

Report to the Council of the London Borough of Waltham Forest

**by Sarah Housden BA (Hons) BPI MRTPI and
Catherine Jack BSc (Hons) MA MA(TP) PGDip MRTPI**

Inspectors appointed by the Secretary of State

Date: 8 January 2024

Planning and Compulsory Purchase Act 2004 (as amended)

Section 201

Report on the Examination of the Waltham Forest Local Plan (LP1)

The Plan was submitted for examination on 30 April 2021

The examination hearing sessions were held between 15 and 24 March 2022 and
between 7 and 10 March 2023

File Ref: PINS/U5930/429/9

Contents

Abbreviations used in this report	3
Non-Technical Summary	4
Introduction	5
Context of the Plan.....	6
Public Sector Equality Duty	7
Assessment of Duty to Co-operate.....	7
Assessment of Other Aspects of Legal Compliance	9
Assessment of Soundness.....	12
Issue 1 – Are the Plan’s vision and strategic objectives appropriate and will future housing and employment growth be managed effectively?	12
Issue 2 – Are the locations for growth and the distribution of housing, employment and other development soundly based and in general conformity with the London Plan?	16
Issue 3 – Is the housing requirement soundly based and does the Plan set out a positively prepared strategy for housing that is justified, effective, consistent with national policy and in general conformity with the London Plan?	21
Issue 4 – Does the Plan set out a positively prepared strategy for the economy and employment land, will it contribute to the vitality and viability of Walthamstow town centre and other local centres?	28
Issue 5 – Does the Plan set out a soundly based strategy to address, mitigate and adapt to climate change and to safeguard and enhance the natural environment? .	37
Issue 6 – Does the Plan set a positively prepared strategy for the built environment including tall buildings, heritage assets, and the design of new development?	46
Issue 7 – Does the Plan make adequate provision for infrastructure including transport and community facilities to support new development and healthy communities?	54
Issue 8 – Would development be viable having regard to policy requirements and will Plan implementation and delivery be robustly monitored?	60
Overall Conclusion and Recommendation	62
Schedule of Main Modifications.....	Appendix

Abbreviations used in this report

AA	Appropriate Assessment
AADT	Annual Average Daily Traffic
APA	Archaeological Priority Area
AQMS	Air Quality Mitigation Strategy
BEA	Borough Employment Area
DPD	Development Plan Document
DPY	Dwellings per year
ELS	Employment Land Study
GCS	Growth Capacity Study
GLA	Greater London Authority
GTAA	Gypsy and Traveller Accommodation Assessment
HMO	House in Multiple Occupation
HRA	Habitats Regulations Assessment
KM	Kilometre
LDS	Local Development Scheme
LLDC	London Legacy Development Corporation
LP2	Emerging Waltham Forest Local Plan – Site Allocations Document
LSIS	Locally Significant Industrial Site
MM	Main Modification
MOL	Metropolitan Open Land
NPPF	National Planning Policy Framework
NDSS	Nationally Described Space Standards
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SANG	Suitable Alternative Natural Greenspace
SAMMS	Strategic Access Management and Monitoring Strategy
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SIL	Strategic Industrial Location
SoCG	Statement of Common Ground
SPA	Special Protection Area
SPD	Supplementary Planning Document
SPZ	Source Protection Zone
SQM	Square Metres
SSSI	Site of Special Scientific Interest
TfL	Transport for London
WFD	Water Framework Directive
WMS	Written Ministerial Statement

Non-Technical Summary

This report concludes that the Waltham Forest Local Plan (LP1) provides an appropriate basis for the planning of the borough, provided that a number of main modifications are made to it. The Council has specifically requested that we recommend any main modifications necessary to enable the Plan to be adopted.

Following the hearing, the Council prepared a schedule of the proposed main modifications and carried out sustainability appraisal and habitats regulations assessment of them. The main modifications were subject to public consultation over an eight-week period. In some cases, we have amended their detailed wording and we have highlighted in the report where that has been done. We have recommended their inclusion in the Plan after considering the sustainability appraisal and habitats regulations assessment and all representations made in response to the consultation.

