



Waltham Forest Submission Local Plan Part 1

Habitats Regulations Assessment Report

Examination Update



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Executive Summary

Background

This report presents the findings of Habitats Regulations Assessment (HRA) of the London Borough of Waltham Forest Local Plan Part 1 (LP1). The LP1 shapes and manages growth, development and regeneration across the Borough for the next 15 years. It aims to promote the sustainable growth of Waltham Forest and sets out how the Borough will meet the challenges of economic, environmental and social sustainability. 27,000 additional homes and 52,000 sqm employment purposes are planned for, as well as supporting physical, social and green infrastructure provision commensurate with the scale of growth.

The purpose of an HRA is to assess the significance of potential impacts of a plan on relevant European sites. Natural England has confirmed that the three European sites which need to be considered in this HRA are:

- Epping Forest Special Area of Conservation (SAC);
- Lee Valley Specially Protected Area (SPA) and the Lee Valley Ramsar site; and
- Wormley-Hoddesdonpark Woods SAC.

If Likely Significant Effects (LSEs) on European sites are identified in screening. Further investigation may be necessary to understand how the plan might affect the integrity of European sites. If necessary, measures must be put in place to avoid potential adverse effects.

The Draft LP1 was consulted on between July and September 2019 as a part of the Regulation 18 Preferred Options consultation. Screening of the LP1 in August 2019 identified a number of LSEs which required further investigation in HRA Task 2 i.e. Appropriate Assessment (AA). No LSE was identified on the Wormley-Hoddesdonpark Woods SAC. AA of the Regulation 18 Draft LP1 was undertaken at the beginning of 2020 and reported to Natural England in a draft HRA Report (April 2020). The AA has considered the following potential effects:

- Recreational pressure;
- Water pollution;
- Water demand
- Air pollution; and
- Urbanisation.

The LP1 was then amended and subjected to Regulation 19 Proposed Submission consultation between 26 October 2020 to 14 December 2020. The HRA Report was updated to reflect the updated screening and changes to policies since the Regulation 18 Draft LP1 was screened and assessed. An updated HRA Report accompanied the Regulation 19 Proposed Submission

consultation. The Proposed Submission LP1 was rescreened in September 2020. No new LSEs were identified in the rescreening exercise.

Between January and April 2021, modifications were made to the LP1 in response to consultation comments received on the Proposed Submission version and in response to the HRA Report mitigation recommendations. Modifications were screened and no new LSEs identified.

The LP1 was submitted to the Secretary of State for Examination in Public in April 2021. In March 2022 Examination hearings took place. Modifications put forward during and after the Examination hearings have been screened and no new LSEs were identified. Modifications have included the deletion of a policy relating to downsizing of housing and a policy on designing safer places which is considered to duplicate another policy. Wording changes have been made to other policies and the Tall and Taller Buildings policy has been split into two. These updates have been reflected within this version of the HRA Report.

This version of the HRA Report incorporates new information which has been made available through work undertaken by and on behalf of LB Waltham Forest in support of the HRA. The work includes a road traffic trip generation and distribution exercise which supports the consideration of potential effects on air quality from traffic resulting from the LP1. This study was undertaken by WSP consultants (September 2022). Secondly, LBWF has undertaken further work to develop proposals for the delivery of Suitable Alternative Natural Greenspace (SANG) in consultation with natural England and City of London.

Throughout the HRA, regular communications have taken place between the HRA consultants and Natural England's representations for Waltham Forest. Natural England were happy with the conclusions of the HRA of the Draft LP1 and approved the mitigation put forward earlier in 2020 following assessment of the Draft LP1 (Regulation 18).

Comments were received from Natural England and the City of London, Conservators of Epping Forest, in response to the HRA Report (October 2020) which accompanied the Regulation 19 LP1. Their comments raised some concerns regarding the timing of mitigation strategies being relied upon to conclude this HRA and the assessment of in combination effects with the Epping Forest Local Plan. A number of meetings have taken place between January 2021 and March 2021 with these consultees in order to address the points raised. The scope of the air quality mitigation strategy and the SANG strategy have been discussed and guided by the consultees. An Air Quality Mitigation Strategy and a Waltham Forest SANG Strategy are under preparation and are due to be published in June / July 2021. Changes have also been made to the assessment of urban effects within this HRA Report following discussions with Natural England and the City of London, Conservators of Epping Forest.

This HRA Report incorporate reflects how the mitigation measures put forward previously in the HRA have been incorporated into the LP1 policies and in response to consultation comments received from Natural England and the City of London.

Findings of the AA

Epping Forest Special Area of Conservation (SAC)

Water demand and water pollution: The AA of the Waltham Forest LP1 has identified that the plan will not result in adverse effects on the Epping Forest SAC site in relation to water demand and water pollution, both alone and in combination with growth in neighbouring areas. Following rescreening of the Proposed Submission LP1 policies and the Examination Modifications, this conclusion has not changed.

Recreational pressures: Potential adverse effects in relation to recreational pressures on the Epping Forest SAC were identified at the draft plan stage. Visitor surveys of Epping Forest have found that the entire borough falls within the 'Recreational Zone of Influence'. The LP1 would result in new homes within the Zone of Influence which is predicted to have an adverse effect on the integrity of the SAC due to increased recreational pressures.

Natural England has produced an interim advice note on the Emerging Strategic Mitigation Strategy for the Epping Forest SAC¹ and updated by their advice contained within a letter dated 5 March 2021². Policy wording has been amended to ensure that an appropriate mitigation strategy is produced prior to the LP1 being adopted. Natural England were consulted on the proposed mitigation and were in agreement. The wording has been incorporated into the LP1 Policy 83 The Epping Forest and the Epping Forest Special Area of Conservation. In addition, a separate Suitable Accessible Natural Greenspace (SANG) Strategy has been prepared and will be published in a Waltham Forest Green Spaces and Places Supplementary Planning Document (SPD) which will ensure that SANG will be delivered alongside housing development in order to mitigate for increased recreational pressures on Epping Forest SAC. The SANG strategy includes the identification of 39 potential SANG sites across the borough in consultation with Natural

¹ Natural England letter dated 5th March 2021 sent to local authorities within the Epping Forest SAC zone of influence

² Natural England Developments to the Strategic Approach relating to the Epping Forest SAC Mitigation Strategy (March 2021). Letter to the Epping Forest SAC Oversight Group. Aidan Lonergan.

England and City of London. The SANG strategy methodology is currently awaiting ratification by the Natural England strategic solutions board.

Potential in combination recreational effects with growth in neighbouring areas was identified in screening and has been investigated in the AA. Epping Forest District Council (EFDC) shares a boundary with Waltham Forest and contains parts of Epping Forest SAC. Epping Forest District Council is in the process of preparing a new Local Plan. The Epping Forest District Council Local Plan was found not to be sound by the Inspector during examination in 2019 and requires major modifications before it can be adopted. Epping Forest District Council has now prepared strategies to address the issues identified by the Inspector including a Green Infrastructure Strategy. These strategies are predicted to be sufficient for Epping Forest District Council to be satisfied that appropriate mitigation can be achieved.

Following the finalisation of the Waltham Forest SANG Strategy, along with the EFDC's SANG Strategy and the Waltham Forest LP1 policy wording, it will be possible to conclude that the Waltham Forest LP1 will have no adverse effects on the integrity of Epping Forest SAC with regards to recreational pressure when assessed in combination with the EFDC Local Plan.

Urban effects: Potential adverse effects in relation to urban effects on the Epping Forest SAC were identified as a result of the LP1. Urban effects include fires, fly-tipping and litter.

Policy wording was proposed at the draft plan stage to ensure the LP1 contains a mechanism to protect the SAC from urban effects once further project details are known. This wording has now been included within LP1 Policy 83 The Epping Forest and the Epping Forest Special Area of Conservation. Further details on proposed mitigation for Site Allocations including additional SAMM+ contributions if necessary in line with Natural England's 'Toolbox Approach' will be provided within the Proposed Submission Local Plan Part 2 and associated HRA later in 2023. Guidance on what project-level HRAs should consider and what the mitigation strategies should contain is provided in Section 9 of this HRA Report. This part of the AA can conclude that the Waltham Forest LP1 will have no adverse effects on the integrity of Epping Forest SAC as a result of urban effects arising from the Local Plan policies both alone and in-combination.

Air pollution: In order to conclude the air pollution part of the AA, an air quality study has been undertaken by WSP. This study has examined trip generation and distribution likely to result from the growth in LP1 and LP2 on the local road network. The WSP study has concluded that there will be an overall net reduction in traffic within the borough as a result of the LP1 policies and LP2 allocations. Any increase in AADT is well below the 50 AADT threshold of change that is typically applied when considering the impacts of Local Plans alone and the subsequent need to consider in-combination effects. Any increases in NO_x, NH₃, N-dep and acid-dep due to the LP1 'alone' will be imperceptible. The AA of the LP1 has therefore been able to conclude that there will be no

adverse effects on the Epping Forest SAC in relation to changes in air quality alone and in combination.

Lee Valley Specially Protected Area (SPA) and the Lee Valley Ramsar site

Water demand and water pollution: The AA has been able to conclude that the Waltham Forest LP1 will not result in adverse effects on the Lee Valley SPA and the Lee Valley Ramsar site in relation to water demand and water pollution, both alone and in combination with growth in neighbouring areas. Following rescreening of the Submission LP1 policies and the Examination Modifications, this conclusion has not changed.

Recreational pressures: The AA of the Draft LP1 was also able to conclude that there will be no adverse effects on the Lee Valley SPA and Ramsar site in relation to recreational pressures alone and in combination. Following rescreening of the Submission LP1 policies and the Examination Modifications, this conclusion has not changed.

Urban effects: Potential adverse effects in relation to urban effects on the Lee Valley SPA and Ramsar site were identified at the draft LP1 stage. Policy wording was proposed within the AA to ensure the LP1 contains a mechanism to protect this SPA and Ramsar site from urban effects once further project details are known. The proposed policy wording has now been incorporated into the Submission LP1 Policy 84 The Lee Valley Regional Park. This part of the AA can conclude that the LP1 will have no adverse effects on the integrity of the Lee Valley SPA and Ramsar site, both alone and in combination with growth in neighbouring areas.

Air pollution: The AA of the LP1 has been able to conclude that there will be no adverse effects on the Lee Valley SPA and Ramsar site in relation to changes in air quality alone and in combination. Following rescreening of the Submission LP1 policies and the Examination Modifications, this conclusion has not changed.

Overall Conclusions of the AA

With the mitigation in place within the LP1 and the supporting SANG Strategy (to be incorporated into a Waltham Forest Green Spaces and Places SPD to be adopted after the LP1), it will be possible to conclude that the Waltham Forest LP1 will not result in adverse effects on the integrity of Epping Forest SAC in relation to recreational pressures, air quality and urban effects when the Plan is assessed on its own or in combination with growth in neighbouring areas.

The AA is able to conclude that the Waltham Forest LP1 would not result in adverse effects on the integrity of the Lee Valley SPA and Ramsar, both alone or in combination with growth in neighbouring areas.

1 Introduction

ClearLead Consulting has been instructed to undertake a Habitats Regulations Assessment (HRA) of the new Waltham Forest LP1 (known also as LP1). This report is the HRA Report which considers the potential affects of the Submission LP1 April 2021 as modified after March 2022 Examination hearings.

1.1 Habitats Regulations Assessment

In the UK, the Habitats Directive (92/43/EEC) has been transposed into domestic legislation as the Habitats and Species Regulations 2017³ which requires an assessment of any plans which are likely to have a significant effect on any protected European sites, i.e. Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar wetland sites. This is commonly referred to as a Habitats Regulations Assessment (HRA). This requirement includes strategic plans with an impact on land use.

The purpose of an HRA is to assess the significance of potential impacts of a plan on relevant European sites. The assessment should determine whether the plan would adversely affect the integrity of the site in terms of its nature conservation objectives. Where negative effects are identified, other options should be examined to avoid any potential for damaging effects.

HRA findings feed into the parallel Sustainability Appraisal (SA) which incorporates Strategic Environment Assessment, an integral part of the plan preparation process.

1.2 Background

The London Borough of Waltham Forest are in the process of preparing a new Local Plan to guide development in the Borough. The LP1, when adopted, will replace the currently adopted Core Strategy for the London Borough of Waltham Forest and will plan for development between 2021 and 2036.

³ Updated by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

The Council has ambitions for growth, including significant new housing and sustained economic growth, to provide jobs for local people and increase the supply of housing, including affordable units.

The Council are also preparing a Site Allocations Document which will form the second part of the Local Plan. It will allocate sites for development to assist in meeting the overall development requirements of the LP1. In particular, it will identify strategic sites for future development in the Borough. The first draft of the Site Allocations Document (known as Local Plan Part 2 or LP2) was consulted between October 2020 and December 2020. The second draft (Regulation 19) consultation ran from November 2021 to January 2022 and can be accessed here: <https://www.walthamforest.gov.uk/planning-and-building-control/planning-policy/local-plan>

An HRA of the Site Allocations Document can also be accessed via this link.

The Council consulted on a Local Plan 'Direction of Travel' document in November – December 2017. The Direction of Travel document was the first stage in the engagement process with residents, businesses and other stakeholders on what the new Local Plan should contain. It presented the challenges and opportunities for the Borough and a Vision for Waltham Forest, looking ahead to what the Borough will be like in 15 to 20 years' time. The Direction of Travel document presented options for consultation, comprising six spatial strategy options for development in the Borough. These options were subject to HRA screening as well as Sustainability Appraisal (SA). The HRA screening of options identified potential significant effects in relation to all of the spatial strategy options.

Between July and September 2019, the Council consulted on a Draft LP1. The Draft LP1 was subject to HRA screening and Appropriate Assessment (AA) earlier in 2020. That version of the LP1 has since been amended following the consultation to form a Proposed Submission LP1. The Proposed Submission Local Plan has been rescreened in September 2020 and in August 2022. This HRA Report has been updated to reflect the updated screening and changes to policies since the Regulation 18 Draft Local Plan was screened and assessed. It has also been updated to reflect mitigation measures put forward in the draft HRA Report (April 2020) and the Proposed Submission HRA Report (October 2020) which have since been incorporated into the Submission LP1 policies; to respond to consultation comments and discussions with Natural England and the City of London between January 2021 and March 2021 and to reflect further supporting work relating to traffic and air quality and SANGs undertaken in 2022.

2 The Waltham Forest Local Plan Part 1

2.1 Background to the new Waltham Forest Local Plan

Once adopted, the new LP1 will form the development plan for Waltham Forest along with:

- The Site Allocations Document (Local Plan Part 2) – currently under preparation;
- The London Plan – (adopted March 2021); and
- North London Waste Plan – sets out in partnership with other London boroughs the planning framework for waste management.

2.1 Description of the Plan

The LP1 will shape developments and guide neighbourhood plans, regeneration and decisions on the location, amount and types of development the Borough requires to meet local needs and accommodate sustainable growth. It aims to promote the sustainable growth of Waltham Forest. The LP1 will not allocate development sites.

The LP2 Site Allocations Document will allocate sites for development to assist in meeting the overall development requirements of LP1. In particular, it will:

- Identify strategic sites for future development in the Borough. Typically, these will be key sites acting as catalysts for development in strategic locations and elsewhere in the borough;
- Identify sites associated with the delivery of essential infrastructure to support growth;
- Identify sites/areas where radical changes from existing land use e.g. where it is proposed to release Metropolitan Open Land (MOL) for development, or to redevelop employment land for housing or alternative uses, or sites to be safeguarded from other development will be required to implement strategic policies of the plan.

The site allocations document is intended to help translate the strategic policies to sites and to be a better tool of communication both with communities, potential developers and other interests. A typical allocation will include: the site location, size and ownership details of how the site was identified and previous planning applications, suggested uses for the site in the future design considerations and other key planning constraints, and estimated future timescales for delivery or development.

Once adopted, the new Local Plan Parts 1 and 2 will replace the Core Strategy (2012), Development Management Policies Document (2013), Walthamstow Town Centre Area Action Plan (2014) and Blackhorse Lane Area Action Plan (2015), with a single Local Plan, supported by a series of Supplementary Planning Documents, Neighbourhood Plans (as may be prepared) masterplans, and planning briefs.

2.2 Overview of the Plan Area

Waltham Forest is an outer London Borough in the North East of London and is one of the greenest Boroughs in London. The Local Plan area is shown in Figure 2.1 below.

The North Circular Road (A406) divides the Borough into two main areas. The London Borough of Waltham Forest was created in 1965 by the amalgamation of the Essex boroughs of Chingford, Walthamstow and Leyton. The Borough is predominantly residential with retail centres, areas of industry and a total of 1205ha of open space, parks and playing fields. The Green Belt in the borough is part of the Metropolitan Green Belt which surrounds London.

The southern parts of the Borough comprise Leyton, Leytonstone and Walthamstow and the northern parts comprise Chingford and Highams Park.

The Lee Valley SPA and RAMSAR site (and Regional Park) and Epping Forest SAC define its western and eastern boundaries and it sits alongside the Olympic Park and the Stratford City development. As an area it provides a link between two major regeneration areas: The Thames Gateway and the Innovation Corridor linking London – Stansted – Cambridge – Peterborough.

2.3 Content of the Local Plan Part 1

The Submission LP1 contains an overarching spatial strategy for the borough which consists of the following eight policies plus a Key Diagram:

- Policy 1 - Presumption in Favour of Sustainable Development;
- Policy 2 - Scale of Growth;
- Policy 3 - Infrastructure for Growth;
- Policy 4 - Location of Growth;
- Policy 5 - Management of Growth;
- Policy 6 - Ensuring Good Growth;
- Policy 7 - Encouraging Mixed Use Development; and
- Policy 8 - Character-led Intensification.

The policies plan for net increases in homes and employment uses over the plan period 2021-2036. 27,000 additional homes⁴ and 52,000 sqm employment purposes are planned for as well as supporting physical, social and green infrastructure provision commensurate with the scale of growth. Policy 3 states that *“The Council will require development proposals to make viable provision for infrastructure that is necessary to accommodate additional demands arising from growth”*.

