Part J of P6	In accordance with Policy DM 15, development on residential or traveller allocations must be located wholly within Flood Zone 1, <u>taking into account climate change allowances.</u>		No	This amendment was suggested to strengthen the policy that we already found sound. We still suggest that it is incorporated.
Part G of P 10	<u>Except for essential infrastructure and water compatible developments, no built development on residential allocations will be permitted on land within Flood Zone 2 and 3 as shown on the Council's latest SFRA maps, including the appropriate allowance for climate change.</u> <del>In accordance with Policy DM 15, development on residential allocations must be located wholly within Flood zone 1.</del>		No – but included above	
Part A(i) of DM 5	(i) retain and where possible enhance existing green infrastructure, including trees, hedgerows, woods and meadows, green lanes, wetlands, ponds and watercourses, <u>and improve connectivity of habitats;</u>	MM51	Yes	We welcome the wording change.

DM 17 - supporting text	New development must be set back at a distance of at least 8 metres from a supporting main river and an ordinary watercourse, or at an appropriate width as agreed text 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. <u>Any reduction of this 8 metre zone should be justified as part of a planning application. Consent from the Environment Agency is required for any works within the byelaw distance of a main river, which is generally 8 metres. Consent from Epping Forest District Council is required for any works within 8m of an ordinary watercourse.</u>	MM66	Yes	We welcome the clarification of the byelaw distance and the requirement for justification should this distance be shortened.
Part B of DM 18	Where the local public sewer network does not have adequate capacity to serve the existing and proposed development, proposals will be required to demonstrate that it provides for suitable alternative arrangements for storing, treating and discharging foul water. Should there be capacity issues resulting from development that can be addressed through upgrades of the sewerage network, developers will be required to demonstrate how these will be delivered in advance of the occupation of development. <u>Where there are capacity concerns regarding the local public sewer network, developers will be required to demonstrate that consultation has taken place with local sewerage infrastructure provider and that any necessary upgrade can be delivered in advance of the occupation of development. All developers are encouraged to discuss their development proposals with local sewerage infrastructure provider ahead of the submission of their planning applications. Failure to do so may increase the risk of phasing conditions being imposed to ensure that any network capacity is provided ahead of the occupation of development.</u>	MM68	Yes	We welcome the wording change highlighting the need for discussions with sewage infrastructure providers ahead of submission of planning documents.

## Other amendments related to our remit

Policy	Modification made	Main Modification	Comments
Throughout	Inclusion of "and blue infrastructure" alongside green infrastructure	General	We support the inclusion of the wording 'and blue infrastructure'.
Policy DM 15 Page 100-101	<p><b>Amend Part B and Part C as follows:</b>            "B. <u>Development proposals</u> <b>The Local Plan allocations are directed towards Flood Zone 1 or to areas with the lowest probability of flooding. Any proposals for new development (except water compatible uses)</b> <u>which include land which falls wholly or partially within Flood Zones 2 and/or 3a and other areas affected by other sources of flooding</u> will be required to provide sufficient evidence for the Council to assess whether the requirements of the Sequential Test <u>and if necessary</u>, the Exception Test, have been satisfied. <u>The Sequential Test does not need to be applied to sites which have been allocated in this Local Plan and where the proposed development is in accordance with this Plan.</u></p> <p>"C. <u>Where required by national planning policy and guidance development</u> Proposals within Flood Zones 2 and 3a must be informed by a site specific Flood Risk Assessment (FRA) taking account of all potential sources of flooding and climate change allowances and should:"</p> <p><b>Addition of new part after Part G as follows:</b>            " . <u>Site specific Flood Risk Assessment must be undertaken in accordance with relevant national and local requirements. Revised hydraulic modelling including climate change allowances will be required as part of a site specific Flood Risk Assessment where this is deemed necessary by the Council.</u> "</p>	MM63	We support the amendments to policy DM15 including clarifications surrounding the sequential test and climate change allowances.
Policy P 2 Page 122-124	<p><b>Replace Part K as follows:</b>            "K. <b>In accordance with Policy DM15, development on residential allocations must be located wholly within Flood Zone 1.</b> <u>Except for essential infrastructure and water compatible developments, no built development on residential allocations will be permitted on land within Flood Zones 2 and 3 as shown on the Council's latest Strategic Flood Risk Assessment maps, including the appropriate allowance for climate change.</u>"</p>	MM80	We support the amendment to this section.