The main modifications can be summarised as follows:

- Updates to housing land supply, the housing trajectory, and the stepped housing requirement over the Plan period so that the Plan is justified and effective;
- Updates to the policies for South, Central and North Waltham Forest and to the scale of housing growth proposed within the Strategic Locations to ensure that the Plan has been positively prepared;
- Modifications to the employment policies to ensure that they are justified and in general conformity with the London Plan;
- Changes to Strategic Industrial Locations, Locally Significant Industrial Site and Borough Employment Area designations and changes to the Blackhorse Lane Strategic Industrial Location;
- Amendments to heritage and design policies for consistency with national policy and for effectiveness;
- Modifications to the policies for Tall Buildings and Building Heights for general conformity with the London Plan;
- Amendments to policies for the natural environment to secure biodiversity net gain and to ensure that all new residential development contributes to a Strategic Access Monitoring and Management Strategy, and to Suitable Alternative Natural Greenspace, where appropriate;
- Modifications to policies to secure carbon reduction;
- Policy amendments for managing flood risk for effectiveness and consistency with national policy;
- Amendments to monitoring targets to ensure no adverse effect on the integrity of the Epping Forest Special Area of Conservation;
- Amendments to the infrastructure policies to include reference to projects that will support Plan delivery; and
- A number of other main modifications to ensure that the Plan is positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan.

Introduction

1. This report contains our assessment of the 'Shaping the Borough: Waltham Forest Local Plan (LP1) 2020 – 2035' (the Plan) in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) (the 2004 Act). It considers first whether the Plan's preparation has complied with the duty to cooperate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework 2023 (the NPPF) at paragraph 35 makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a legally compliant and sound plan. The 'Shaping the Borough: Waltham Forest Local Plan (LP1) 2020 – 2035' submitted in April 2021 is the basis for our examination. It is the same document as was published for consultation in October 2020.

Main Modifications

3. In accordance with section 20(7)(c) of the 2004 Act, the Council requested that we should recommend any main modifications (MMs) necessary to rectify matters that make the Plan unsound, and/or not legally compliant, and thus incapable of being adopted. Our report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearing, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MMs schedule was subject to public consultation for eight weeks. We have taken account of the consultation responses in coming to our conclusions and, in this light, we have made some amendments to the detailed wording of the MMs. None of the amendments materially alters the content of the MMs as published for consultation or undermines the participatory processes and SA/HRA that has been undertaken. We have highlighted these amendments in the report.

Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a Local Plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted Local Plan. The changes to the Waltham Forest Local Plan Core Strategy (2012) (the Core Strategy) policies map are illustrated in Appendix 3 of the submitted

Plan. The submission policies map comprises the plan identified as 'Waltham Forest LP1 Policies Map (Regulation 19)' (KD3).

6. The policies map is not defined in statute as a development plan document (DPD) and so we do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective. These further changes to the policies map were published for consultation alongside the MMs in the document 'Proposed Changes to Submission Policies Map' (July 2023).
7. When the Plan is adopted, in order to comply with the legislation and to give effect to the Plan's policies, the Council will need to update the adopted policies map to include the changes proposed in 'Waltham Forest LP1 Policies Map (Regulation 19)' and the further changes published alongside the MMs. This will become the policies map for the Plan.

Context of the Plan

8. Waltham Forest is an outer London Borough located in north-east London, stretching from the Queen Elizabeth Olympic Park in the south to the Epping Forest Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) and the Essex County boundary to the north. To the west, the borough is bounded by the River Lee and its thirteen associated reservoirs and marshes, and by the Epping Forest SAC to the east.
9. The borough comprises a collection of neighbourhoods centred around busy high streets, stations, and historic villages, creating a diverse character. It contains areas of Metropolitan Open Land, Metropolitan Green Belt, and natural habitats of international and national importance. The entire borough falls within the Zone of Influence for the Epping Forest SAC, designated for its ancient woodland, heathland, and populations of stag beetles. The Lee Valley Special Protection Area (SPA) and Ramsar Convention Wetland of International Importance (Ramsar site) support migratory bird species of European importance.
10. The centre and south of the borough are connected to central London by the Victoria and Central underground lines and the north-east of the borough is connected by two overground lines. Several major 'A' roads intersect the borough, including the A406 North Circular, the A12, the A503 Forest Road and the A104 Lea Bridge Road.