Policy 4 focuses new development, regeneration and investment activities in Strategic Locations and other Site Opportunity Locations (see Key Diagram in Figure 2.2). These will be the primary locations for growth involving new homes and jobs with supporting infrastructure. The division of the borough into three sections is shown in Figure 2.2. The spatial strategy for each of the three areas is as follows (as modified):

- South Waltham Forest: A minimum of 14,930 new homes and 3,250 new jobs in the strategic locations of Lea Bridge, Low Hall, Church Road, Leyton, South Leytonstone, Leytonstone District Centre, Whipps Cross and Bakers Arms.
- Central Waltham Forest: 8,700 homes and 1,600 jobs in the strategic locations of Blackhorse Lane, Walthamstow Town Centre, Forest Road Corridor and Wood Street District Centre.

⁴ The Covid-19 pandemic could affect baseline data and population projections, but this will only be known when data sources are next published. This figure will be updated when information is available.

- North Waltham Forest: 3,370 homes and 1,940 jobs in the strategic locations of North Chingford District Centre, Sewardstone Road Neighbourhood Centre, South Chingford District Centre, Highams Park District Centre and the North Circular Corridor.

In addition, 3,800 homes will be delivered outside the identified Strategic Locations.

Policy 5 Management of Growth states that *“In planning for growth, the Council will seek to achieve an appropriate balance between physical, social and economic development and environmental protection”*. Policy 5 also includes protecting designated sites and areas (Green Belt, Metropolitan Open Land, Special Protection Areas, Ramsar Sites, Conservation Areas, and Listed Buildings). Finally, the policy also aims to make effective use of previously developed land, except where land is of high environmental value or purposely safeguarded or protected for particular uses as identified on the Policies Map. Proposals including the redevelopment of underused and vacant land, in particular, sites listed on the Brownfield Land Register, will be prioritised.

Policy 6 is a protection policy which includes a requirement to protect and enhance existing green and blue infrastructure, including open space and leisure facilities, biodiversity and nature conservation.

Policy 7 encourages mixed-use development to be brought forward within the borough particularly in the Strategic Locations and Policy 8 supports opportunities for intensification of development involving housing and employment uses in the borough and sets out three different approaches.

The LP1 also contains a range of thematic policies presented over twelve chapters which address housing delivery, economy, culture, health, community infrastructure, climate change and environment etc. Three of the thematic policies (81, 83 and 84) provide specific protection for biodiversity within the borough and the Lee Valley Regional Park and Epping Forest as shown in Boxes 2.1 to 2.3 (note these are the modified versions of the policies).

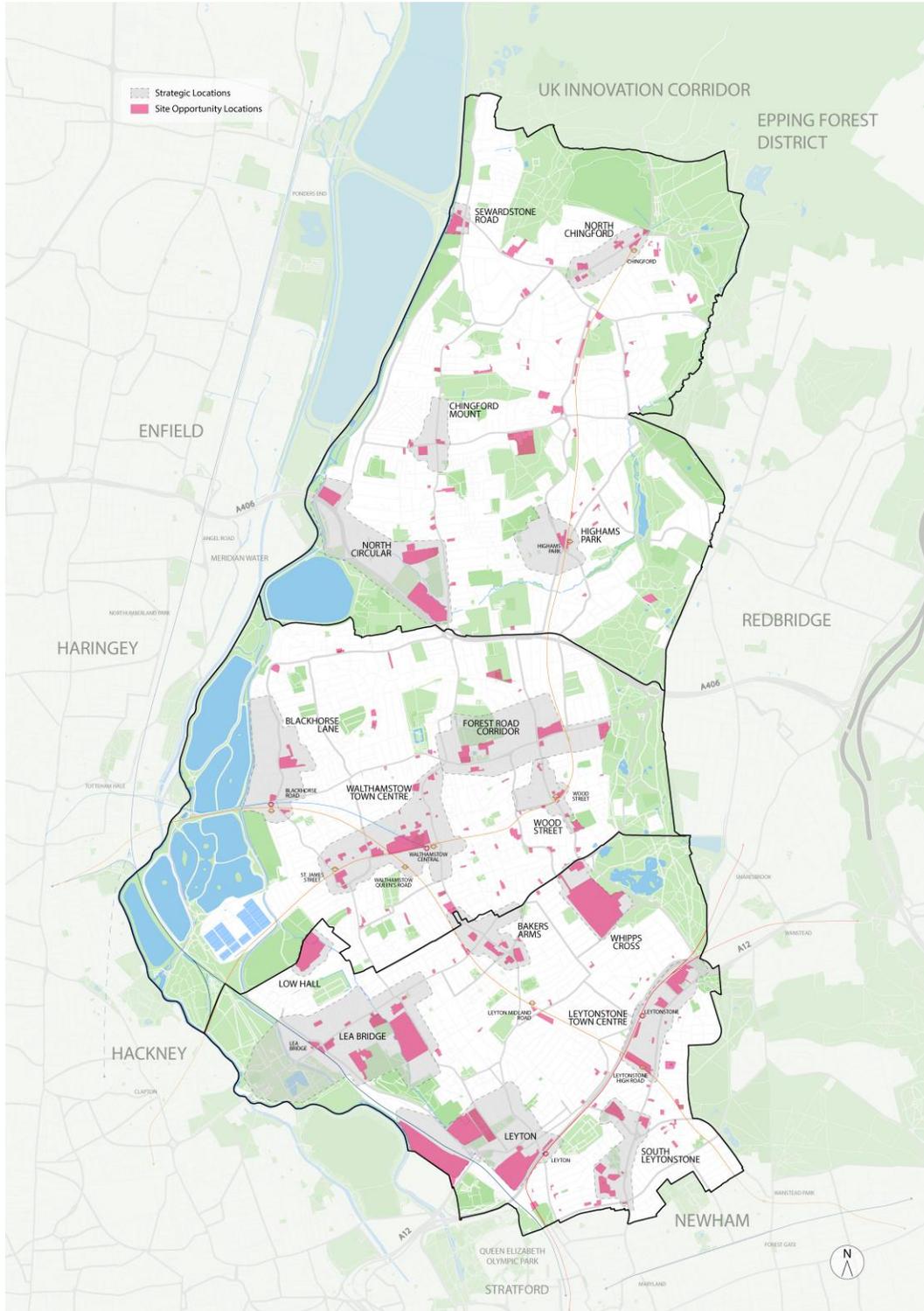


Figure 2.2: Waltham Forest LP1 Key Diagram

Box 2.4: LP1 Policy 81 Biodiversity and Geodiversity

Proposals should seek to protect and enhance biodiversity and geodiversity resources in the borough and will ensure that:

- A. All development should maximise opportunities to create new or make improvements to existing natural environments, nature conservation areas, habitats or biodiversity features and link into the wider green infrastructure network;
- B. All major development proposals are required to include a biodiversity survey of the site;
- C. All development proposals are required to;
- demonstrate minimising the impacts of development on biodiversity in accordance with the mitigation hierarchy;
 - demonstrate a minimum 10% biodiversity net gain using the Defra Biodiversity Metric 2.0 (or subsequent version), even where development proposals do not result in biodiversity loss; and
 - prepare a long-term monitoring and maintenance plan for biodiversity and habitat proposals for a minimum period of 30 years, including both on- and off-site measures.'
 - demonstrate that any off-site measures proposed, seek to enhance locally and nationally important priorities;
- D. Development proposals should seek to provide measures to support species and habitats through the use of landscaping on or adjacent to buildings. This may involve the inclusion of living roofs and walls and other measures (such as bird boxes) which provide space for species to nest, roost or hibernate;
- E. Where vacant or derelict land is awaiting redevelopment and has some value for nature conservation, the Council will expect it to be protected on a temporary basis;
- F. Development proposals will be expected to improve sensitive public access to areas of nature conservation, especially in areas of deficiency;
- G. An arboricultural report must be submitted at the planning application stage where a development proposal will impact on trees (See Policy 82);
- H. Development proposals should protect and enhance the nature conservation or geological interest of nationally important wildlife sites as shown on the Policies Map.

Development proposals will not normally be granted planning permission where they pose adverse direct or indirect effects on the biodiversity or nature conservation value of any land or area within the identified Sites of Special Scientific Interest (SSSI), Sites of Importance to Nature Conservation (SINC), Special Areas of Conservation (SAC), Ramsar sites, or Special Protection Areas (SPA) without appropriate mitigation measures in place prior to development. These sites are shown on the Policies Map and include but are not limited to the Walthamstow Reservoirs

Box 2.4: LP1 Policy 81 Biodiversity and Geodiversity (continued)

Special Protection Area, Walthamstow Wetlands and Walthamstow Marshes Sites of Special Scientific Interest and Epping Forest SAC.

I. Development proposals which would cause harm to a designated site with geodiversity value will not be permitted unless any damaging impacts can be prevented by appropriate mitigation measures;

J. Development proposals which would affect a designated site with geodiversity value should seek to retain, restore and enhance the geological interest where possible.

Box 2.5: LP1 Policy 83 The Epping Forest and the Epping Forest Special Area of Conservation

In line with the Waltham Forest Green Places and Spaces SPD, the Council will protect and enhance the natural environment of Epping Forest and its Special Area of Conservation (SAC), and seek to ensure that development proposals contribute to the avoidance and mitigation of adverse recreational and air quality effects on the SAC by ensuring:

- A. All new residential development comprising 1 or more new homes within the 6.2km Zone of Influence (ZOI) of the boundary of the Epping Forest SAC (see figure XX) contributes to the delivery of the Strategic Access Monitoring and Management (SAMM) Strategy, in line with the mitigation measures agreed with the Conservators of Epping Forest and partner authorities;
- B. The Suitable Alternative Natural Greenspace (SANG) Strategy is delivered, with Community Infrastructure Levy funding secured to make the necessary investment in open space, and that the delivery of the Strategy is monitored appropriately to ensure that the visitor uplift required is achieved;
- C. Development proposals affecting Epping Forest are sensitive and proportionate, delivering enhancements where possible, and that they do not contribute to adverse impacts on ecological integrity, amenity or visitor enjoyment; and
- D. Planning applications for development, and allocations, within 400m of the Epping Forest SAC demonstrate, through a project level HRA that development will not generate adverse urban effects on the integrity of the SAC.

Box 2.6: LP1 Policy 84 The Lee Valley Regional Park

Proposals which affect the Lee Valley Regional Park will ensure that:

- A. Development proposals include measures for the protection, enhancement and where possible, the extension of the borough's network of Green Corridors.
- B. Development proposals in proximity to the Lee Valley Regional Park should improve access and links to the park and its waterways.
- C. Development proposals affecting the Lee Valley Regional Park should be sensitive and proportionate, must not contribute to adverse impacts on amenity, ecological integrity or visitor enjoyment; and will be expected to deliver enhancements where possible. The Council supports the Lee Valley Regional Park Authority's Park Development Framework. The contents of the Lee Valley Park Development Framework as adopted is a material consideration in the determination of planning applications.
- D. Development that affects the Lee Valley Special Protection Area will contribute to the mitigation of adverse effects on the Special Protection Area (SPA).
- E. Planning applications for development at Blackhorse Lane will need to be accompanied by a project level HRA to ensure the development will not generate adverse urban effects on the integrity of the Lee Valley SPA and Ramsar.
- F. Development proposals will not normally be granted planning permission where they pose adverse direct or indirect effects on any land or area identified with the Lee Valley SPA/Ramsar. Development that affects the Lee Valley Special Protection Area will contribute to the mitigation of adverse effects on the Special Protection Area (SPA).

2.4 HRA of the LP2

The LP2 Site Allocations Document has been subject to HRA during August / September 2020. LSEs were identified in relation to all proposed site allocations. LSEs were identified in relation to recreational pressure, air quality and urban effects on Epping Forest SAC.

The AA was able to conclude that the Site Allocations Document will not result in adverse effects on the integrity of the Lee Valley SPA and Lee Valley Ramsar site in relation to changes in air quality, recreational pressures and urban effects alone and in combination.

Mitigation measures have been put forward in addition to those put forward in the HRA of the LP1 for project level HRA of allocation sites within close proximity of European sites.

3 Methodology

Figure 3.1 sets out the HRA process.

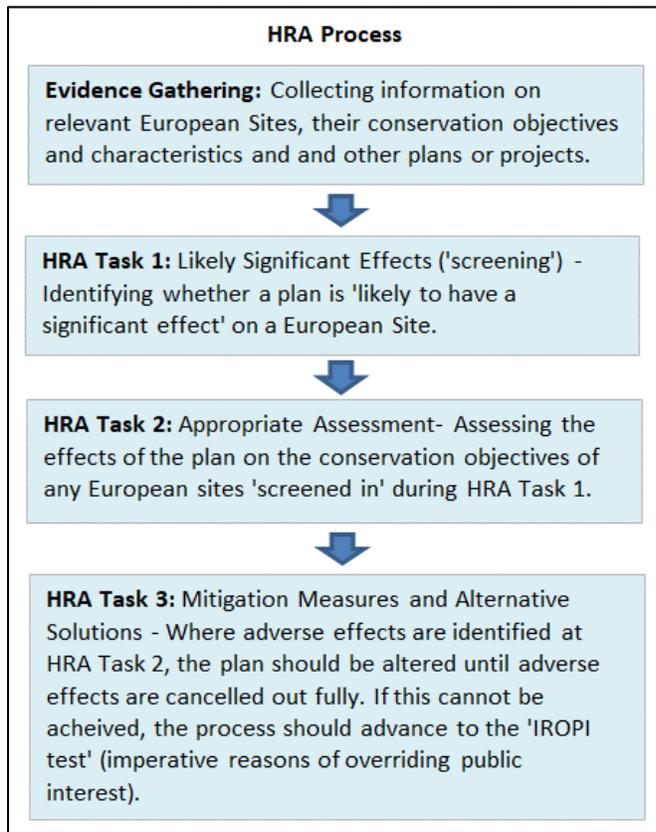


Figure 3.1 The HRA Process

During screening, the ‘Precautionary Principle’ needs to be applied: if an effect cannot be ruled out based on objective information it has been reported as “likely” or not possible to rule out. Furthermore, a judgement⁵ by the Court of Justice of the European Union (People Over Wind) ruled that Article 6(3) of the Habitats Directive⁶ must be interpreted as meaning that mitigation measures (referred to in the judgment as measures which are intended to avoid or reduce effects) should be assessed within the framework of an AA and that it is not permissible to take account

⁵ <http://curia.europa.eu/juris/document/document.jsf?docid=200970&doclang=EN>

⁶ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

of measures intended to avoid or reduce the harmful effects of the plan or project on a European site at the screening stage. The screening exercise must therefore consider elements of the plan without any proposed mitigation.

If Likely Significant Effects (LSEs) on European sites are identified in screening, measures must be put in place to avoid them. Further investigation may be necessary to understand how the plan might affect the integrity of European sites i.e. HRA Task 2 (AA) and to develop effective avoidance and mitigation measures (or consider mitigation measures already proposed in relation to projects). Full mitigation details are not required within a plan level HRA, as confirmed by a judgement⁷ at the Court of Appeal (No Adastral New Town) which ruled that mitigation measures do not need to be considered in as much detail as the available information permits, but instead only be sufficient *'to be satisfied as to the achievability of the mitigation in order to be satisfied that the proposed development would have no adverse effect'*.

The following guidance has been referred to in undertaking the HRA:

- English Nature (2006) draft Guidance – The Assessment of Regional Spatial Strategies and Sub-regional strategies under the provisions of the Habitats Regulations;
- Scottish Natural Heritage (January 2015) Habitats Regulations Appraisal of Plans Guidance For Plan-Making Bodies In Scotland Version 3.0 originally prepared by David Tyldesley and Associates; and
- Department for Communities and Local Government (August 2006) Planning for the Protection of European Sites: Appropriate Assessment. Guidance for Regional Spatial Strategies and Local Development Documents. Draft.

3.1 Evidence Gathering

With reference to Figure 3.1, the evidence gathering task was completed in 2017. ClearLead Consulting wrote to Natural England in July 2017 to confirm the scope of the Habitats Regulations Assessment (HRA) of the LP1. Natural England responded⁸ confirming that the three European sites which need to be considered in the HRA are:

- Epping Forest SAC;
- Lee Valley SPA and the Lee Valley Ramsar site; and

⁷ <https://www.eastsuffolk.gov.uk/assets/Planning/Suffolk-Coastal-Local-Plan/Core-Strategy-and-DMP/No-Adastral-New-Town-Ltd-v-SCDC.pdf>

⁸ Email from Natural England dated 15/08/18

- Wormley-Hoddesdonpark Woods SAC.

These sites are shown in Figure 3.2.

