

Local Plan Team  
Place Directorate  
Waltham Forest Town Hall  
Fellowship Square  
Forest Road  
London  
E17 4JF

**Date:** 21 September 2023

Dear Local Plan Team,

### **Feedback on the Proposed Main Modifications Consultation to the Waltham Forest Submission Local Plan Part 1.**

Thank you for consulting us on the main modifications to the Waltham Forest Local Plan on 27 July 2023. As part of the consultation, we have reviewed the following documents:

- London Borough of Waltham Forest Local Plan LP1 “Shaping the Borough” Consolidated Schedule of main modifications to Local Plan LP1 Post March 2023 Hearing Sessions

There are a number of amendments still required to make your policies robust. Please see below for further details.

#### **Chapter 4: Waltham Forest’s Spatial and Growth Strategy**

We would recommend that our previous comments regarding the inclusion of the following are taken into consideration within the Spatial and Growth Strategy.

Point G: Examples of adaptation including flood resilience and resistance measures, water efficiencies flood risk management, biodiversity and green infrastructure.

Point I: Inclusion of protection of water environment including rivers, streams and ditches, ponds and lakes, and all wetland habitats.

We believe the points above would strengthen the strategy overall.

#### **Policy 79 (previously policy 84) – Green infrastructure and the natural environment**

We support Policy 79: Green infrastructure and the natural environment and believe it has been positively prepared and is in line with National Policy.

We are pleased to see that the policy has been strengthened to outline that ‘proposals will only be supported where they preserve and enhance green blue infrastructure’. A link to the Waltham Forest green blue spaces supplementary planning document (SPD) has been incorporated. An additional point has been included within point C specifying all major development must be designed to maximise opportunities for Urban greening (as defined within the London Plan (2021) Policy G50).

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However, we recommend incorporating additional detail within point c (iii) including examples of how biodiversity could be increased, for example, planting native species or river naturalisation. We believe this would strengthen the policy with regards to biodiversity within the borough and provide further clarification on what improvements would be required.

### **Policy 81 (previously policy 86) – Biodiversity and geodiversity**

We are pleased to see that proposals are encouraged to demonstrate a minimum of 10% biodiversity net gain (BNG) utilising the Defra Biodiversity Metric 2.0 (or subsequent version), even where development proposals do not result in biodiversity loss. We would like to highlight that BNG will be a requirement from November 2023 for all developments in the Town and Country Planning Act 1990, unless exempt.

An additional point E has been included encouraging the preparation of 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. However, we would be looking to see that this point is strengthened, and further detail provided as to how this will be managed.

As outlined in our previous comments, we would still be looking to see a reference to the presence of invasive, non-native species and their potential impact on native biodiversity incorporated within this policy. Furthermore, as outlined in our previous response, we recommend the inclusion of an additional point to require lighting alongside all watercourses and their buffer zones to be designed to minimise ecological impact.

### **Policy 85 (previously policy 88) - Enhancing and protecting waterways and river corridors**

Thank you for taking our previous comments on board within this policy. Overall, it is positively prepared and will support the strategic vision of protecting and enhancing the boroughs watercourses and the land around them.

We are pleased to see our previously recommended wording requiring no deterioration of [Water Framework Directive \(WFD\)](#) waterbodies and ensuring all adverse impacts on waterbodies are mitigated and environmental net benefits are achieved has been incorporated within point A of policy 85.

A new separate paragraph (after 17.50) specifying distance requirements for environmental permits has been included. However, please be aware that these distance requirements specified (8m for main rivers and 16m for tidal rivers) will also apply if the river is culverted. This is outlined in the [Planning Practice Guidance \(PPG\)](#).

We would advise reference within policy 85 to deculverting waterways and restoring sections of rivers as outlined in the [Thames River Basin Management Plan \(updated 2022\)](#). We would recommend this inclusion in order to support paragraph 17.50.

We note that point C now refers to the use of main rivers by freight transport and highlights it should be increased where possible. We recommend the addition of a point to ensure that all adverse impacts on waterbodies by the use of freight transport are mitigated.

### **Policy 91 (previously policy 94) - Water quality and water resources**

We are pleased to see the amendments made to point A of policy 91 to ensure no deterioration to water quality. We note the similarities with point A of policy 85 as highlighted above and therefore would recommend further clarification of the distinction between WFD waterbodies and non-WFD waterbodies is provided to strengthen the policy and avoid any misinterpretation.

We understand that WFD has been included within policy 85 regarding enhancing and protecting waterways, however we would also expect this to be included within policy 91 in terms of improving and maintaining water quality.

### **Policy 92 (previously policy 95) – Contaminated Land**

It is disappointing to see that our previous comments regarding the prevention of discharge to ground through land affected by contamination, have not been taken into consideration. We would strongly recommend the addition of a separate point within policy 92 referring to the above.

Furthermore, points B and C of policy 92 are ambiguous. There are multiple references to sensitive receptors with no further clarification as to what this would entail and no reference to Groundwater Source Protection Zones (SPZs). This policy should highlight the importance of SPZs, where groundwater is particularly sensitive, and should include a point to prevent high risk development proposals within these locations. We would recommend wording within point C to read as follows: '*Development that has the potential to contaminate land, or which is situated in close proximity to Groundwater Source Protection Zones (SPZs) and other sensitive receptors must include mitigation measures*'.

### **Policy 93 (previously policy 96) – Managing Flood Risk**

It is disappointing to see that our previous comments requiring reference to the functional flood plain (Flood Zone 3b) have not been included. We would strongly recommend this inclusion to ensure flood zone 3b (functional flood plain) is safeguarded from development. This is outlined in the [Planning Practice Guidance \(PPG\)](#) and should be included in the interest of making policy 93 more sound. We note that a foot note has been incorporated referencing [NPPF paragraph 163](#), however we would like to highlight that [paragraphs 164 and 165](#) should also be considered.

We are pleased to see that point D (iii) requires the demonstration of the sequential approach by developments in keeping with the [PPG](#).

As mentioned in our previous comments, we would be looking to see that Policy 93 sets out clear criteria for the incorporation of flood resistance and resilience measures, and for ensuring adequate flood defences commensurate with the lifetime of the development (taking account of climate change). We would therefore suggest the following wording; "*Development proposals should include an assessment of the impact of climate change using appropriate climate change allowances over the lifetime of the development so that future flood risk is taken into account.*"

We note that point G requires a payment in lieu to mitigate flood risk where greenfield run-off rates cannot be achieved, however it is not clear as to the source of flood risk this is referring to, for example, from rivers (fluvial) or surface water etc. We would recommend that further clarification is provided in order to strengthen the policy.

### **Final comments**

Thank you again for seeking our representation on the above proposed main

modifications. We trust that the comments presented in this letter are clear and informative.

Should you have any queries regarding this response or require additional information or guidance on any of the points raised, please do not hesitate to contact me.

Yours sincerely

**Rosie Brown**  
**Sustainable Places Planning Advisor**

E-mail [HNL.SustainablePlaces@environment-agency.gov.uk](mailto:HNL.SustainablePlaces@environment-agency.gov.uk)

Phone 02030253783