11. The Plan forms Part 1 of the Local Plan and sets out the strategic policies for the scale, broad location, and distribution of growth, and includes development management policies. It will replace in full the Core Strategy, the Waltham Forest Development Management Policies Local Plan (2013), the Walthamstow Town Centre Area Action Plan (2014) and the Blackhorse Lane Area Action Plan (2015). On adoption, the Plan will form part of the development plan for the borough, together with the London Plan - The Spatial Development Strategy for Greater London (2021) (the London Plan), the North London Waste Plan (2022), the Highams Park Neighbourhood Plan (2020), and the London Legacy Development Corporation (LLDC) Local Plan (2020).
12. A separate Waltham Forest Local Plan Part 2 (Site Allocations) (LP2) is under preparation, which will allocate sites for development and will also form part of the development plan if adopted, following a separate examination.
13. A range of other documents to support Plan implementation are proposed, including the Green Spaces and Places, Industrial Intensification and Developer Contributions Supplementary Planning Documents (SPD). The Local Development Scheme (LDS) (KD10) has been updated to set out the timescales for the adoption of these documents.

Public Sector Equality Duty

14. The Council carried out an Equalities Impact Assessment (KD9) to inform Plan preparation. We have had due regard to the three aims expressed in S149(1) of the Equality Act 2010. Amongst other matters, the Act sets out the need to advance equality of opportunity and to foster good relations between people who share a protected characteristic and people who do not share it.
15. We have considered various matters during the examination, including accommodation for Gypsies, Travellers and Travelling Showpeople, specialist housing to meet different needs such as for older people, accessible and adaptable design, and ensuring that the flexible use of community facilities respects different social, cultural, and religious backgrounds. These matters are covered in more detail in the assessment of soundness that follows.

Assessment of Duty to Cooperate

16. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
17. The Council has engaged with adjoining local planning authorities and with prescribed bodies on all relevant strategic matters from an early stage in Plan preparation, as documented in the Duty to Cooperate Statement (KD7) and its

Addendum (LPE2). The documents detail the strategic matters for cooperation and the organisations that the Council has engaged with in preparing the Plan.

18. Statements of common ground (SoCG) have been produced with the neighbouring London Boroughs of Enfield, Hackney, Haringey, Newham and Redbridge, Essex County Council, the Greater London Authority (GLA), the LLDC, Historic England, Natural England, the City of London Corporation, Lee Valley Regional Park Authority, Transport for London, and the Environment Agency. The Council is a member of London Councils, a cross-party organisation which represents London's thirty-two boroughs and the City of London Corporation.
19. The Planning Practice Guidance (PPG) indicates that the degree of cooperation needed between parties in a London context depends on the extent to which strategic matters have already been addressed in the spatial development strategy, in this case the London Plan.
20. London-wide cooperation in developing the evidence base to identify housing need is led by the GLA with full participation from the boroughs, for example on the Strategic Housing Market Assessment (SHMA). The target for each borough is apportioned according to their ability to provide housing as adduced by the Strategic Housing Land Availability Assessment (SHLAA).
21. Although it was not one of the commissioning boroughs, the Council engaged and participated in the preparation of the Outer North East London SHMA with the London Boroughs of Redbridge, Havering, Barking and Dagenham, and Newham.
22. The Council has also worked collaboratively with neighbouring local planning authorities to develop a joint approach to the assessment of current and future need for Gypsy, Traveller, and Travelling Showpeople's Accommodation, which forms the basis of the identified need in the Plan.
23. London-wide evidence of the need for employment and retail floorspace is also led by the GLA and has been supplemented by borough-based assessments of need for Waltham Forest. The need to safeguard employment land is a strategic issue set by the London Plan and the cross-boundary implications have been addressed through the various designations which are discussed in this report.
24. Cross boundary transport issues have been discussed through regular liaison meetings with Transport for London (TfL) throughout Plan preparation. The A406 North Circular and A12 are 'red routes' managed by TfL and the implications of planned growth in the Plan for highways and public transport infrastructure has been the subject of ongoing liaison. The London Borough of

Newham commented on the growth impacts from the Plan on Stratford station and collaborative working on this matter will continue, as set out in the SoCG between the two Councils.

25. The Council has engaged with the Barts Clinical Commissioning Group, neighbouring local planning authorities and the GLA regarding the provision and re-provision of infrastructure for the redevelopment of the Whipps Cross Hospital site which has been reflected in the Infrastructure Delivery Plan (KD12).
26. Close working with Natural England, the City of London Corporation (the Conservators of Epping Forest) and adjoining London boroughs has taken place to develop a strategic solution to deliver measures to mitigate the impact of recreation pressure on the Epping Forest SAC.
27. There are no objections in respect of any failure to meet the duty to cooperate by any of the bodies prescribed in relevant legislation for the purposes of section 33A(1)(C) of the Act. Such issues as remain relate to matters of soundness which we address later in this report.
28. Overall, we are satisfied that where necessary, the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and, therefore, that the duty to cooperate has been met.