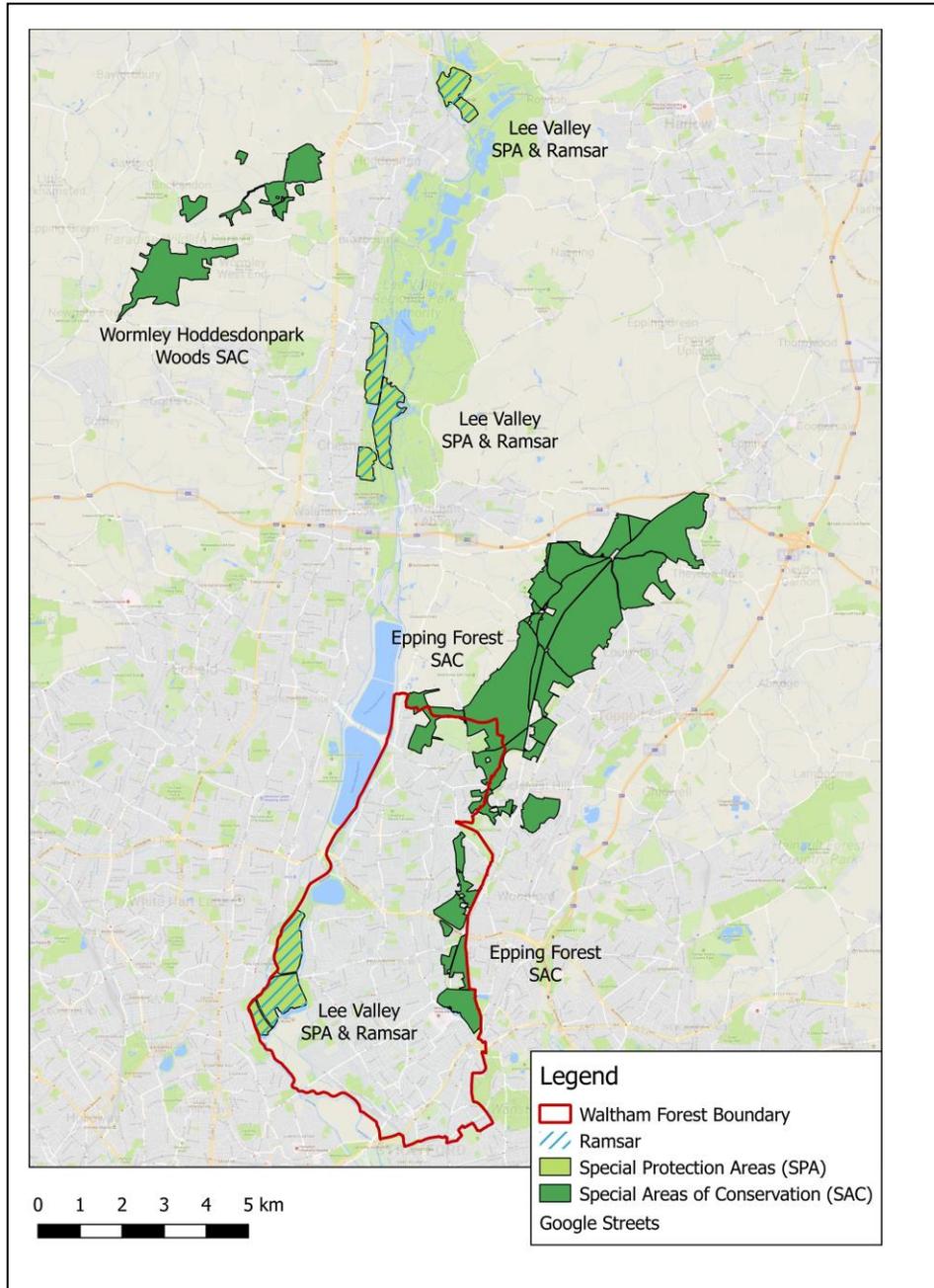


Figure 3.2: European sites in and near the London Borough of Waltham Forest

Appendix A presents a summary of the site designations, qualifying features and site sensitivities. This information has been obtained from:

- Joint Nature Conservation Committee (JNCC) website www.jncc.gov.uk;
- Multi-Agency Geographical Information Centre (MAGIC) website www.magic.gov.uk;
- and
- Natural England site improvement publications.

3.2 Screening

Screening exercises have been undertaken at five key points in the plan preparation process:

- The Direction of Travel options consultation document (2017);
- Spatial strategy options (2018);
- Draft LP1 Regulation 18 (2019);
- Proposed Submission LP1 Regulation 19 (2020);
- Submission LP1 April 2021; and
- Post-Examination Hearings Modifications August 2022.

The information on key factors affecting site integrity and objectives to ensure favourable condition status of the European sites presented in Appendix A has been referred to in all screening exercises.

In 2017, six spatial strategy options presented within the Direction of Travel Document were subjected to HRA screening and the findings were presented within a SA document which accompanied the Direction of Travel document during consultation⁹. The screening was high level, recognising that further work would be needed on the preferred option and draft Local Plan in order to determine potential effects of the Local Plan on European sites. The HRA screening exercise identified LSEs associated with all of the spatial strategy options consulted on.

In 2018, a proposed new spatial strategy was developed based on the Combined Approach spatial strategy option consulted on in 2017. As the new spatial strategy is strategic in nature and at that stage was not yet supported by draft policies, the HRA screening was again high level and followed the precautionary approach.

⁹ CAG Consultants (November 2017) London Borough of Waltham Forest Local Plan Sustainability Appraisal, Appraisal of the 'Direction of Travel' Document

The screening of the new spatial strategy in 2018 identified a number of LSEs which would require further investigation in HRA Task 2 i.e. Appropriate Assessment (AA). It identified that the AA would need to consider the following impact pathways:

- Recreational pressure;
- Water pollution;
- Water demand;
- Air pollution; and
- Urbanisation.

No potential effects of the LP1 were ruled out at that point in plan preparation because other elements of the Local Plan (e.g. policies) were still to be developed and would require HRA screening in due course. Similarly, it was not possible to suggest mitigation or avoidance measures because the LSEs require assessment in the context of a draft Local Plan before these can be put forward. It was therefore identified that the AA would be undertaken on the Draft Local Plan, when policies would be available for consideration.

In July / August 2019, the Draft LP1 was subject to HRA screening. Each policy within the plan was screened against the factors affecting European site integrity. HRA guidance¹⁰ was used to develop a set of screening criteria presented in Table 3.1.

Table 3.1: Local Plan Screening Criteria	
Screening Rationale	Details
LSE	A likely effect is one that cannot be ruled out on the basis of objective information. The test is a 'likelihood' of effects rather than a 'certainty' of effects. Although some dictionary definitions define 'likely' as 'probable' or 'well might happen', in the Waddenzee case the European Court of Justice ruled that a project should be subject to Appropriate Assessment "if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site, either individually or in combination with other plans and projects".

¹⁰ Scottish Natural Heritage (January 2015) Habitats Regulations Appraisal of Plans Guidance For Plan-Making Bodies In Scotland Version 3.0 originally prepared by David Tyldesley and Associates

Table 3.1: Local Plan Screening Criteria	
Screening Rationale	Details
No LSE - A general policy statement	A general statement of policy sets out a strategic aspiration for the plan-making body for a certain issue. A general 'criteria based' policy expresses the tests or expectations of the plan-making body when it comes to consider particular proposals. Does not necessarily include more site specific criteria based policies which may require AA.
No LSE - Not proposals generated by this plan	Aspects excluded from the appraisal because they are not proposals generated by this plan.
No LSE - A protection policy	Aspects which protect the natural environment, including biodiversity, or conserve or enhance the natural, built or historic environment.
No LSE - No development or change	Aspects which will not lead to development or other change.
No LSE - Makes provision for change but no impact pathway	Aspects which make provision for change but which could have no conceivable effect on a European site, because there is no link or pathway between them and the qualifying interests, or any effect would be a positive effect, or would not otherwise undermine the conservation objectives for the site.
No LSE - Policy is too general	Aspects which are too general so that it is not known where, when or how the aspect of the plan may be implemented, or where any potential effects may occur, or which European sites, if any, may be affected.

The findings of the screening exercise are presented in Section 4 of this report. The screening of policies has since been updated, using the same criteria, when the Proposed Submission amended policies became available in September 2020. Similarly, the screening of policies has since been updated in April 2021 on receipt of the proposed modifications to the LP1 prior to submission and after the March 2022 Examination Hearings, when modifications were made available in August 2022.

3.3 Appropriate Assessment

The AA of the LP1 examines whether there is a risk of an adverse effects on the conservation objectives on the European sites as a result the impact pathways identified during screening (see section 3.2).

The effect of each of the impact pathways on each European Site is examined in detail within Section 6 onwards. Published research/documents relating to the potential impact pathway and the relevant European site was used within each AA topic section to assess adverse effects. Where a risk of an adverse effect on a European Site is identified as a result of the Local Plan then changes to the policy wording is proposed to avoid adverse effects occurring (HRA Task 3).

Where appropriate, in combination effects have been considered with regards to each of the potential impact pathway identified above. Where the potential for in combination effects with other plans was identified, the scope of the AA was broadened to assess the possible combined effects of plans in the wider area. These effects are considered in each AA topic section. Where the AA found that the Local Plan would have no effect at all on the European Site as a result of an impact pathway then an adverse effect in combination is ruled out and no further assessment is required. This approach is in accordance with established case law (Foster and Langton¹¹).

Details of plans and projects used to inform the in combination assessment of effects within each topic section are listed in Appendix 2.

3.4 Consultations

Throughout the HRA, regular communications have taken place between the HRA consultants and Natural England's representations for Waltham Forest. Natural England was consulted on the scope of the HRA in 2017 and were sent a copy of the LP1 draft HRA Report in April 2020. Natural England's letter of response can be found in Appendix 3 in which it confirmed it was happy with the conclusions of the HRA at that stage (which excluded conclusions in relation to air quality which was ongoing) and approved the mitigation put forward following assessment of the Draft Local Plan (Regulation 18). Suggestions put forward by Natural England in their letter dated 19th May 2020, such as to separate policies for Lee Valley SPA and Epping Forest SAC within LP1, have been taken on board.

¹¹ R (Foster and Langton) v Forest of Dean DC and Homes and Communities Agency [2015] EWHC 2648 (Admin) Cranston J

Comments were received from Natural England and the City of London, Conservators of Epping Forest towards the end of 2020, in response to the HRA Report (October 2020) which accompanied the Regulation 19 LP1. Their comments raised some concerns regarding the timing of mitigation strategies being relied upon to conclude this HRA and the assessment of in combination effects with the emerging Epping Forest Local Plan. A number of meetings have taken place between January 2021 and March 2021 with these consultees in order to address the points raised. The scope of mitigation required for LP1 has been discussed and guided by the consultees.. Changes have also been made to the assessment of urban effects within this HRA Report following discussions with Natural England and the City of London, Conservators of Epping Forest. The letters from Natural England and the City of London relating to the LP1 Regulation 19 HRA Report have been reproduced in Appendix 3.

Seven meetings with Natural England have been undertaken since May 2022 to agree the new SANGs strategy and air quality study and a joint letter to the Planning Inspector has been signed by Natural England and LBWF dated 28th September 2022.

3.5 Assessment Limitations

The HRA has been limited by the level of detail available for development within the borough, which is high level and does not include site allocations.

Best endeavors have been made to ensure that this HRA is proportionate and has been based on best available information available at the time of writing. Elements of the Appropriate Assessment stage of the HRA and supporting studies such as the air quality study and analysis of traffic data, have previously been limited by the availability of data relating to growth in neighbouring areas and traffic data available from TfL. A subsequent study by WSP consultants has been undertaken in 2022 to rectify this limitation by examining trip generation and distribution likely to result from the growth in LP1 and LP2 on the local road network. The WSP study has provided more tailored and accurate data compared to the study undertaken using the TfL traffic data and it has been used to inform the update to air quality AA within this report.

4 Screening Findings: Local Plan Part 1

4.1 Introduction

The Draft LP1 was screened in August / September 2019. The Proposed Submission version of the plan was rescreened in September 2020 and the proposed modifications to the LP1 screened in April 2021 prior to submission. The policies which were screened in and for which LSEs were identified are presented in Table 4.1. LSEs were identified in relation to the following:

- Potential LSE on the Epping Forest SAC and the Lee Valley SPA/Ramsar due to increased recreational pressures;
- Potential LSE on the Lee Valley SPA/Ramsar relating to the risk of water pollutants entering the European Site;
- Potential LSE on the Lee Valley SPA/Ramsar due to water demand;
- Potential LSE on the Epping Forest SAC and Lee Valley SPA/Ramsar through an increase in traffic and therefore air pollution; and
- Potential LSE on the Epping Forest SAC and Lee Valley SPA/Ramsar from 'urban effects'.

A detailed screening table is provided in Appendix 4.

Table 4.1: LP1 Screened-in Policies (as modified)

Policy number	Policy Name	Potential effects on European sites:		
		Epping Forest SAC	Lee Valley SPA and the Lee Valley Ramsar site	Wormley-Hoddesdonpark Woods SAC
2	Scale of Growth	Recreation, air quality, urbanisation including spread of invasive species / diseases	Recreation, water pollution, water demand, urbanisation and invasive species	None
3	Infrastructure for Growth	Recreation, urbanisation including spread of invasive species/diseases	None	None
8	Character-Led Intensification	Recreation, air quality, urbanisation including spread of invasive species/ disease	Water pollution, recreation, urbanisation, invasive species and water resources	None
9	South Waltham Forest	Recreation, air quality, urbanisation including spread of invasive species and disease	Recreation, water resources, urbanisation including invasive species	None
10	Central Waltham Forest	Recreation, air quality, urbanisation including spread of invasive species and disease	Recreation, urbanisation, invasive species and water resources	None
11	North Waltham Forest	Recreation, air quality, urbanisation including spread of invasive species and disease	Water pollution, recreation, urbanisation, invasive species and water resources	None

Table 4.1: LP1 Screened-in Policies (as modified)

Policy number	Policy Name	Potential effects on European sites:		
		Epping Forest SAC	Lee Valley SPA and the Lee Valley Ramsar site	Wormley-Hoddesdonpark Woods SAC
12	Increasing Housing Supply	Recreation, air quality, urbanisation including spread of invasive species and disease	Water pollution, recreation, urbanisation, invasive species and water resources	None
17	Redevelopment and intensification of existing housing and housing estates	Recreation, air quality, urbanisation including spread of invasive species and disease	Water pollution, recreation, urbanisation, invasive species and water resources	None
19	Small sites	Recreation, air quality, urbanisation including spread of invasive species and disease	Recreation, urbanisation, invasive species and water resources	None
23	Gypsies and Travellers	Recreation, air quality	recreation and water resources	None
25	Supporting and boosting economic growth and local jobs creation	Air quality	None	None
26	Safeguarding and Managing Strategic Industrial Locations (SIL)	Air quality	None	None
27	Safeguarding and Managing Local Significant Industrial Sites (LSIS)	Air quality	None	None
28	Safeguarding and Managing Borough Employment Areas	Air quality	None	None
29	Approach to Non-Designated Employment Land	Air quality	None	None
30	Industrial Masterplan Approach	Air quality	None	None
32	Workspaces	Air quality	None	None

Table 4.1: LP1 Screened-in Policies (as modified)

Policy number	Policy Name	Potential effects on European sites:		
		Epping Forest SAC	Lee Valley SPA and the Lee Valley Ramsar site	Wormley-Hoddesdonpark Woods SAC
38	Blackhorse Lane Creative Enterprise Zone	Air quality	None	None
57	Tall Buildings	None	Urbanisation	None
63	Active Travel	Recreation	Recreation	None
64	Public Transport	Air quality	None	None
79	Green Infrastructure and the Natural Environment	Recreation	Recreation	None
84	The Lee Valley Regional Park	None	Recreation	None
86	Food Growing and Allotments	Urbanisation including spread of invasive species and diseases	Urbanisation including spread of invasive species	None

4.2 Screening Conclusions

As LSEs were identified on Epping Forest SAC and Lee Valley SPA and Ramsar in the screening of the Draft LP1, it has been necessary to proceed to the AA stage of HRA. The AA is presented in Sections 5 to 10 of this report.

Following a more detailed screening of each impact pathway, no LSEs were identified on the Wormley-Hoddesdonpark Woods SAC. The site lies over 10.5km from the northern edge of the borough and due to this distance no potential impact pathways have been identified which could result from the Draft LP1 policies. No AA of this site is therefore necessary.

No additional LSEs were identified during rescreening of the Proposed Submission Draft Local Plan in September 2020 and screening of the proposed modifications to the LP1 in April 2021 and the post-Examination hearings proposed modifications to the LP1.

5 Appropriate Assessment: Recreational Pressures

5.1 Introduction

Screening of the LP1 identified that the following Spatial Strategy Policies could have a potential LSE on the Lee Valley SPA/Ramsar and the Epping Forest SAC as they would result in population growth which could increase recreational pressures within these sites:

- Policy 2 Scale of Growth;
- Policy 3 Infrastructure for Growth;
- Policy 8 Character-Led Intensification;
- Policy 9 South Waltham Forest;
- Policy 10 Central Waltham Forest; and
- Policy 11 North Waltham Forest.

The screening also identified that the following Thematic Policies could result in a potential LSE on the Lee Valley SPA/Ramsar and Epping Forest SAC due to the increased recreational pressure on these sites through either population growth or changes to infrastructure routes within the borough.

- Policy 12 Increasing Housing Supply;
- Policy 17 Redevelopment and Intensification of Existing Housing and Housing Estates;
- Policy 19 Small Sites;
- Policy 23 Gypsies and Travellers;
- Policy 63 Active Travel;
- Policy 79 Green Infrastructure and the Natural Environment; and
- Policy 84: The Lee Valley Regional Park.

5.2 Background

The possible effects of relevance to this assessment are as follows:

- Trampling and wear from cyclists leading to soil compaction/erosion and damage to veteran tree roosts, eutrophication from dog fouling, grazing challenges due to interactions between visitors and livestock, direct damage to veteran trees from climbing, damage to tree saplings effecting recruitment of new trees, harvesting, disturbance to invertebrates and other wildlife. (Please note that potential effects of fires, spread of disease and

invasive species have been considered under the issue of ‘Urban Effects’ in Section 9);
and

- Disturbance of the bird species for which the Lee Valley SPA and Ramsar is designated (either by people or cycling).

5.3 Assessment of Effects Alone and In Combination

5.3.1 Epping Forest SAC

Current recreational pressures on the Epping Forest SAC

Epping Forest is London’s largest open space which is managed by the City of London as the Conservators of Epping Forest. The Epping Forest SAC is designated for its extensive woodland, heathland and its population of stag beetles.

Epping Forest SAC is a popular destination due to its location on the outskirts of London. The forest received 4.2 million visits in 2014¹² and the City of London Corporation has concerns that high levels of people to the most popular parts of the forest are resulting in damage to vegetation and erosion of soils. Also, Epping Forest is a key mountain biking destination as it is easily accessible by train. Off-road cyclists are creating new tracks as they ride through the woodland and widening existing tracks¹³ which is leading to fragmentation, degradation, soil erosion and loss of habitat continuity. Natural England’s Site Improvement Plan¹⁴ lists Public Access/Disturbance as a priority issue that is currently impacting on the condition of the SAC.

Formal visitor surveys were undertaken in 2017 and 2019 by Footprint Ecology¹⁵¹⁶ to understand the visitor use of Epping Forest SAC. The surveys identified that 75% of visitors to Epping Forest SAC in 2017 came from within 6.176 km of the forest whereas in 2019 this figure was 6.67km

¹² Epping Forest Management Plan

(https://consult.cityoflondon.gov.uk/consult.ti/EF_Management_Plan_1/view?objectId=6711348)

¹³ www.trailforks.com/region/epping-forest/?activitytype=1&z=11.9&lat=51.67006&lon=0.04019

¹⁴ Natural England (December 2014). Site Improvement Plan: Epping Forest.