<b>Policy P 3</b> <b>Page 128-130</b>	<b>Amend Part L as follows:</b> “L. <u>In accordance with Policy DM15, development on residential allocations must be located wholly within Flood Zone 1. Except for essential infrastructure and water compatible developments, no built development on residential allocations will be permitted on land within Flood Zones 2 and 3 as shown on the Council's latest Strategic Flood Risk Assessment maps, including the appropriate allowance for climate change.</u> ”	MM82	As above
<b>Policy P 6</b>	<b>Replace Part J as follows:</b> “J. <u>In accordance with Policy DM15, development on residential allocations must be located wholly within Flood Zone 1. Except for essential infrastructure and water compatible developments, no built development on residential allocations will be permitted on land within Flood Zones 2 and 3 as shown on the Council's latest Strategic Flood Risk Assessment maps, including the appropriate allowance for climate change.</u> ”	MM87	As above
<b>Policy P 7</b> <b>Page 148-149</b>	<b>Replace Part F as follows:</b> “F. <u>In accordance with Policy DM15, development on residential allocations must be located wholly within Flood Zone 1. Except for essential infrastructure and water compatible developments, no built development on residential allocations will be permitted on land within Flood Zones 2 and 3 as shown on the Council's latest Strategic Flood Risk Assessment maps, including the appropriate allowance for climate change.</u> ”	MM89	As above
<b>Policy P 8</b>	<b>Replace Part G as follows:</b> “G. <u>In accordance with Policy DM15, development on residential allocations must be located wholly within Flood Zone 1. Except for essential infrastructure and water compatible developments, no built development on residential allocations will be permitted on land within Flood Zones 2 and 3 as shown on the Council's latest Strategic Flood Risk Assessment maps, including the appropriate allowance for climate change.</u> ”	MM90	As above

<b>Policy P 9</b> <b>Page 155</b>	<b>Replace Part E as follows:</b> "E. <u>In accordance with Policy DM15, development on residential allocations must be located wholly within Flood Zone 1. Except for essential infrastructure and water compatible developments, no built development on residential allocations will be permitted on land within Flood Zones 2 and 3 as shown on the Council's latest Strategic Flood Risk Assessment maps, including the appropriate allowance for climate change.</u> "	MM92	As above
<b>Policy P 10</b> <b>Page 158</b>	<b>Replace Part G as follows:</b> "G. <u>In accordance with Policy DM15, development on residential allocations must be located wholly within Flood Zone 1. Except for essential infrastructure and water compatible developments, no built development on residential allocations will be permitted on land within Flood Zones 2 and 3 as shown on the Council's latest Strategic Flood Risk Assessment maps, including the appropriate allowance for climate change.</u> "	MM94	As above
<b>Policy P 11</b> <b>Page 160- 161</b>	<b>Replace Part H as follows:</b> "H. <u>In accordance with Policy DM15, development on residential allocations must be located wholly within Flood Zone 1. Except for essential infrastructure and water compatible developments, no built development on residential allocations will be permitted on land within Flood Zones 2 and 3 as shown on the Council's latest Strategic Flood Risk Assessment maps, including the appropriate allowance for climate change.</u> "	MM96	As above
<b>Policy P 12</b> <b>Page 164- 165</b>	<b>Replace Part H as follows:</b> "H. <u>In accordance with Policy DM15, development on residential allocations must be located wholly within Flood Zone 1. Except for essential infrastructure and water compatible developments, no built development on residential allocations will be permitted on land within Flood Zones 2 and 3 as shown on the Council's latest Strategic Flood Risk Assessment maps, including the appropriate allowance for climate change.</u> "	MM98	As above

<b>Policy P 13</b> <b>Page 174</b>	<b>Replace Part I as follows:</b> <i>"I. In accordance with Policy DM15, development on residential allocations must be located wholly within Flood Zone 1. Except for essential infrastructure and water compatible developments, no built development on residential allocations will be permitted on land within Flood Zones 2 and 3 as shown on the Council's latest Strategic Flood Risk Assessment maps, including the appropriate allowance for climate change."</i>	MM100	As above
<b>Policy P 14</b> <b>Page 176-177</b>	<b>Replace Part F as follows:</b> <i>"F. In accordance with Policy DM15, development on residential allocations must be located wholly within Flood Zone 1. Except for essential infrastructure and water compatible developments, no built development on residential allocations will be permitted on land within Flood Zones 2 and 3 as shown on the Council's latest Strategic Flood Risk Assessment maps, including the appropriate allowance for climate change."</i>	MM102	As above
<b>ROYD.R1</b> <b>Page 155</b>	<b>New section on 'Source Protection Zone' as follows:</b> <i>"The site is located within Source Protection Zone 1, corresponding to Roydon Pumping Station. Development proposals should demonstrate provision of adequate safeguards against possible contamination. This should be demonstrated through the submission of a Construction Management Statement in accordance with Part D of Policy DM21."</i>	MM184	Whilst this section lacks detail on the full suite of land contamination assessments required, Policy DM21 lists these in detail. Therefore we support this amendment.
<b>ROYD.R2</b> <b>Page 156</b>	<b>New section on 'Source Protection Zone' as follows:</b> <i>"The site is located within Source Protection Zone 1, corresponding to Roydon Pumping Station. Development proposals should demonstrate provision of adequate safeguards against possible contamination. This should be demonstrated through the submission of a Construction Management Statement in accordance with Part D of Policy DM21."</i>	MM185	As above



<p><b>South Nazeing Concept Framework Plan</b> <b>Page 174</b></p>	<p><b>Amend section under ‘Flood Risk as follows:</b>  <u>“In accordance with Policy DM15, development on residential allocations must be located wholly within Flood Zone 1. Except for essential infrastructure and water compatible developments, no built development on residential allocations will be permitted on land within Flood Zones 2 and 3 as shown on the Council's latest Strategic Flood Risk Assessment maps, including the appropriate allowance for climate change.”</u></p>	<p>MM191</p>	<p>We support the amendment to this section.</p>
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