¹⁵ Liley, D., Panter, C., Weitowitz, D. & Saunders, G. (2018). Epping Forest Visitor Survey, 2017. Unpublished report by Footprint Ecology for the Coty of London Corporation as Conservators of Epping Forest.

¹⁶ Liley, D., (2019). Epping Forest Visitor Survey (2019). Unpublished report by Footprint Ecology for Epping Forest District Council.

(and 6.36km excluding the holiday makers). The zone from which 75% of visitors originate from is considered by Natural England to be the ‘Recreational Zone of Influence’¹⁷ and any proposed residential developments within this zone are therefore considered to have a recreational impact on the SAC. Natural England have confirmed that the Epping Forest SAC Recreational Zone of Influence should currently be set at 6.2km¹⁸, subject to the results of future visitor surveys. For the purpose of this HRA, 6.2km is therefore considered to be the Recreational Zone of Influence; this distance encompasses all of the London Borough of Waltham Forest.

The visitor surveys found that the median distance that people travelled to the site (i.e. half the people interviewed) was 3.1km in 2017 and 2.6km in 2019. People living within this zone were more likely to visit the site more frequently. Natural England have confirmed that 3km is considered to be the Inner Recreational Zone of Influence.

Effects of the Spatial Strategy Policies on Epping Forest SAC from the LP1 Policies Alone

Due to the proximity of the Borough of Waltham Forest to the Epping Forest SAC, all 19 Spatial Strategy Policies of the Local Plan listed in Section 5.1 are likely to result in residential areas that fall wholly or partly within 3km of the SAC which is within the Inner Zone of Influence. These Spatial Strategy Policies could result in the addition of 27,000 homes, the vast majority of these are likely to occur within this inner zone. The population growth associated with these new homes would result in an increase in recreational pressures on the Epping Forest SAC. This SAC is already under pressure from existing high levels of recreational activity and therefore, without mitigation, the additional pressures are predicted to result in an adverse effect on the integrity of the SAC.

Strategic Mitigation for the Spatial Strategy Policies

Natural England has produced an interim advice note on the Emerging Strategic Mitigation Strategy for the Epping Forest SAC (NE, 6th March 2019) and updated by their advice contained within the Natural England letter dated 5 March 2021¹⁹. This note advises that all residential development within 3km of the SAC and all development with 100 or more dwellings within 6.2km of the SAC should make a financial contribution to strategic measures as set out in the costed Strategic Access Management Measures (SAMM) provided by the Conservators of Epping

¹⁷ Natural England Interim Advice Note (March 2019). Andrew Smith – Thames Team

¹⁸ Natural England Epping Forest SAC Zone of Influence (June 2020). Letter to Epping Forest District Council. Jamie Melvin – West Anglia Team

¹⁹ Natural England Developments to the Strategic Approach relating to the Epping Forest SAC Mitigation Strategy (March 2021). Letter to the Epping Forest SAC Oversight Group. Aidan Lonergan.

Forest. The proposed SAMM, which have been agreed by its members, would include measures to manage recreational pressures by encouraging users to use designated routes/areas away from sensitive parts of the Forest and monitor visitor impacts on SAC features to guide visitor management. These costings have been laid out in terms of whole forest SAMM Mitigation Measures, with a 25 year total of £17,121,594 and an in perpetuity total (125yrs) of £62,626,158. The Corporation of London considers these mitigation measures to be essential to the protection of Epping Forest SAC.

Natural England also advise that all residential development within 6.2km of the Epping Forest SAC should provide additional mitigation to offset recreational impacts on the SAC. Natural England has set out a 'Toolbox Approach' to mitigation. The list of items that NE would find acceptable as part of the package of mitigation measures includes the following:

- Traditional SANG, meeting the 8ha minimum standard, meeting the guidelines;
- SANG networks, either not meeting the standard, or all of the traditional guidelines, but does provide a semi natural experience of a size greater than 2ha for the local populous
- Strategic SANG, as discussed above provided by a third party. Options to look at areas such as Olympic Park or Hackney Marshes;
- SAMM+ Contribution, directly funding a significant project from the City of London's proposed complete solution. Reducing the overall requirement strategically, but dealing with a likely acute development issue, due to size of development or proximity to the SAC;
- Offsite Public Rights of Way improvements away from the SAC. Provides an opportunity to improve accessibility to current green spaces in the London Boroughs from the new developments and beyond;
- Bespoke Wardens provided to manage visitor engagement on SANGs other green spaces in the Boroughs;
- A new Education Centre / Facility focused on managing behaviours at the SAC;
- Dog Training Areas on the site somewhere, small fenced areas where people could train their dogs, recall etc, without being on the SAC;
- Contributions to other Green Infrastructure in the vicinity (improvements to accessibility or biodiversity on them), such as opening up areas of green, removing culverts on river sections, extra habitat planting or riverside walks;
- Contribution to the City of London for something else outside of the SAMM project requirements;
- Pet Covenants on developments to ban keeping of dogs;
- Reduce access to the SAC from any particular development with physical barriers; and
- Secure measures to provide garden waste provision on site, to protect garden refuse or fly tipping on the SAC, where gardens are part of the application.

An Epping Forest SAC SANG Strategy has been produced by the London Borough of Waltham Forest to offset recreational effects on the SAC. The SANG Strategy will ensure that SANGs will be delivered alongside housing development in order to mitigate for increased recreational pressures on Epping Forest SAC. The SANG Strategy has been prepared in consultation with Natural England, the City of London and the Lee Valley Regional Park Authority. The strategy has been supported by site visits on 20th April 2021 and 5th September 2022 which confirmed potential for SANG delivery through a number of sites within the borough. The SANG strategy will be used as the basis for a Waltham Forest Green Spaces and Places Supplementary Planning Document (SPD) which will follow the adoption of the LP1.

The SANG Strategy will provide a package of mitigation measures based on Natural England's 'Toolbox Approach'. The strategy would aim to provide a scheme that provides attractive alternative open spaces to Epping Forest SAC. The sites identified are wide ranging in their type and size. Proposals were drawn up for each site in consultation with Natural England and the following sites were deemed suitable for inclusion in the strategy:

1. Lee Valley Link
2. Sewardstone Paddocks
3. Chingford Rugby Club
4. Mansfield Park
5. Ridgeway Park
6. Policeman's Alley/Organ Lane
7. Chingford Green/St Peter and St Pauls Church
8. Pimp Hall Park
9. Chingford Mount Cemetery
10. Larks Wood
11. The Highams Park
12. River Ching Walk
13. Ainslie Wood and Rolls Park Sports Ground
14. Chase Lane Park
15. Banbury Reservoir
16. Wild Marsh East
17. Higham Hill Park
18. Cheney Row Park and Folly Lane Triangle
19. Fellowship Square and Gardens
20. St Mary's Church Yard
21. Town Square and Gardens

22. Stoneydown Park
23. Douglas Eyre Playing Field
24. Queens Road Cemetery
25. Thomas Gamuel Park
26. Roding Valley Link
27. St John the Baptist Churchyard
28. Leyton Cricket Ground and Brewster Road Park
29. Sidmouth Park and Coronation Garden
30. St Patrick's RC Cemetery
31. Langthorne Park
32. Drapers Field
33. Leyton Mills Retail Park
34. Eton Manor
35. Leyton Jubilee Park
36. Waterworks
37. Walthamstow/Leyton Marsh Nature Reserve
38. Low Hall Sports Ground
39. Low Hall Farm

Pipeline SANG for permitted developments have also been identified, as shown in Table 5.1.

Table 5.1: Pipeline SANG	
Mitigated Development	Number of Homes
Coronation Square/Score Centre	750
Fellowship Square	433
Hylands Road	120
Lea Bridge Gasworks	573
Lea Bridge Station sites	345
Marlowe Road Estate	141

Homebase (Patchworks)	583
Whipps Cross University Hospital	1,500
TOTAL	4,445

Interventions are proposed that would enhance the SANGs to make them more attractive to encourage visitors away from the Epping Forest SAC. Uplift was calculated for each SANG based on an assessment of the proposed interventions and the expected additional number of visitors that will be attracted to the site following the proposed interventions.

This has been based on Walthamstow Wetlands visitor data (2022) combined with the technical expertise and extensive experience of LBWF Officers supported by consultation with Natural England.

The SANG Strategy also includes details on costing of the proposed interventions and assurance that sufficient SANG is provided in advance of occupancy of residential developments. Details on the funding mechanism is also be provided for the creation and management of the SANG in-perpetuity.

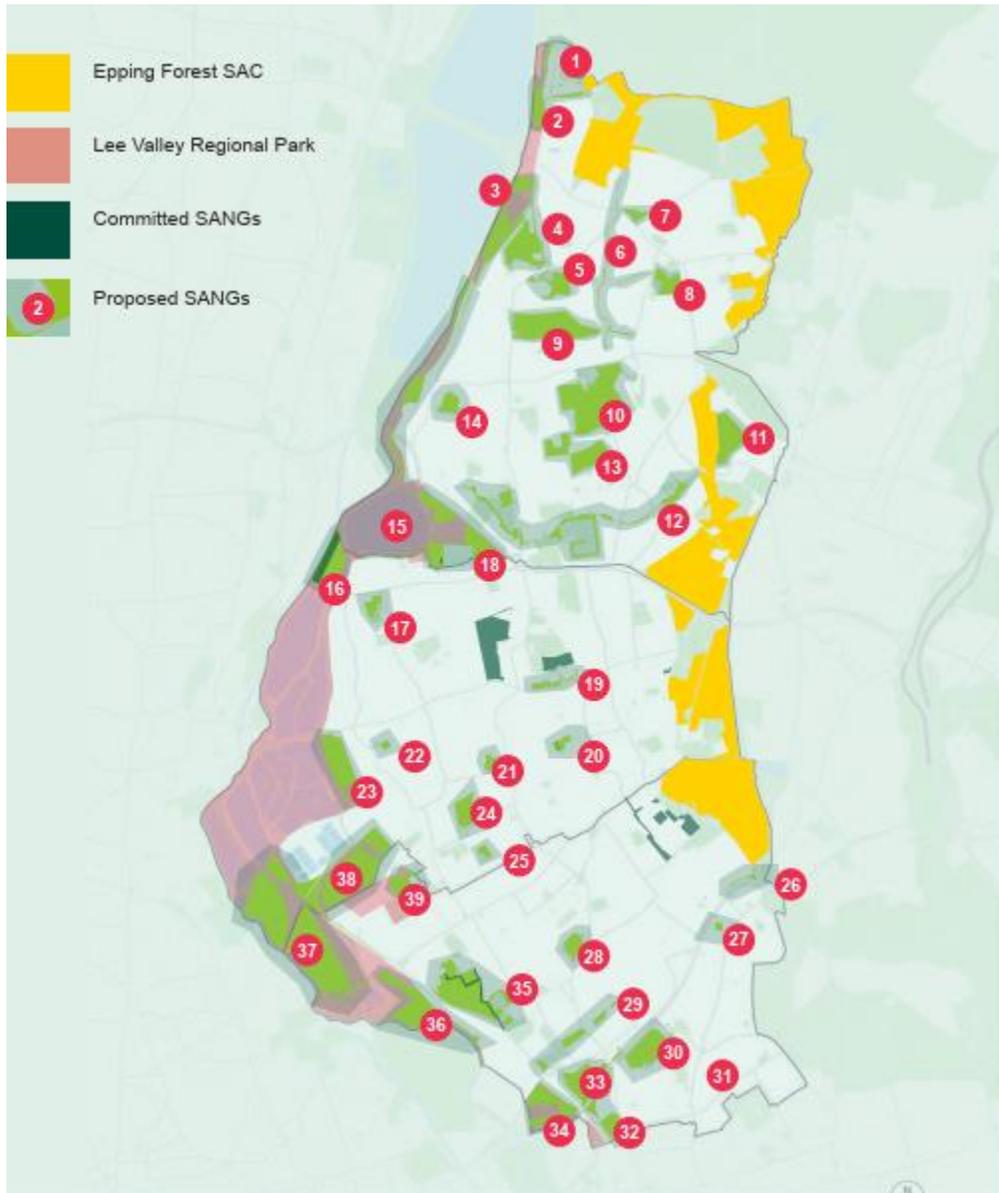


Figure 5.1: Pipeline and Proposed SANGs sites within London Borough of Waltham Forest
(figure reproduced from the Waltham Forest Green Spaces and Places Part 1: Suitable Alternative Natural Greenspace (SANG), September 2022)

The location of Site Allocations will be available in the LP2 which is being assessed by a separate HRA. The LP2 HRA will set out how the SANG network will support the delivery of each Site Allocation. The HRA will also set out additional mitigation measures for sites that may be allocated close to the SAC. In these instances, developments would be required to provide a ‘SAMM+’ contribution if necessary in line with Natural England’s Toolbox Approach to directly fund a significant project from the City of London’s proposed complete solution (refer also to Section 9: Urban Effects). This may reduce the overall requirement strategically, but deal with potential acute development issues of development in close proximity to the SAC. Further information will be provided within the LP2 HRA.

Policy 83: The Epping Forest and the Epping Forest Special Area of Conservation is a protection policy (refer to Box 2.5) which requires developments to contribute to a mitigation strategy to offset impacts of recreational pressures on the Epping Forest SAC. The policy and associated supporting text sets out the London Borough of Waltham Forest approach and specifically requires residential developments to contribute to the SAMMs and the provision of SANG, as set out in the Council’s proposed SANG Strategy and associated SPD. Further details on contributions towards SANG and SAMM would be set out in the SPD, thereby ensuring an appropriate funding mechanism is in place to support this strategy.

Effects of the Thematic Policies on Epping Forest SAC from LP1 Policies Alone

Policy 19 Small Sites and Policy 23 Gypsy and Travellers are predicted to increase residential areas within 3km of the Epping Forest SAC (Inner Zone of Influence). This would result in population growth which, although small, could still contribute to recreational activities within the SAC. An adverse effect on the designated features of the SAC is therefore predicted as a result of these policies.

Policy 63 Active Travel and Policy 79 Green Infrastructure encourage developments to improve connectivity with existing routes or green infrastructure which could increase recreational pressures within the SAC. These policies could potentially have an adverse effect on the integrity of the SAC.

Mitigation for the Thematic Policies

Policy 83: The Epping Forest and Epping Forest Special Area of Conservation is a protection policy that ensures residential developments within the borough contribute towards avoidance and mitigation measures to offset impacts arising from recreation activities. This policy would ensure that there are no adverse effects on the SAC as a result of Policies 19 and 23. The development of a SANGs strategy, and its subsequent inclusion in an SPD (to follow the adoption of the LP1) will ensure that the risks posed by the wording of policies 63 Active Travel and 79 Green Infrastructure, which encourage improved connectivity with existing routes or green

infrastructure, will be controlled through the SANG Strategy and thereby avoid increasing recreational pressures within Epping Forest SAC (and Lee Valley SPA).

Assessment of In Combination Effects

The Local Plans of the following authorities would have an in combination increase in recreational pressures to Epping Forest SAC through delivering new housing within the 6.2km Recreational Zone of Influence (refer to Appendix 2 for further information):

- Epping Forest District Council;
- Harlow District Council;
- East Hertfordshire District Council;
- Broxbourne Borough Council;
- Brentwood Borough Council;
- London Borough of Waltham Forest;
- London Borough of Redbridge;
- London Borough of Enfield;
- London Borough of Newham;
- London Borough of Haringey;
- London Borough of Hackney;
- London Borough of Tower Hamlets; and
- London Borough of Barking and Dagenham.

All these authorities are included within the Epping Forest SAC Oversight Group and Natural England has provided a framework to enable these authorities to ensure no adverse effects from recreational pressures through implementing Natural England's Emerging Strategic Mitigation Strategy for Epping Forest (dated 6th March 2019). The Epping Forest District Council (EFDC) Local Plan (Submission Version dated 2017) was found to be not sound by the Inspector during the Examination (report dated 2nd August 2019) and requires major modification. The Inspector required further details on the SANG Strategy before it can be concluded that there would be no adverse effect on the SAC as a result of an increase in recreational pressures. EFDC has prepared a SANG Strategy within their Green Infrastructure Strategy (April 2021)²⁰. The EFDC SANG Strategy addresses the points raised by the Inspector during the examination. The EFDC SANG Strategy is predicted to offset the recreational pressures on the SAC and provide sufficient

²⁰ Epping Forest District Council (April 2021). Green Infrastructure Strategy.

certainty to enable the EFDC Local Plan HRA to conclude that there would be no adverse effects on the SAC.

Since the AA was last updated in April 2022, there has been further work undertaken by LBWF on the SANG strategy between May and September 2022 in consultation with Natural England and City of London. The further work provides additional certainty that the strategy will be delivered once finalised. The SANG strategy includes the identification of 39 new potential SANG sites across the borough and demonstrates adequate capacity is available for mitigation through SANG. The SANG methodology is currently pending ratification by Natural England strategic solutions board.

5.3.2 Lee Valley SPA and Ramsar

Current recreational pressures on the Lee Valley SPA and Ramsar

The Walthamstow Reservoirs SSSI is a complex of ten reservoirs which form part of the Lee Valley SPA/Ramsar. The Reservoirs occur in the far west of the borough and therefore are accessible to Waltham Forest residents. The remaining component parts of the Lee Valley SPA are not considered further as they are over 5km from the borough boundary with no direct roads that run close to these component parts.

The Walthamstow Reservoirs are managed to meet the operational needs of the site's main focus as water supply reservoirs. The 'Walthamstow Wetlands Project' was completed in 2017 and was supported by an HRA to ensure it did not have an adverse effect on the integrity of the SPA/Ramsar²¹. The project has enhanced the main public access points into the site and provided new public access routes around parts of the reservoir. An access management system is in place with primary and secondary routes around the site. Seasonally restricted routes also occur which are shut off from the public during sensitive times for the rare birds that use the site. A visitor centre, café and exhibition space are located in the centre of the reservoir complex. Dogs are not permitted within the site at any times and cycling is only permitted on primary routes. Fishing and bird watching, which was previously unrestricted, is controlled by fishing and birdwatching permits which are capped to protect the reservoirs. The site is managed by dedicated wardens.

The access management system's primary requirement is to protect the sensitive bird areas within the SPA/Ramsar from recreational activities. The important bird areas were identified by extensive ornithological surveys, focussing on the shoveler, gadwall and bittern populations that

²¹ BSG Ecology 2014. Part 1: Report to Inform a Habitats Regulations Assessment for the Lee Valley Special Protection Area. Walthamstow Reservoirs – Walthamstow Wetlands Project.

are the designated feature of the SPA/Ramsar. The surveys were undertaken to support the HRA of the project and are updated annually. The results of the post construction bird surveys found that bird distribution was consistent with the pre-construction baseline and the mitigation within the design of the site was effective²².

The number of visitors to the reservoirs in 2018 was estimated to be 70,000 per annum with this number predicted to gradually increase until 2023/24 when visitor numbers are set to plateau at 180,000 per annum²³.

Effects of LP1 on Lee Valley SPA and Ramsar

The predicted population growth resulting from policies within the LP1 is likely to result in an increased use of the site by the public. The potential effects of this increase in recreational pressure on the SPA/Ramsar features due to visual and/or audible disturbance is discussed below.

Dogs (with the exception of Assistance Dogs) and use of public vehicles are both not permitted within the SPA and therefore recreational activities are restricted to walkers, cyclists, anglers and bird watchers.

The access management scheme restricts public access to sensitive parts of the site during the autumn and winter to protect the populations of gadwall, shoveler and bittern. A high level of monitoring is undertaken by wardens to ensure recreational activities do not adversely impact the birds within the SPA. The results of the monitoring are provided to Natural England annually. In the event that adverse effects are identified then the access management system includes measures to enable routes to be temporarily or permanently closed by installation of additional gates or screens.

Unauthorised entry to the site through cutting gaps in the perimeter fence could potentially occur as a result of an increase in the population, if the SPA/Ramsar is accessible to residents of the proposed development adjacent this European Site. This could result in disturbance to sensitive bird areas. This issue is relevant to Policy 10 Central Waltham Forest and Policy 19 Small Sites which could result in an increase in residential development around Blackhorse Lane potentially within 50m of the SPA/Ramsar. However, the SPA/Ramsar is separated from Blackhorse Lane by the Lee Flood Relief Channel and Thames Water security fencing. The SPA/Ramsar can only

²² www.bsg-ecology.com/portfolio_page/walthamstow-wetlands-ornithological-survey-design-inputs-hra-support Website accessed 5 March 2020

²³ Walthamstow Wetlands Project Business Plan cited in BSG Ecology, 2014.

be directly approached from the south or from Forest Road. In each case robust security fencing borders the site (tall metal fence with spikes or wooden palisade fence overtopped by strands of barbed wire). It is noted that existing residential development is within the Blackhorse Lane area and post-construction bird surveys have not recorded any adverse effects on bird distribution. It is therefore concluded that the site is not susceptible to unauthorised access due to development at Blackhorse Lane which may come about through the LP1 and no adverse effect on the integrity of the SPA/Ramsar is therefore predicted. However, as a precaution, a project level HRA would be required for all developments at Blackhorse Lane (refer to Section 9: Urban Effects for further information).

Assessment of In Combination Effects

The access management strategy being implemented at Walthamstow Reservoirs has been specifically designed to ensure there are no impacts on the bird interest within the SPA/Ramsar and this strategy, therefore, already provides a mechanism to ensure no future adverse effects occur as a result of population growth in the area. Therefore, no residual effects are predicted on the integrity of the SPA/Ramsar as a result of increased population due to the LP1. No in combination assessment of recreational pressures on this European Site is therefore required. The access management scheme within the SPA/Ramsar is also considered to be sufficiently robust to account for population increases from other plans or projects.

5.4 Conclusion

5.4.1 Epping Forest SAC

Epping Forest SAC is currently subject to high levels of recreational pressures which are causing damage to the habitats and erosion of soils within the site²⁴. Visitor surveys of Epping Forest have found that the entire borough falls within the 6.2km Recreational Zone of Influence. The Local Plan would result in 27,000 new homes within the Zone of Influence which is predicted to have an adverse effect on the integrity of the SAC due to increased recreational pressures.

Natural England has produced an interim advice note on the Emerging Strategic Mitigation Strategy for the Epping Forest SAC²⁵ and updated by their advice contained within a letter dated

²⁴ Natural England (December 2014). Site Improvement Plan: Epping Forest.

²⁵ Natural England letter dated 5th March 2021 sent to local authorities within the Epping Forest SAC zone of influence

5 March 2021²⁶. The strategic mitigation strategy provides a framework to enable the adverse effects on the SAC to be mitigated. The requirement to implement this mitigation strategy is included within 'Policy 83: The Epping Forest and the Epping Forest Special Area of Conservation' of the Submission LP1 and ensure that an appropriate mitigation strategy is produced prior to the Local Plan being adopted. Natural England were consulted on the proposed mitigation and were in agreement. A mitigation strategy in the form of a SANG Strategy, to be incorporated into a Waltham Forest Green Spaces and Places SPD, has been prepared which will ensure that SANGs will be delivered alongside housing development in order to mitigate for increased recreational pressures on Epping Forest SAC. The SANG strategy includes the identification of 39 potential SANG sites across the borough and demonstrates adequate capacity is available for mitigation through SANG. Once finalised it will ensure the delivery of SANG mitigation of a suitable quality and location. The SANG strategy methodology is currently pending ratification by Natural England strategic solutions board.

EFDC's Local Plan was not found to be sound during Examination in 2019 and the Inspector required more detailed information on their SANG Strategy before it can be concluded that their Plan would not have an adverse effect on the SAC as a result of recreational pressures. EFDC has now prepared a SANG Strategy within their Green Infrastructure Strategy (April 2021)²⁷. The EFDC SANG Strategy addresses the points raised by the Inspector during the examination. The strategy is predicted to offset the recreational pressures on the SAC and provide sufficient certainty to enable the EFDC Local Plan HRA to conclude that there would be no adverse effects on the SAC.

Following the finalisation of the Waltham Forest SANG Strategy, along with the EFDC's SANG Strategy and the Waltham Forest LP1 policy wording, it will be possible to conclude that **the Waltham Forest LP1 will have no adverse effects on the integrity of Epping Forest SAC with regards to recreational pressure when assessed in combination with the EFDC Local Plan.**

²⁶ Natural England Developments to the Strategic Approach relating to the Epping Forest SAC Mitigation Strategy (March 2021). Letter to the Epping Forest SAC Oversight Group. Aidan Lonergan.

²⁷ Epping Forest District Council (April 2021). Green Infrastructure Strategy.

5.4.2 Lee Valley SPA and Ramsar

The access management strategy being implemented at Walthamstow Reservoirs has been specifically designed to ensure there are no impacts on the bird interest within the SPA/Ramsar. This strategy already provides a mechanism to ensure no future adverse effects occur as a result of population growth in the area. Therefore, **no adverse residual effects on the integrity of the Lee Valley SPA /Ramsar are predicted as a result of recreational pressures due to the Waltham Forest LP1 either alone or in combination.**

6 Appropriate Assessment: Increase in Water Pollution

6.1 Introduction

Screening did not identify any policies as having an LSE due to water pollutants entering the Epping Forest SAC as no increase in development is proposed immediately adjacent the SAC. No impact pathway has therefore been identified and no further assessment of this SAC is undertaken in this section.

Screening identified the following policies could result in a potential LSE from water pollutants entering the Lee Valley SPA/Ramsar as they could increase development either adjacent to this European Site or along watercourses linked to the site:

- Policy 10 Central Waltham Forest;
- Policy 11 North Waltham Forest;
- Policy 12 Increasing Housing Supply; and
- Policy 17 Redevelopment and Intensification of Existing Housing and Housing Estates.

6.2 Background

Construction of the proposed developments could result in pollutants entering the Lee Valley SPA and Ramsar via a potential impact pathway, such as a watercourse, which creates a hydrological connection between a proposed development site and the European Site. Pollution could include dust (cement powder) and hydrocarbons (fuels/oils) being released during movement across the construction site or from general construction activities such as any spillages, the release of metal fines and construction material pollutants (welding and wet concrete). Site pollutants could then enter watercourses linked to the European Sites either directly or through contamination of surface water run-off. These pollutants could reduce water quality thereby impacting on the habitats and the associated food source of the birds within the SPA and Ramsar.

Pollutants could also potentially enter the SPA and Ramsar during the operational phase of the development projects through spills, leaks, sediments and discharges.

Although the Local Plan only gives high level information on proposed development location, a review of the location of the Lee Valley SPA and Ramsar and the upstream section of the River Lee was undertaken. OS Maps (1:10,000 scale) were used to determine if it was feasible that development resulting from the policies listed in Section 6.1 could be located adjacent to these water features.

The increase in population as a result of the LP1 could also result in the following:

- An increased discharge of waste from wastewater treatment works that discharge into the River Lee or its tributaries; and
- An increase in traffic travelling along roads that run directly past the SPA/Ramsar.

A review of the location of the wastewater treatment works and roads adjacent the SPA/Ramsar was therefore also undertaken.

6.3 Assessment of Effects Alone and In Combination

Local Plan Policies 10, 11, 12 and 17 could result in an increase in development either along the River Lee or adjacent to the Lee Valley SPA and Ramsar which could increase pollutants and surface water run-off during construction and operation of the sites. However, the LP1 includes a protection policy which would ensure the water quality of the River Lee is not adversely impacted by new development either during construction or operation. Policy 91 Water Quality and Water Resources states that “*new development should prevent any adverse impacts on water quality and water supply by:*

A) Ensuring new development that is seen to have the potential to cause adverse effects on water quality provides appropriate mitigation to alleviate risk;....

D). Ensuring that development proposals appropriately manage foul water and surface water connections and provide adequate wastewater infrastructure capacity;

E). Work with infrastructure providers (Policy 75 Utilities Infrastructure) to protect existing water and sewerage infrastructure and manage pressure on combined sewer networks.”

Policy 91 would ensure that construction of the proposed developments adheres to current government guidelines for the control of water pollution (www.gov.uk/guidance/pollution-prevention-for-businesses). Control measures to protect the water environment during site operation would be inherent to the design of these developments.

Overall, the LP1 would not result in an adverse effect on the integrity of the Lee Valley SPA and Ramsar due to water pollution.

6.4 Conclusions

The Lee Valley SPA and Ramsar is an existing reservoir which will continue to operate as a drinking water resource throughout the 2022-2036 Local Plan period. All planning applications for development that potentially impact water quality within this reservoir will be subject to a high



degree of scrutiny by Waltham Forest Council and Thames Water to ensure the reservoir is protected. Also, Local Plan Policy 91 Water would ensure that the water environment within the borough, which includes waterways connected to the Lee Valley SPA, would not be adversely impacted by new developments. It is therefore concluded that **the Waltham Forest LP1 would not result in a risk of an adverse effect on the integrity of the Lee Valley SPA and Ramsar with regards to water quality either alone or in combination with neighbouring plans and projects.**

7 Appropriate Assessment: Water Demand

7.1 Introduction

Screening of the LP1 did not identify a LSE on the Epping Forest SAC in relation to an increase in water demand. This SAC does not supply water to Waltham Forest residents and no impact pathway has therefore been identified. This SAC is therefore not considered further within this topic section. Screening of the LP1 identified that the following policies could increase water demand and therefore result in a LSE on the Lee Valley SPA and Ramsar through increasing housing provision and therefore the population of the Borough:

- Policy 2 Scale of Growth;
- Policy 9 South Waltham Forest;
- Policy 10 Central Waltham Forest;
- Policy 11 North Waltham Forest; and
- Thematic Policies - Policy 19 Small Sites and Policy 23 Gypsy and Traveller Sites.

7.2 Background

The Borough of Waltham Forest lies within the Thames Water supply area. Water supplies originate from a mixture of surface water sources and groundwater sources. The surface water sources are primarily from the Lee Valley Reservoir Chain which are supplied by the River Lee. Several of these reservoirs occur within Waltham Forest, including Walthamstow Reservoirs SSSI which is a component site of Lee Valley SPA. An increase in water demand due to an increase in population in the area could impact on water levels within Walthamstow Reservoirs, thereby having an adverse effect on the habitats within the SPA and Ramsar site. Also, climate change could further impact on water levels within the reservoirs due to changes to rainfall amounts and distribution.

7.3 Assessment of Effects Alone and In Combination

Water levels within the Walthamstow Reservoir SSSI are directly controllable by Thames Water who have created the open water habitat which has attracted the birds for which the SPA/Ramsar

is designated. The Thames Valley Water Resource Management Plan²⁸ shows how they will supply water to their customers over an 80-year period (up to 2100) and includes for population increases in the area during this period. They have invested in water supply infrastructure, including operational desalination plants such as the Thames Water Desalination Plan which is operational throughout the plan period. These investments ensure London's water supply is resilient to changes.

An HRA of the Water Resource Management Plan has been undertaken²⁹ which concludes that the plan would have no adverse effects on the integrity of any European site, either alone or in combination with other plans or projects.

Licences to abstract water from sources linked to the Lee Valley SPA are issued by the Environment Agency (EA) who regulate the impact of the continued abstraction on European Sites. The EA's 'Review of Consents' process identified the effects of the continued utilisation of these abstraction sources on European Sites, including the Lee Valley SPA. This Review of Consents identified several licensed sources that needed to be assessed further to determine whether they had the potential to adversely affect the hydrogeological or hydrological regime of the Lee Valley SPA. An HRA of these licences was carried out by the EA in 2008 which concluded that the continued abstraction by Thames Water under licence would not have an adverse impact on the Lee Valley SPA. Although this HRA was undertaken in 2008, this conclusion is also relevant to new resourcing schemes, because some involve increasing existing abstractions at licensed sites while still remaining within the existing approved licence limit. New abstraction licences above the approved limit would not be granted by the EA if they harm European Sites.

The Local Plan also includes policy to increase water efficiency within new developments. Policy 91 Water stipulates that new development should prevent adverse impacts on water supply by:

“B. Ensuring developments include water efficiency measures including rainwater harvesting, greywater recycling and smart-metering;

C. Ensuring residential schemes achieve a water efficiency target of 105 litres per person/day or less plus an allowance of 5 litres of water per person - per day for external water use, and non-residential developments including refurbishments target maximum water credits in BREEAM or equivalent;”

²⁸ Thames Water (2020) Shape Your Water Future, Our Water Resources Management Plan 2020 - 2100

²⁹ Ricardo Energy & Environment. Final Water Resources Management Plan 2019 Appendix C: Habitats Regulations Assessment – April 2020. Report for Thames Water.

Overall the LP1 would not result in an adverse effect on the integrity of the Lee Valley SPA and Ramsar due to water abstraction either alone or in combination with growth in neighbouring plans.

7.4 Conclusions

Due to the water infrastructure that Thames Water have invested in and the further protection by the EA's Review of Consents process, it is concluded that **the Waltham Forest LP1 would not have an adverse effect on the integrity of the Lee Valley SPA and Ramsar either alone or in combination with growth in neighbouring plans.**

8 Appropriate Assessment: Increased Traffic on Air Quality

8.1 Introduction

Screening of the LP1 identified that the following strategy policies could increase traffic and therefore air pollution and result in a LSE on the Epping Forest SAC:

- Policy 2 Scale of Growth;
- Policy 8 Character-Led Intensification;
- Policy 9 South Waltham Forest;
- Policy 10 Central Waltham Forest; and
- Policy 11 North Waltham Forest.

In addition, screening has identified that the following Thematic Policies could increase traffic and therefore air pollution and result in a LSE on the Epping Forest SAC:

- Policy 12 Increasing Housing Supply;
- Policy 17 Redevelopment and intensification of existing housing and housing estates;
- Policy 19 Small Sites;
- Policy 23 Gypsy and Traveller Sites;
- Policy 25 Supporting and boosting economic growth and local jobs creation;
- Policy 26 Safeguarding and Managing Strategic Industrial Locations (SIL);
- Policy 27 Safeguarding and Managing Local Significant Industrial Sites (LSIS);
- Policy 28 Safeguarding and Managing Borough Employment Areas;
- Policy 30 Industrial Masterplan Approach;
- Policy 32 Workspaces;
- Policy 38 Blackhorse Lane Creative Enterprise Zone; and
- Policy 64 Public Transport.

Screening of the LP1 has not identified a LSE on the Lee Valley SPA and Ramsar in relation to air quality. Although roads occur within 200m of Walthamstow Reservoir SSSI, which is a component of the Lee Valley SPA and Ramsar, they are sealed reservoirs that are designated for the bird interest which rely on freshwater habitats. Freshwater habitats are typically not susceptible to atmospheric pollution from road traffic (refer to Appendix 3 for further information). This SPA and Ramsar is therefore not considered further in this topic section.

8.2 Background

The LP1 could potentially cause an adverse effect on the European sites identified above if traffic (and therefore emissions to air) were to increase within the borough or beyond the borough boundary for trips to access employment or other facilities such as cultural or retail. This could result in an increase in nitrogen deposition, which could have a direct or indirect effect on habitats sensitive to additional nitrogen. Direct effects arise when a pollutant is dispersed in the air and taken up by vegetation causing an adverse impact on plant health. Indirect effects occur when the pollutant settles onto the ground causing eutrophication or acidification of the soil. These effects can lead to changes in species composition due to encroachment of plants that favour higher nitrogen levels.

Epping Forest SAC is known to be adversely affected by relatively poor local air quality adjacent the roads through the SAC. For instance, the Natural England's SSSI condition assessment of the units within the SAC found that several units adjacent roads were found to be in Unfavourable condition due to air pollution³⁰.

Natural England advises that European Sites falling within 200m of the edge of a road affected by a plan or project need to be considered further^{31 32}(this does not mean that there is not the possibility of impacts due to increasing emissions from diffuse sources).

8.3 Assessment of Effects Alone

An Air Quality Study was prepared by Kairus air quality consultants in support of the HRA, dated 8 April 2021 and updated in March 2022. The Air Quality Study (hereafter referred to as 'AQS1') was based on detailed dispersion modelling to predict the impacts on airborne nitrogen oxides ('NO_x'), ammonia ('NH₃'), nutrient nitrogen deposition ('N-dep') and acid deposition ('acid-dep') at Epping Forest SAC. The assessment used traffic data provided by AWP transport consultants, which were derived from Transport for London's London Highway Assignment Model scenarios

³⁰ Natural England website:

<https://designatedsites.naturalengland.org.uk/ReportUnitCondition.aspx?SiteCode=S1001814&ReportTitle=Epping%20Forest%20SSSI>

³¹ SIGNAL, K., ASHMORE, M. & POWER, S. 2004. The ecological effects of diffuse air pollution from road transport. English Nature Research Report No. 580, Peterborough.

³² RICARDO-AEA, 2016. The ecological effects of air pollution from road transport: an updated review. Natural England Commissioned Report no.199.

for 2016, 2021, 2026, 2031 and 2041. AQS1 provided impacts in-terms of the LBWF LP1 in-combination with forecast growth across the region. Impacts for the LBWF LP1 alone were not determined due to the nature of the data available from Transport for London.

AQS1 concluded *“The assessment of emissions associated with traffic generated by the draft Local Plan has shown that in terms of airborne NH₃, nutrient nitrogen and acid deposition the impacts cannot be classed as insignificant. Given the sensitivity of the habitats found within Epping Forest SAC to nutrient nitrogen and acid deposition it is recommended that an AQMS is developed and implemented prior to approval of the Local Plan.”*

AQS1 included potential measures to be include in an Air Quality Management Strategy (AQMS). Since then the LBWF Transport and Planning Policy teams have undertaken a Trip Generation and Distribution Assessment of the proposed development sites included within the LP2. The purpose of this assessment is to assess specifically the impact of the proposed development on the local highway network and to inform a further air quality assessment in relation to Epping Forest SAC, using different traffic data which relates more specifically to the growth proposed within the Local Plan. This work and subsequent analysis has been reported within Waltham Forest Local Plan Draft Air Quality Study 2 (AQS2), WSP, September 2022.

To undertake this assessment each site allocation in LP2 has been assessed utilising the industry standard methodology for assessing the traffic impact of development as is set out within the WSP AQS2 report.

The outputs of the LBWF trip generation exercise have been provided to WSP for further assessment of the implications of the planned site allocations in the context of air quality impacts at Epping Forest SAC. For AQS2 WSP has worked with LBWF to determine the potential air quality impacts of the LP alone (not in-combination as this was considered in AQS1) on the EPSAC by first considering the expected changes in annual average daily traffic (AADT) flows on roads within 200 metres (m) of the EFSAC, both within and outside of the borough. The purpose of doing this is to understand the extent to which LP implementation would contribute to increased NO_x, NH₃, N-dep and acid-dep within the Epping Forest SAC.

The approach has been to determine vehicle trip generation and distribution for each site allocation, without and with the LP, to determine the expected net changes in AADT on roads within 200m of the Epping Forest SAC. The changes have been determined with full LP implementation (‘the LP scenario’), and for each year between 2022 and 2038. The trip generation exercise has assumed the following:

Residential

- Residential development across the borough will be 'car-free' in accordance with the LP policy. In practice, the measures included within the plan will not give residents of the proposed new dwellings access to a car parking space. However, provision will be made for Blue Badge holders to have access to a space, a parking space would be provided for 5% of residents at the outset in accordance with the policy.
- An assumption of 20% of this car parking will be of electric vehicles in accordance with EVCP policy included in both the plan and the London Plan. Though this number is expected to rise through the lifetime of the plan as passive infrastructure is activated over time in line with demand.
- Future residents of the proposed development will not have access to on-street car parking permits within Controlled Parking Zones (CPZs). Coverage of CPZs will be extended to cover the whole of the borough. The sensitivity test tests the impact of not extending the existing CPZ coverage.

Retail

- Retail sites would remove a significant proportion of existing car parking, but car parking could be re-provided up to the level set out within the car parking standards within LP1.

Industrial

- Across all SIL industrial sites no net increase in trips will occur. Whilst some intensification of production and land use will take place on some sites the existing unconstrained vehicle activity will be replaced by a carefully managed servicing management plan including electric vehicle charging and where appropriate agreed routes.

The potential air quality impacts of the LP scenario and the sensitivity test scenario were considered by WSP in-terms of the predicted changes in AADT flows on roads within 200m of Epping Forest SAC.

Discussions were held with Natural England on 1 August 2022 and 8 September 2022 and as a result, the changes in AADT were considered against an indicative threshold of 50 AADT, which has previously been adopted by the Natural England Thames Solent area team when considering the impacts of local plans alone and the subsequent need to consider in-combination effects. The rationale is that any increases in traffic below this threshold would result in increases in NO_x, NH₃, N-dep and acid-dep levels that are too small to be of consequence in-terms of sensitive ecological features.

The results of the trip generation exercise for the LP scenario are summarised in Table 8.1. This shows, for each strategic location, the changes in AADT flows that are predicted with the LP scenario compared to the situation without the LP. More detailed results for site allocations are included in the WSP AQS2 (September 2022) report.

Table 8.1 – Local Plan Scenario: Difference in Net Trip Generation by Strategic Location			
Strategic Location	AADT In	AADT Out	Total AADT
Bakers Arms and Leyton Green	-617	-594	-1,209
Blackhorse Lane	-316	-316	-633
Chingford Mount	-523	-498	-1,019
Forest Road Corridor	-968	-969	-1,936
Highams Park	-368	-373	-740
Lea Bridge and Church Road	-301	-264	-564
Leyton	-907	-865	-1,772
Leytonstone Town Centre	-840	-794	-1,635
Low Hall	-165	-133	-298
North Chingford	-26	-27	-53
North Circular Corridor	-708	-672	-1,380
Sewardstone Road	-270	-273	-544
South Leytonstone	-71	-70	-143

Table 8.1 – Local Plan Scenario: Difference in Net Trip Generation by Strategic Location

Strategic Location	AADT In	AADT Out	Total AADT
Walthamstow	-1,040	-1,012	-2,049
Whipps Cross	342	342	685
Wood Street	-5	-5	-11
Outside Strategic Location	112	111	223
All areas	-6,671	-6,412	-13,078

The results for the LP scenario demonstrate overall reduction in trips.

This is due to the effect of the LP1 policies which will replace unconstrained land uses with high levels of car parking with car free development that only provides car parking for blue badge units, provides significant levels of cycle parking and infrastructure and looks to improve access to the public transport network.

Analysis of the distributed trips (AADT flows) on the road network show that the maximum increase in AADT flow on any road with the LP scenario is 57 vehicles. The maximum increase in AADT flow on any road with the Sensitivity Test scenario (i.e. without the LP1 policies) is 138 vehicles.

Potential air quality impacts at EFSAC were considered in-terms of the predicted changes in AADT flows on roads within 200m of the Epping Forest SAC. With the exception of part of the A121 High Road within the Epping Forest District Council (EFDC) area, all roads are expected to experience reduced AADT flows. The greatest predicted increase is four AADT on the A121, which adjacent to the Powell's Forest and Warren Hill areas of the EFSAC. This is well below the 50 AADT threshold of change that is typically applied by the Natural England Thames Solent team.

The AQS2 undertaken by WSP draws the following conclusions:

- There will be an overall net reduction in traffic within the borough as a result of the LP1 policies and LP2 allocations;

- The Local Plan will bring about reductions in traffic compared to the situation without the plan on all roads within 200m of EFSAC except the A121 High Road within the EFDC area, where an increase of four AADT is predicted with full plan implementation in 2038. This minor change is well within the daily variation in traffic flow that could occur on this road;
- Any increase in AADT is well below the 50 AADT threshold of change that is typically applied by the Natural England Thames Solent team when considering the impacts of Local Plans alone and the subsequent need to consider in-combination effects. Any increases in NO_x, NH₃, N-dep and acid-dep due to the WLBWF LP 'alone' will be imperceptible; and
- This study (AQS2) demonstrates that an AQMS is not required.

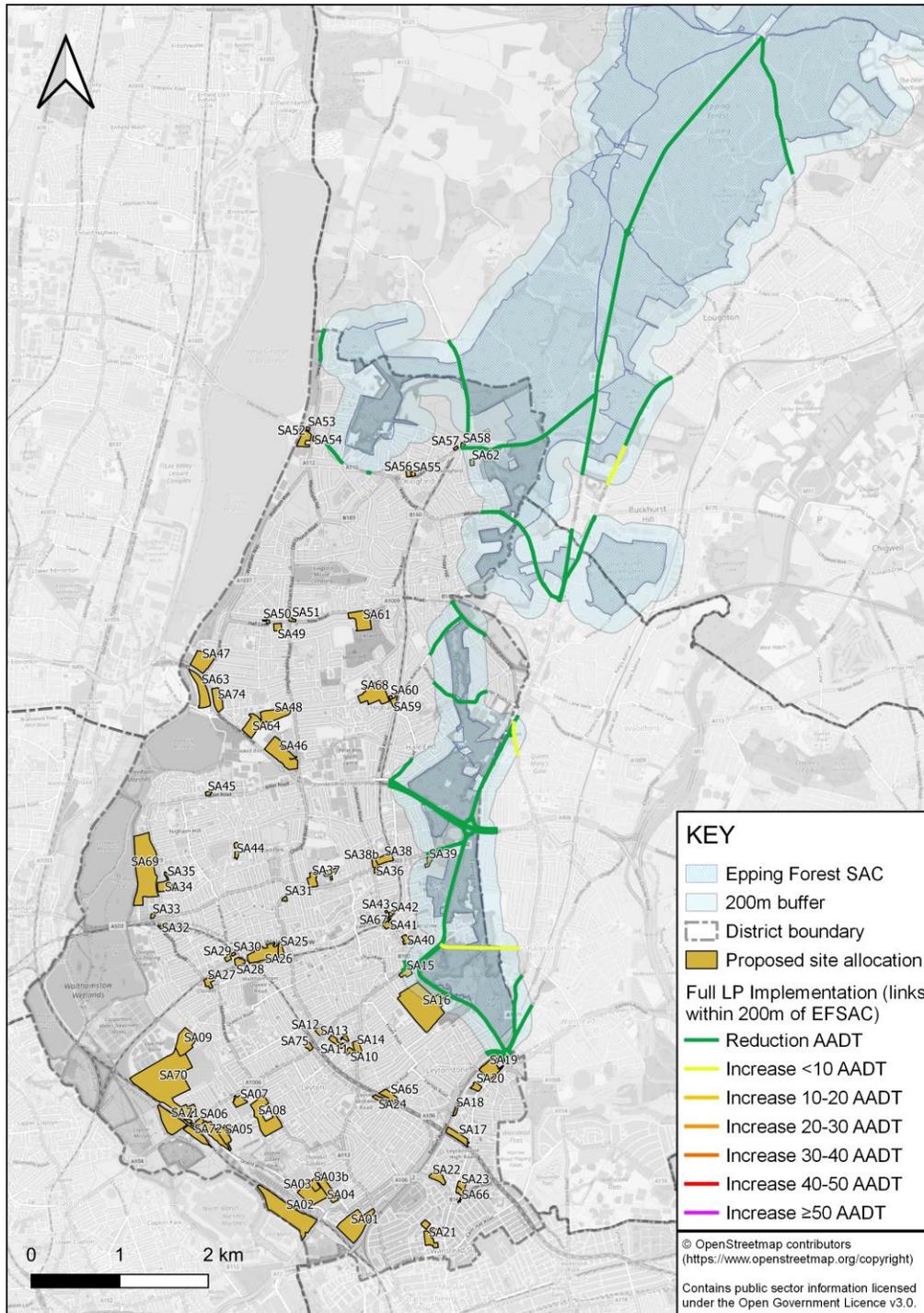


Figure 8.1: LP Scenario: Changes in AADT within 200m of Epping Forest SAC

(figure reproduced from ClearLead Consulting Limited AQS2, WSP, September 2022)

8.4 Conclusions

On the basis of the AQS2 undertaken by WSP, it is concluded that the growth proposed in LP1 will not result in any residual increase in traffic or associated air pollution on roads within 200m of the Epping Forest SAC. As there will be no effect at all of the plan alone, it is therefore possible to conclude that there will be **no adverse effect on the Epping Forest SAC from air pollution as a result of the Waltham Forest LP1 policies and no further in combination assessment is therefore necessary**. This approach is in accordance with established case law (refer to Section 3.3).

9 Appropriate Assessment: Urban Effects

9.1 Introduction

Urban Effects is a combined term relating to impacts of development where it is close to a SAC or SPA. A variety of 'urban effects' can result in adverse impacts on European sites. Those considered in particular in this section are given below:

- Cat predation;
- Localised effects from construction;
- Fires;
- Visual effects on birds; and
- Fly tipping / litter resulting in spread of diseases and invasive species.

It is noted that recreational pressures increase for residential development in close proximity to a European Site. However, the localised effects of recreational pressures are discussed in Section 5 and this section therefore concentrates on the above-listed effects. The localised potential effects of water pollution are considered in Section 6: Water Pollution.

Screening of the LP1 has identified that the following policies could result in an LSE from urban effects on the Epping Forest SAC as they could potentially result in development within 500m of the SAC boundary:

- Policy 2 Scale of Growth;
- Policy 3 Infrastructure for Growth;
- Policy 8 Character-Led Intensification;
- Policy 9 South Waltham Forest;
- Policy 10 Central Waltham Forest;
- Policy 11 North Waltham Forest;
- Policy 12 Increasing Housing Supply;
- Policy 17 Redevelopment and intensification of existing housing and housing estates;
- Policy 19 Small Sites; and
- Policy 86 Food Growing and Allotments.

Screening of the LP1 has also identified that the following policies could result in an LSE on the Lee Valley SPA and Ramsar as they would increase development including tall buildings within 500m of this site:

- Policy 2 Scale of Growth;

- Policy 9 South Waltham Forest;
- Policy 10 Central Waltham Forest;
- Policy 17 Redevelopment and intensification of existing housing and housing estates;
- Policy 19 Small Sites;
- Policy 57 tall Buildings.

9.2 Background

This sub-section gives an outline of the evidence regarding each urban effect outlined in Section 9.1 followed by a summary of the effects of relevance to each European Site in sub-section 9.3:

9.2.1 Cat predation

Cat predation is considered to be a potential issue for the wintering birds within the Lee Valley SPA as birds are particularly vulnerable to predation. Studies have shown that on average cats roam up to 400m although they can occasionally roam further³³. 400m from the proposed development is considered to be the zone where adverse effects from cat predation could occur.

9.2.2 Localised effects from construction and tall buildings

Possible localised effects from construction and tall buildings that are relevant to this assessment are as follows:

- Construction could create air pollution which could have adverse effects on the habitats within the European sites. Construction dust falls out within 200m of a site and therefore development within this 200m zone could result in damage to the features of a European Site;
- Construction activities could result in disturbance to birds that occur in adjacent development sites due to construction noise and visual disturbance; and

³³ Barratt, D.G. (1997). Home range size, habitat utilisation and movement patterns of suburban and far cats *Felix catus*. *Ecography* 20 271-280.

- Tall buildings located immediately adjacent to a SPA may interfere with the flight line of birds entering and leaving the site³⁴.

Effects of construction on water quality are discussed in Section 6.

9.2.3 Fires

Fires can have significant effects, both on woodland and heathland, and on the birds or animals that live on these habitats. Effects can be temporary, but they can also be long-term or even permanent.

Studies have been undertaken on the cause of fires^{35 36}, although much of this is based on research on the lowland heathland in the Dorset Heaths. The principle causes of 'wild' fires are: deliberate fire-setting; camp fires/barbeques; planned fires that have got out of control (e.g. planned moorland management fires).

There is some evidence that a significant proportion of deliberate fire setting is by school-aged children. The Kirby & Tantram research showed that where more than 15% of the surrounding area (taken to be a 500m buffer around the designated site) was developed the numbers of unplanned fires increased; below this threshold the incidence of fires was close to zero. The 500m zone correlated with the maximum likely access distance for average users of greenspace^{37 38}.

³⁴ This potential effect was identified by Natural England in a consultation response relating to the LP2 Regulation 19 plan dated 14th December 2020 which states "*Site Allocation SA48 may need to consider SPA/SSSI bird flight lines due to its location in the linear corridor of reservoirs in the Lee Valley Regional Park. This may be an issue if the site allocation proposed especially tall buildings or bright lighting*".

³⁵ J. C. Underhill-Day, (2005) 'A literature review of urban effects on lowland heaths and their wildlife', English Nature Research Reports, Number 623

³⁶ J.S. Kirby & D.A.S Tantram (1999) 'Monitoring heathland fires in Dorset: Phase 1' Report to Department of the Environment, Transport and the Regions: Wildlife and Countryside Directorate

³⁷ Harrison, C, Burgess, J, Millward, A, Dawe, G. 1995. Accessible greenspace in towns and cities: A review of appropriate size and distance criteria. English Nature Research Report No. 153. English Nature, Peterborough.

³⁸ Box, J. & Harrison, C. 1993. Natural spaces in urban places. Town 19 Country Planning, 62(9): 231-235

9.2.4 Fly-tipping / litter resulting in spread of invasive species and diseases

Fly-tipping and littering including garden waste are likely to be more prevalent when the urban area is within 500m of the SPA/SAC boundary (Liley, 2004; Liley, 2005; Underhill-Day, 2005). A study of Yateley Common to Castle Bottom SSSI (Liley, 2004) found that garden waste dumping was concentrated around the developed edges of the SSSI/SPA. Dumping of garden waste also increases the spread of invasive non-native species and diseases within a SAC/SPA i.e. rhododendron can be a host to the *Phytophthora* pathogen which is a threat to beech trees³⁹. Release of unwanted pets and fish is also likely to be more prevalent from urban areas within 500m of a SAC/SPA.

9.3 Assessment of effects alone and in-combination

9.3.1 Epping Forest SAC

Effects of the LP1

No adverse effects on the SAC are predicted from dust deposition during construction or an increase in cat population as a result of the LP1 for the following reasons:

- Construction of developments within the borough would follow guidance set out in the Mayor of London's 'The Control of Dust and Emissions During Construction and Demolition Supplementary Planning Guidance.' This guidance ensures that appropriate dust control measures are implemented on construction sites. Adverse effects on the SAC as a result of dust deposition is therefore unlikely.
- Cats are not predicted to have an effect on the stag beetle population which is one of the reasons for the SAC designation. The heavily urban context of the boundary between the SAC and the borough means that an existing domestic cat population is already likely to occur within Epping Forest. The potential increase in cat population resulting from the LP1 is not expected to have an adverse effect on the integrity of the stag beetle population within the SAC.

The management of fly-tipping and litter and its associated risk of introduction of non-native species and disease through garden waste is identified as an issue for Epping Forest SAC by the

³⁹https://consult.cityoflondon.gov.uk/consult.ti/EF_Management_Plan_1/viewCompoundDoc?docid=6709076&sessionId=&voteid=&partId=6711220

City of London Corporation. Collection and disposal of fly-tipping waste and litter costs over £250,000 a year. Also, substantial fires have previously occurred within Epping Forest SAC⁴⁰. Although the City of London Corporation employs staff to deal with litter/fly-tipping and an Emergency Plan is in place which covers fires, these issues are having a drain on limited resources.

Policy 95: Waste Management within the LP1 is a protection policy that would result in a reduction of waste production and subsequent disposal. It also ensures that all new development includes sufficient waste and recycling facilities. This policy therefore is likely to reduce fly-tipping within Epping Forest SAC.

Notwithstanding this, research has shown that fly-tipping, litter and fire risk are more likely to occur within 500m of a European Site, with adverse effects increasing nearer to the SAC. The policies listed in Section 9.1 as having a LSE on the SAC could result in an increase in development within 500m of Epping Forest SAC. Only high-level information on potential development location is included within the LP1 and it is noted that movement barriers may be present between the proposed development and the SAC (i.e. busy roads), which may limit access to the SAC. However, following the 'precautionary approach', it is assumed that these policies could potentially increase urban effects within the SAC thereby resulting in an adverse effect on the integrity of the SAC.

Growth and development will be directed to the Strategic Locations identified in LP1 as they are sustainable locations for development with access to facilities including shops, social and community infrastructure and public transport. Strategic Location diagrams set out the main areas of focus within the Strategic Locations including Site Opportunity Locations. The Proposals Map included within the LP1 and reproduced as Figure 2.2 in this report shows Site Opportunity Locations, some of which are located within 500m of Epping Forest SAC, such as a large Site Opportunity Location at Whipps Cross. Whipps Cross is identified as a Strategic Location which will deliver a minimum of 1,700 new dwellings in Policy 9: South Waltham Forest.

Mitigation is included in the section below which also discusses whether there are additional risks relating to recreation pressure that may need to be considered over and above the measures outlined in Section 5.

⁴⁰ <https://www.bbc.co.uk/news/uk-england-london-23382771> website accessed 5 March 2020

Mitigation

The costed SAMM for Epping Forest SAC provided by the Conservators of Epping Forest and the associated Epping Forest SAC Mitigation Report (LUC 2020) includes the following mitigation measures to reduce litter/fly-tipping and fire risk:

- Creation of Fire Defence Lines (routes clear of woody vegetation) to provide access for fire trucks and to provide a defensible area to help prevent a spread of fire;
- Improved litter and dog waste disposal by providing additional litter bins within the Forest; and
- Redirecting access away from sensitive SAC habitats thereby reducing littering and fire-risk to these features.

Where a development occurs close to the SAC, a ‘SAMM+’ contribution in line with Natural England’s Toolbox Approach would be required if necessary to directly fund a significant project from the City of London’s proposed complete solution to deal with potential acute development issues in close proximity to the SAC. This issue will be addressed further within the HRA of the Proposed Submission Version of the LP2 later in 2022.

Policy 83: The Epping Forest and Epping Forest Special Area of Conservation is a protection policy (refer to Box 2.5). Bullet Point C of this policy states that ‘Planning applications for development and allocations within 400m⁴¹ of the Epping Forest SAC must demonstrate through project level HRA that the development will not generate adverse urban effects on the integrity of the SAC.’ This policy ensures that the LP1 contains a mechanism to protect the Epping Forest SAC from urban effects once the full development details are known.

Project-level HRA should include a bespoke mitigation strategy which would provide project specific details on how adverse urban effects on the SAC would be avoided. The HRA should be based on up-to-date ecological and visitor survey data. Mitigation strategies should include the following:

- A development design that focusses on ensuring the proposed buildings, landscaping and infrastructure layout maximise on-site green spaces and minimise access to the SAC;
- Specific management measures such as provision of green bins to prevent fly-tipping of garden waste; and

⁴¹ Please note that the distance of 400m within Policy 83 for consideration of urban effects on Epping Forest SAC is consistent with the distance applied by Redbridge Borough Council and Epping Forest District Council. See the assessment of In Combination Effects over the page.

- Details of any enhanced SAMM+ contributions specific to the area of SAC adjacent to the proposed development. Should the proposed development site occur near to another proposed development site within 400m of the SAC then these projects should be considered together during design of an enhanced SAMM+. This would ensure appropriate in combination mitigation is provided to the affected part of SAC.

Assessment of In Combination Effects

Epping Forest SAC is also located partly within the London Borough of Redbridge and Epping Forest District. The Redbridge Local Plan (adopted March 2018) aims to provide 17,237 new homes across the borough. The HRA of this Local Plan states that an estimated 53 units would be located within the Epping Forest SAC zone of influence for urban effects (defined as 400m within the Redbridge HRA). The EFDC Local Plan 2011-2033 (Submission Version dated December 2017) makes provision for a minimum of 11,400 new homes. The HRA of this Local Plan found that 10 allocated sites are located within 400m of the SAC.

Both the Local Plans for Redbridge and Epping Forest include policy specifying that development adjacent the SAC would need a project level HRA to be undertaken prior to granting permission in order to demonstrate that no adverse effects will occur to this SAC. The EFDC Local Plan was found to be not sound by the Inspector during the Examination in 2019 and requires major modifications before it can be accepted. Urban effects on the SAC was identified as one of the issues by the Inspector. EFDC has prepared a Green Infrastructure Strategy to address the issues raised by the Inspector. The EFDC Green Infrastructure Strategy is predicted to decrease urban effects and be sufficient for EFDC to be satisfied that appropriate mitigation can be achieved. Therefore, no in combination urban effects from the EFDC Local Plan are predicted.

The London Borough of Enfield is approximately 350m to the west of Epping Forest SAC. The Enfield Local Plan is being prepared which is likely to result in new homes across the borough; however, King George Reservoir lies on the eastern edge of London Borough of Enfield and therefore it is not possible for development to be located within 500m of the SAC and no in combination urban effects from the Waltham Forest LP1 are therefore predicted.

9.3.2 Lee Valley SPA and Ramsar

Effects of the LP1

The following potential urban effects are unlikely to impact the birds for which the SPA and Ramsar is designated:

- Cats are not predicted to have an effect on the SPA and Ramsar feature as the likelihood of a cat regularly preying gadwall, shoveler or bittern is very remote;

- Fire risk within the SPA/Ramsar is considered to be low as the majority of the habitats within the site are aquatic;
- Invasive species release and spread of disease into the SPA/Ramsar through fly-tipping of garden waste and release of fish is considered to be unlikely as the reservoir is surrounded by security fencing and none of the policies within the LP1 would result in gardens backing on to the site. Also, Policy 95: Waste Management would result in a reduction of waste production and subsequent disposal.
- Visual disturbance of birds is unlikely as the reservoirs are already screened from surrounding land as they have high retaining banks and marginal vegetation.
- The modified version of Policy 57 Tall Buildings identifies that some sites identified for a Transition or Transformation approach to character-led intensification, in line with Policy 8 of the Plan (Character-Led Intensification) could be suitable for development of tall buildings. This includes within 500m of the Lee Valley SPA and Ramsar site at Blackhorse Lane. These sites have been identified in a Figure within LP1. Development proposals remain subject to thorough contextual analysis, a robust place making strategy, and policy tests set out within the policy which includes avoidance of bird strikes and micro climate effects. Mitigation to avoid potential effects on birds from tall buildings is also now provided by Policy 84 The Lee Valley Regional Park which requires project-level HRA of developments within 500m of the SPA / Ramsar site (see Mitigation below). Locations of tall buildings proposed within the LP2 plan will be subject to HRA screening and assessment at the Regulation 19 stage.
- Construction of developments within the borough would follow guidance set out in the Mayor of London's 'The Control of Dust and Emissions During Construction and Demolition Supplementary Planning Guidance. This guidance ensures that appropriate dust control measures are implemented on construction sites. Adverse effects on the SPA/Ramsar as a result of dust deposition is therefore unlikely.

The LP1 could result in an urban effect from noise being generated by the construction of developments near to the SPA/Ramsar. A 3-year study of wetland birds at the Stour and Orwell SPA⁴² found that the birds reacted most to relatively infrequent events, such as gun shots and aircraft noise. Birds seemed to habituate to frequent 'benign' events such as vehicles, sailing and horses, but there was evidence that apparent habituation to more disruptive events related to reduced bird numbers as birds appeared to avoid the most frequently disturbed areas.

⁴² Ravenscroft, N. (2005) Pilot study into disturbance of waders and wildfowl on the Stour-Orwell SPA: analysis of 2004/05 data. Report to Suffolk Coast & Heaths Unit.

LP1 Policy 19: Small Sites could result in residential development within 50m of the Lee Valley SPA and Ramsar (in the Blackhorse Lane area) which could increase noise levels within this European Site. The birds within the SPA and Ramsar are likely to have become habituated to a degree of background noises as the area is surrounded by urban development with busy roads. Nonetheless, increased noise levels within the site during the sensitive winter period, particularly during construction, could disturb the designated bird species within the SPA/Ramsar. Therefore, a risk of an adverse effect on the integrity of the Lee Valley SPA/Ramsar cannot be ruled out at this stage due to potential urban effects from LP1 Policy 19. All remaining policies listed in Section 9.1 are not predicted to have an urban effect on this European Site due to distance from the site or the small size of the development proposed.

Mitigation

Policy 84F: The Lee Valley Regional Park states that '*Planning applications for development at Blackhorse Lane will need to be accompanied by a project level HRA to ensure the development will not generate adverse urban effects on the integrity of the Lee Valley SPA and Ramsar*'. This would protect the Lee Valley SPA/Ramsar from adverse urban effects generated by Policy 19.

Assessment of In Combination Effects

The Walthamstow Reservoirs SSSI, which is the component site of the Lee Valley SPA/Ramsar located within Waltham Forest, is located immediately to the east of the London Borough of Haringey and immediately to the north of the London Borough of Hackney. Both boroughs have produced HRAs of their Local Plans (refer to Appendix 2 for further Local Plan information) which conclude that there will be no adverse effects on this the Lee Valley SPA/Ramsar either alone or in combination with other plans and projects.

9.4 Conclusions

The localised effects of recreational pressures are discussed in Section 5 and the localised potential effects of water pollution are considered in Section 6. The section concentrates on the following potential urban effects:

- Cat predation;
- Localised effects from construction and tall buildings;
- Fires; and
- Fly tipping / litter resulting in spread of diseases and invasive species.

The conclusions of the AA in relation to these above-mentioned effects are made below.

9.4.1 Epping Forest SAC

On the basis of the mitigation set out within Section 9.3.1 above, it can be concluded that **the Waltham Forest LP1 would not result in adverse urban effects on the integrity of Epping Forest SAC alone or in combination.**

9.4.2 Lee Valley SPA and Ramsar

On the basis of the mitigation set out within Section 9.3.2 above, it can be concluded that **the Waltham Forest LP1 would not result in an adverse urban effect on the SPA/Ramsar either alone or in combination.**

10 Summary, Mitigation and Conclusions

10.1 Screening Results

HRA screening of the LP1 (September 2020) policies identified a number of LSEs in relation to the following:

- Potential LSE on the Epping Forest SAC and the Lee Valley SPA/Ramsar due to increased recreational pressures;
- Potential LSE on the Lee Valley SPA/Ramsar relating to the risk of water pollutants entering the European Site;
- Potential LSE on the Lee Valley SPA/Ramsar due to water demand;
- Potential LSE on the Epping Forest SAC and Lee Valley SPA/Ramsar through an increase in traffic and therefore air pollution; and
- Potential LSE on the Epping Forest SAC and Lee Valley SPA/Ramsar from ‘urban effects’.

10.2 Appropriate Assessment

The AA stage of HRA has been undertaken to evaluate the potential for the ‘screened in’ LP1 policies to result in adverse effects on the European sites as listed above.

10.2.1 Epping Forest SAC

The AA was able to conclude that the LP1 will not result in adverse effects on the Epping Forest SAC site in relation to water demand, water pollution and air pollution, both alone and in combination with growth in neighbouring areas.

It was concluded that the following policies could have an adverse effect on the Epping Forest SAC in relation to potential increases in recreational pressures:

- Spatial Strategy Policies 2, 3, 8, 9, 10, and 11; and
- Thematic Policies 12, 17, 19, 23, 63, 79 and 84.

It was concluded that the following policies could have an adverse effect on the Epping Forest SAC if they resulted in development occurring within 500m of the SAC (urban effects):

- Policies 2, 3, 8, 9, 10, 11, 12, 17, 19 and 86.

Mitigation to avoid the potential adverse effects identified is summarised in Section 10.3 below.

10.2.1 Lee Valley SPA and Ramsar

The AA is able to conclude that the LP1 will not result in adverse effects on the Lee Valley SPA and the Lee Valley Ramsar site in relation to recreational pressures, water demand, water pollution, both alone and in combination with growth in neighbouring areas.

Policy 19: Small Sites could have an adverse effect on the Lee Valley SPA and Ramsar if it resulted in development occurring adjacent to the SPA/Ramsar (urban effects). Mitigation to avoid the potential adverse effect is summarised in Section 10.3 below.

10.3 Mitigation

10.3.1 Epping Forest SAC

Recreational Pressures

Local Plan Part 1 'Policy 83: The Epping Forest and Epping Forest Special Area of Conservation' sets out the toolbox approach which will be used to offset the potential recreational impacts of the LP1 Epping Forest SAC. The SAMM strategy which forms part of the toolbox approach has been agreed by the LBWF Council in July 2022. Further work on a SANG strategy (also part of the toolbox approach) has been undertaken by LBWF between May and September 2022 in consultation with Natural England. The strategy demonstrates adequate capacity is available for mitigation through SANG. The SANG strategy methodology is currently pending ratification by Natural England strategic solutions board. Once finalised it will ensure the delivery of mitigation of a suitable quality and location.

Urban Effects

The wording of Policy 83: The Epping Forest and Epping Forest Special Area of Conservation contains a mechanism to protect the Epping Forest SAC from adverse urban effects once further project details are known. Guidance on what project-level HRAs should consider and what the mitigation strategies should contain is provided in Section 9 of this HRA Report.

10.3.2 Lee Valley SPA and Ramsar

Urban Effects

The wording of Policy 84: The Lee Valley Regional Park (bullets E and F) now contains a mechanism to protect the Lee Valley SPA and Ramsar from adverse urban effects once further project details are known and therefore provides protection from urban effects generated by the LP1.

10.4 Overall Conclusions of the HRA

With the mitigation in place within the LP1 and the supporting SANG Strategy (to be incorporated into a Waltham Forest Green Spaces and Places SPD), it will be possible to conclude that **the Waltham Forest LP1 will not result in adverse effects on the integrity of Epping Forest SAC in relation to recreational pressures and urban effects when the Plan is assessed on its own or in combination with growth in neighbouring areas.**

The AA is able to conclude that **the Waltham Forest LP1 would not result in adverse effects on the integrity of the Lee Valley SPA and Ramsar, both alone or in combination with growth in neighbouring areas.**

11 Next Steps

This HRA Report has been prepared to reflect modifications proposed following Examination hearings in March 2022 and to reflect more up to date information which has informed the assessment of air quality and recreational effects.

The Waltham Forest Green Spaces and Places SPD will follow the adoption of LP1.

Table 11.1: Local Plan Next Steps	
Activity	Timeframe
Examination	Q2 2022 – Q4 2022
Adoption	Q1 2023

Appendix 1 – Information about European Sites

This appendix presents information about the European sites considered in the Waltham Forest Local Plan Part 1 HRA.

The following tables A1.1-A1.3 present a summary of the site designations, qualifying features and site sensitivities. This information has been obtained from:

- Joint Nature Conservation Committee (JNCC) website www.jncc.gov.uk;
- Multi-Agency Geographical Information Centre (MAGIC) website www.magic.gov.uk;
and
- Natural England site improvement publications.

Table A1.1: Epping Forest SAC	
Name	Epping Forest SAC UK0012720
Location with regards to plan area	The majority of the site occurs to the north of the plan area with the southern part of the site extending into the north and east of the plan area: approximately 3.25 km ² of the site is within the plan area itself.
Reason(s) for designation:	
<p>ANNEX I</p> <p>Primary</p> <ul style="list-style-type: none"> • 9120 Atlantic acidophilous beech forests with <i>Ilex</i> and sometimes also <i>Taxus</i> in the shrub layer (<i>Quercion robori-petraeae</i> or <i>Ilicic-Fagenion</i>) <p>Non Primary</p> <ul style="list-style-type: none"> • 4010 Northern Atlantic wet heaths with <i>Erica tetralix</i> • 4030 European dry heaths <p>ANNEX II species – Primary</p> <ul style="list-style-type: none"> • 1083 Stag beetle <i>Lucanus cervus</i> 	
Component SSSI sites	<ul style="list-style-type: none"> • Epping Forest SSSI
Conservation objectives	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species; • The structure and function (including typical species) of qualifying natural habitats; • The structure and function of the habitats of qualifying species; • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely; • The populations of qualifying species, and, • The distribution of qualifying species within the site.⁴³

⁴³ Natural England 30 June 2014 – version 2.

<http://publications.naturalengland.org.uk/publication/5908284745711616>

Table A1.1: Epping Forest SAC	
Vulnerability and current conditions	
<p>Deteriorating air quality and under-grazing are the two key pressures that currently affect the site. While recreational pressure is a considerable impact in some areas, these are localised; however, funding of management on the SAC is governed largely by donation and contributions from the Corporation of London and it is likely that the ability to adequately manage recreation on the SAC will come under increasing pressure as the population of northeast London, Epping Forest and east Hertfordshire increases.</p> <p>Within the London Borough of Waltham Forest, only one SSSI management unit that underpin the SAC is in favourable condition – some are considered to be recovering from unfavourable status, but others are showing no improvement or are declining. In all cases, poor air quality is cited in the most recent condition assessment process (2010) as a primary factor for this condition. There are localised concerns over recreational pressure, but the condition assessment reports state that the site would be able to withstand this in a more robust manner were it not for the stress imposed by atmospheric pollutants. Under-grazing is also reported as a factor affecting condition in the majority of the management units.</p>	
Key factors affecting site integrity and objectives to ensure favourable condition status of the site (relating to conservation objectives)	
<ul style="list-style-type: none"> • Air pollution - ensure no further increase in atmospheric nitrogen deposition, and measures are implemented to control, reduce and ameliorate nitrogen impacts; • Undergrazing - Maintain appropriate grazing levels; • Recreational pressure - manage recreational activity within the site; • Changes in species distribution - Maintain extent and distribution of beech trees by managing beech tree health and beech sapling recruitment; • Hydrological changes - maintain hydrological conditions within the site; • Water pollution - ensure water pollutants do not enter the site from surface water run-off from adjacent roads; • Invasive species - ensure invasive species do not spread i.e. heather beetle and grey squirrel; and • Disease - ensure disease does not spread within the site i.e. <i>Phytophthora</i> ⁴⁴ 	

⁴⁴ Adapted from Site improvement plan – Epping Forest SAC (Natural England, 2016).
<http://publications.naturalengland.org.uk/publication/6663446854631424>



Table A1.2: Lee Valley SPA	
Name	Lee Valley SPA UK9012111
Location with regards to plan area	The southern part of the Lee Valley SPA (Walthamstow Reservoirs; approximately 1.8km ²) occurs entirely within the plan area with the remaining parts of the SPA occurring to the north of the plan area along a series of wetland and reservoirs within Lee Valley.
Reason(s) for designation:	
<p><u>SPA</u></p> <p>This site qualifies under Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:</p> <p>Over-winter:</p> <ul style="list-style-type: none"> • Bittern <i>Botaurus stellaris</i> 6 individuals representing at least 6.0% of the wintering population in Great Britain (5 year peak mean, 1992/3-1995/6) <p>This site also qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species:</p> <p>Over-winter;</p> <ul style="list-style-type: none"> • Gadwall <i>Anas strepera</i>, 515 individuals representing at least 1.7% of the wintering Northwestern Europe population (5 year peak mean 1991/2 - 1995/6) • Shoveler <i>Anas clypeata</i>, 748 individuals representing at least 1.9% of the wintering Northwestern/Central Europe population (5 year peak mean 1991/2 - 1995/6) <p><u>Ramsar</u></p> <p>Criterion 2: A wetland should be considered internationally important if it supports vulnerable, endangered, or critically endangered species or threatened ecological communities. The site supports the nationally scarce plant species whorled water-milfoil <i>Myriophyllum verticillatum</i> and the rare or vulnerable invertebrate <i>Micronecta minutissima</i> (a water-boatman).</p> <p>Criterion 6: A wetland should be considered internationally important if it regularly supports 1% of the individuals in a population of one species or subspecies of waterbird.</p> <p>Species with peak counts in spring/autumn:</p> <ul style="list-style-type: none"> • Shoveler <i>Anas clypeata</i>, 287 individuals, representing an average of 1.9% of the GB population (5 year peak mean 1998/9-2002/3) <p>Species with peak counts in winter:</p>	

Table A1.2: Lee Valley SPA	
<ul style="list-style-type: none"> Gadwall <i>Anas strepera</i>, 445 individuals, representing an average of 2.6% of the GB population (5 year peak mean 1998/9- 2002/3) 	
Component SSSI sites	<ul style="list-style-type: none"> Walthamstow Reservoirs SSSI Amwell Quarry SSSI Rye Meads SSSI Turnford and Cheshunt Pits SSSI
Conservation objectives for the SPA	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:</p> <ul style="list-style-type: none"> The extent and distribution of the habitats of the qualifying features; The structure and function of the habitats of the qualifying features; The supporting processes on which the habitats of the qualifying features rely; The population of each of the qualifying features, and The distribution of the qualifying features within the site.⁴⁵
<p>Vulnerability and current condition</p> <p>The Information Sheet on Ramsar Wetlands⁴⁶, states that ‘the whole site supports high levels of visitor pressure; principally for purposes of angling, walking, cycling and birdwatching; with boating on the adjacent canal. These activities are mostly well regulated and at current levels are not considered to threaten the interest’.</p> <p>During the most recent condition assessment of the SSSI units that underpin the SPA/Ramsar site (2014), the Walthamstow reservoirs were listed as recovering from unfavourable condition. The assessment noted that ‘Wintering cormorant, tufted duck and shoveler counts, and breeding pochard and tufted duck numbers, were all assessed as favourable against the baseline data. Breeding heron numbers continue to fail the minimum threshold, but this is not considered to be a result of detrimental site management. The underlying causes are being investigated.’</p> <p>There is also a potential problem from over-extraction of surface water for public supply, particularly during periods of drought.</p>	

⁴⁵ <http://publications.naturalengland.org.uk/publication/5670650798669824>

⁴⁶ <http://jncc.defra.gov.uk/pdf/RIS/UK11034.pdf>

Table A1.2: Lee Valley SPA

Key factors affecting site integrity and objectives to ensure favourable condition status of the site (relating to conservation objectives)

- Water pollution - ensure water pollutants do not enter the site and nutrient enrichment is limited;
- Hydrological changes - maintain hydrological conditions within the site with consistent freshwater flows and volumes;
- Recreational pressure - manage recreational activities in sensitive locations;
- Inappropriate scrub control - maintain appropriate scrub management;
- Fisheries - maintain appropriate fish species and population levels to ensure suitable food and water quality is maintained for designated features;
- Invasive species - ensure invasive species do not spread, particularly *Azolla* and invasive aquatic blanket weeds;
- Inappropriate cutting/mowing - maintain appropriate cutting/mowing regime for reedbed; and
- Air pollution - ensure no further increase in atmospheric nitrogen deposition.⁴⁷

⁴⁷ Adapted from Site Improvement Plan – Lee Valley SPA (Natural England, 2014)
<http://publications.naturalengland.org.uk/publication/5864999960444928>

Table A1.3: Wormley Hoddesdonpark Wood SAC	
Name	Wormley Hoddesdonpark Woods SAC UK0013696
Location with regards to plan area	The site occurs approximately 10.6km to the north west of the plan area.
Reason(s) for designation:	
ANNEX 1 habitats: Primary: 9160 Sub-Atlantic and medio-European oak or oak-hornbeam forests of the <i>Carpinion betuli</i> .	
SSSI component sites	<ul style="list-style-type: none"> • Wormley-Hoddesdonpark Wood North • Wormley-Hoddesdonpark Wood South
Conservation objectives	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats; • The structure and function (including typical species) of qualifying natural habitats; and • The supporting processes on which qualifying natural habitats rely.⁴⁸
Vulnerability and current conditions	
<p>The majority of the woods in the complex are in sympathetic ownership with no direct threat (Hoddesdon Park Wood, for example, is managed by the Woodland Trust). There is some pressure from informal recreation, and there has been limited damage in the past (for example from four-wheel drive vehicles). However, most recreation is concentrated on well-established paths. Most of the complex is covered by a High Forest Zone Plan (Hertfordshire County Council 1996) which sets out a framework for woodland management across the whole area. It aims to restore a varied age structure and natural stand types through sustainable forestry. There have been some instances of fly-tipping in the recent past, and this does increase the risk on non-native species, such as cherry laurel and privet from garden waste. Coupled with instances of car dumping, this does indicate that the site attracts some urbanisation pressures.</p> <p>During the most recent condition assessment of the SSSI units (2010 and 2012), the majority of the SSSI units within the site were in favourable condition, with the remaining units in unfavourable recovering condition primarily due to management activities, although there is also reference to the fly tipping within this unit.</p>	

⁴⁸ Natural England 30 June 2014 – version 2.

<http://publications.naturalengland.org.uk/publication/4919819195383808>

Table A1.3: Wormley Hoddesdonpark Wood SAC

Key factors affecting site integrity and objectives to ensure favourable condition status of the site (relating to conservation objectives)

- Disease - ensure disease does not spread within the woodland. Acute Oak Decline is present in at least two parts of the site and affects both native oak species;
- Invasive species - ensure invasive species do not spread. Invasive species currently within the site include sycamore, turkey oak, rhododendron and snowberry;
- Air pollution - ensure no further increase in atmospheric nitrogen deposition;
- Deer - minimise deer browsing within the woodland;
- Vehicles - ensure no further fly tipping occurs within the site and illegal vehicles are not used within the site;
- Woodland management - ensure appropriate woodland management continues within the site; and
- Recreational pressures - maintain visitor management practices and review monitoring regularly and change management to adapt to changes in visitor activity. ⁴⁹

⁴⁹ Adapted from Site Improvement Plan – Wormsley Hoddesdonpark Wood (Natural England, 2015)
<http://publications.naturalengland.org.uk/publication/6314181103976448>

Appendix 2 - Details of Neighbouring Plans for In Combination Effects Assessments

This appendix presents information about the development plans of neighbouring local authorities to the London Borough of Waltham Forest which have been considered in the in combination effects assessment of the Waltham Forest Local Plan Part 1 HRA.

The following Tables A2.1 presents a summary of the growth planned in neighbouring areas and any relevant policies within their development plans. References for the sources of information are provided in footnotes.

Table A2.1 Details of Neighbouring Plans for In Combination Effects Assessments	
Local Authority	Proposed Growth
London Borough of Enfield	A new Local Plan is being prepared. Initial consultation was undertaken between December 2018 and February 2019 and more recently, on a Regulation 18 plan which closed on 13 th September 2022. Provision will be made for at least 25,000 new homes up to 2039 with a large proportion of the Borough's future development needs provided by the four main placemaking areas of Meridian Water, Southbury, Crews Hill and Chase Park.
London Borough of Haringey	<p>Strategic Policies were adopted by the council in 2013, to replace the Unitary Development Plan (UDP), with subsequent alterations adopted on the 24 July 2017⁵⁰. The plan aims to deliver a minimum 19,800 net new homes over the plan period to 2026. The Council's overall strategy for managing future growth in Haringey is to promote the provision of homes, jobs and other facilities in the areas with significant redevelopment opportunities at, or near, transportation hubs, and support appropriate development at other accessible locations, with more limited change elsewhere.</p> <p>The Tottenham Hale Area of Growth is located to the east of the borough, close to the Lee Valley Regional Park and the boundary with Waltham Forest.</p> <p>Initial consultation on a new Local Plan ran until February 2021.</p>
London Borough of Hackney	On 22 July 2020, the Hackney Local Plan 2033 was adopted. The Local Plan includes an objective to deliver up to 26,250 additional homes and 23,000 new jobs. Mixed used development with residential, employment, retail, leisure and

⁵⁰ Haringey's Local Plan 2013 – 2026 (formerly the Core Strategy) March 2013 consolidated with alterations since 2017

Table A2.1 Details of Neighbouring Plans for In Combination Effects Assessments	
Local Authority	Proposed Growth
	community facilities will be focused in the designated town centres of Dalston and Hackney Central, and in Shoreditch (none of which are close to the boundary with Waltham Forest). New office development will be directed to the most sustainable locations in the Borough, including within the City Fringe Opportunity Area and the borough's Town Centres to support Hackney's economy. Mixed used, housing led development will be encouraged along the borough's key corridors (including Lea Valley Edge which borders Waltham Forest). This development is intended to deliver improvements to the public realm, new community facilities and other measures that promote healthy streets that easily link different neighbourhoods, open spaces public transport hubs, and civic areas by walking and cycling.
London Borough of Newham	<p>The Newham Local Plan was adopted in December 2018 to replace the previous Core Strategy and Detailed Sites and policies Development Plan Document. The new plan covers a 15year period to 2033⁵¹. The Local Plan aims to deliver a minimum of 43,00 new homes by 2033, as well as up to 60,000 new jobs. Development of high density, mixed use and sustainable in terms of location and design are encouraged throughout Newham, but particularly in the following strategic locations:</p> <ul style="list-style-type: none"> • Stratford and West Ham • Royal Docks • Canning Town and Custom House • Beckton • Urban Newham <p>Issues and options for a refresh of the 2018 Local Plan took place between 18 October and the 17 December 2021.</p>

⁵¹ Newham Local Plan, 2018-2033, adopted December 2018

Table A2.1 Details of Neighbouring Plans for In Combination Effects Assessments	
Local Authority	Proposed Growth
London Borough of Redbridge	<p>The Redbridge Local Plan was adopted in March 2018. It aims to deliver up to 17,237 new homes across the borough⁵². The Local Plan directs new development including new homes, shops, businesses, leisure facilities and infrastructure to:</p> <p>(a) The borough's Investment and Growth Areas of: i Ilford; ii Crossrail Corridor; iii Gants Hill; iv South Woodford; and v Barkingside.</p> <p>(b) The borough's main town centres.</p> <p>(c) Other identified Opportunity Sites.</p> <p>The objectives of the Local Plan include increasing energy efficiency, encouraging sustainable patterns of transport, improving access to employment, supporting the strategic industrial Locations in the borough, and protecting conditions for biodiversity.</p> <p>Redbridge have just started a review of their adopted Local Plan.</p>
Epping Forest District	<p>The adopted Local Plan is dated 2006. An updated Local Plan has been prepared for the period 2011-2033 (Submission version dated December 2017) which made provision for a minimum of 11,400 new homes through:</p> <ul style="list-style-type: none"> • The creation of Garden Town Communities around Harlow; • Development of previously developed land and some open space land within existing settlements; • Development of previously developed land within the Green Belt; Greenfield/Green Belt land on the edge of settlements; • Development of some grades of agricultural land; and • Development of some smaller sites in rural communities.

⁵² Redbridge Local Plan 2015 - 2030

Table A2.1 Details of Neighbouring Plans for In Combination Effects Assessments	
Local Authority	Proposed Growth
	<p>Most development is to be directed to Harlow (circa 3,900 new homes), followed by Epping (1305), Loughton (1021), Waltham Abbey (858) and North Weald Basset (1050).</p> <p>Following examination hearings, the Inspectors report (dated 2nd August 2019) concluded that the Local Plan is not currently sound and requires further major modifications before it can be accepted. Issues include air quality and recreation/urbanisation effects on Epping Forest SAC identified within the plan HRA which require further investigation and mitigation. The Local Plan currently being updated for further examination.</p>
The London Plan, 2021	The London Plan recognises the deprivation within Waltham Forest, and clearly sets out strategy to deal with this. For example, the London Legacy Development Corporation (LLDC), which involves several local authorities having a coordinated response to issues in the area surrounding the Queen Elizabeth Olympic Park.
Harlow District Council	A new Local Plan was adopted in December 2020 which makes provision for 9,200 dwellings. This will be provided in accordance with a stepped requirement of 361 dwellings per annum from April 2011 to March 2024 and 501 dwellings per annum from April 2024 to March 2033.
East Hertfordshire District Council	The Local Plan was adopted 2018 and covers the period 2011-2033. The plan makes provision for 18,458 dwellings.
Uttlesford District Council	A new Local Plan is currently being prepared and is at an early stage. Councillors decided to withdraw the draft Uttlesford Local Plan 2019 and start a new plan at an Extraordinary Council Meeting on Thursday 30 April 2020. Issues and Options consultation is underway until 21 April 2021.
Broxbourne Borough Council	A new Local Plan was adopted on Tuesday 23 June 2020. The Local Plan guides development up to 2033 and makes provision for over 7,700 new homes.

Table A2.1 Details of Neighbouring Plans for In Combination Effects Assessments	
Local Authority	Proposed Growth
Brentwood Borough Council	A Local Plan 2016-2033 was adopted in March 2022. The plan makes provision for 7,752 new homes during the plan period.
London Borough of Tower Hamlets	The Local Plan which guides development until 2031 was adopted in January 2020 and makes provision for at least 58,965 new homes.
London Borough of Barking and Dagenham	<p>A new Local Plan is being developed. The Local Plan was submitted in December 2021 and examination hearings took place in July 2022. Further work is currently being undertaken.</p> <p>The Council will support the development of 50,000 new homes and 20,000 new jobs across the borough. This will be largely achieved through intensification and redistribution of the borough's industrial floor space and complementary commercial uses.</p>

Appendix 3 – Consultation Responses

This appendix contains consultation responses received from Natural England and the City of London. Formal correspondence from Natural England has been received in response to a request to confirm the scope of the HRA at the beginning of the process in 2017 (email format), in response to the draft HRA Report in May 2020 (letter format) and in response to the Proposed Submission HRA Report in December 2020 (letter format). A consultation response was received from the City of London in December 2020 in response to the Proposed Submission HRA Report in December 2020 (letter format). Please see the following pages for these correspondence responses.



From: Behnke, Piotr (NE) [REDACTED]
Sent: 15 August 2017 16:43
To: Vicky Pearson [REDACTED]
Subject: Natural England Response - HRA of the London Borough of Waltham Forest Local Plan

Dear Ms Pearson,

Many thanks for consulting Natural England regarding the HRA screening for the Waltham Forest Local Plan.

Having taken a look at the report as submitted I would agree that the sites selected for further consideration in the HRA are those which Natural England would expect to see included and in any case given these are the only ones within 20km of the boundary of Waltham Forest this covers our expectations. The consideration of other potential sites further afield which could also be impacted through impact pathways being considered is welcomed and the fact that none were identified through this process is acceptable given the main sites already screened in are those which we would expect to be included.

In regard to your second point about being consulted on the "Direction of Travel" documents HRA screening report Natural England would wish to see this as well in order to ensure we are sighted on where the thinking is going for the main Local Plan HRA in due course so please do consult us regarding this document as well.

Any further consultations will need to continue being sent to our main consultations address: consultations@naturalengland.org.uk – many thanks!

Regards,

Piotr Behnke
Adviser
Sustainable Development
Thames Team

**Natural England,
Area 3A Nobel House,
17 Smith Square,
London
SW1P 3JR**

[REDACTED]

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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 11th 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).

*Response of The Conservators of Epping Forest to
LBWF Submission Local Plan Regulation 19 consultation
11th December 2020*

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 13th 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 17th 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 (21st 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, 2020¹) 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

¹ 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.

*Response of The Conservators of Epping Forest to
LBWF Submission Local Plan Regulation 19 consultation
11th December 2020*

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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