Assessment of Other Aspects of Legal Compliance

Sustainability Appraisal

29. The SA of the submitted Plan (KD4.1 - KD4.7) sets out the key sustainability issues, based on which the Council concluded that planning to meet the assessed housing need figure of 27,000 dwellings was the preferred approach and that there were no reasonable alternatives to that. The SA did not assess alternative levels of housing growth, in particular the London Plan's 10-year target for Waltham Forest of 1,264 dwellings per year (dpy) to 2028/29.
30. In our post hearing letter of 5 May 2022, we concluded that the Plan's proposed level of housing growth had not been assessed against reasonable alternatives in arriving at the conclusion that it was the most appropriate option. In response, the SA Addendum (LPE36) tested the London Plan's 10-year housing target against the sustainability objectives and we return to that matter under Issue 3.
31. In relation to employment, the 52,000 square metres (sqm) provision figure is based on the London Plan and Greater London jobs growth forecasts. The

Council is only required to consider reasonable alternatives capable of meeting the Plan's objectives, which includes an objective to grow, promote and diversify the borough's economy. We therefore conclude that there is no legal compliance failure for the SA not to have considered an option for a reduced level of employment land.

32. The alternative options for the spatial distribution of development that were assessed are covered in more detail in Issue 2 below. The SA was also updated to assess the MMs.
33. Overall, we are satisfied that the SA process has been proportionate, objective, underpinned by relevant and up to date evidence, and complies with relevant legal requirements and national guidance.

Habitats Regulations Assessment

34. The HRA (KD5) of the Plan concluded that it would have a likely significant effect on the Epping Forest SAC arising from the impact pathways of atmospheric pollution and disturbance from recreation. However, the Appropriate Assessment (AA) concluded that the Plan would not result in adverse effects on the integrity of the SAC alone, or in combination with other plans and projects, in relation to these pathways. This conclusion was dependent on a number of mitigation measures, including a Strategic Access Monitoring and Management Strategy (SAMMS), the delivery of Suitable Alternative Natural Greenspace (SANG) and an Air Quality Mitigation Strategy (AQMS).
35. In response to input and advice from Natural England, a revised version of the HRA (LPE23.1), an HRA Addendum (LPE23.2), an AQMS (LPE23.3) and a draft SANG Strategy (LPE23.4) were submitted to the examination. Following the Council's work in response to our post hearing letter, a further HRA (LPE37) was submitted. This took into account work on road traffic trip generation and distribution from likely development sites and further development of the mitigation measures, in particular proposals for SANG.
36. These matters are covered in more detail in Issue 6 but, with the MMs set out in the attached schedule, we consider that the Plan will not have an adverse effect on the integrity of the Epping Forest SAC and is legally compliant with the Habitats Regulations.

Conformity with the London Plan

37. Section 24(1)(b) of the 2004 Act requires DPDs to be in general conformity with the spatial development strategy for the area, which in this case is the London Plan. The submitted Plan refers to the Intend to Publish London Plan,

and the MMs incorporate updates to refer to the final version which was published on 2 March 2021.

38. For the reasons explained elsewhere in this report, the Plan as submitted is not in general conformity with the London Plan in relation to several important matters, including the approach to employment sites and tall buildings. There has been ongoing liaison with the Mayor of London culminating in a SoCG (LPE27) and a Statement of General Conformity (LPE38). Subject to a number of MMs, the need for which is explained further below, the Plan as amended is in general conformity with the London Plan.

Other Legal Compliance Matters

39. The development plan, taken as a whole and, in this case, including the London Plan, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area.
40. The Council declared a Climate Emergency in 2019. Reducing the causes of climate change, mitigating its impact, and building resilience are central to the Plan's strategy and policy approaches. The spatial strategy in Policy 4 focuses new development in Strategic Locations and other Site Opportunity Locations with access to a range of facilities and services and with a choice of sustainable transport modes. Other policies on flood risk, sustainable construction and energy efficiency, car free development and renewable energy address a range of relevant matters. Climate change is covered further in Issue 5. The Plan, taken as a whole, includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.
41. Regulation 8(5) of The Town and Country Planning (Local Planning) (England) Regulations 2012 (the 2012 Regulations) requires that where a Plan contains a policy that is intended to supersede another policy in an adopted development plan, it must state that fact and identify the superseded policy. The submitted Plan does not identify which documents forming part of the development plan would remain extant.
42. Therefore, **MM1** is necessary to clarify that the Core Strategy (2012), Development Management Policies document (2013), Walthamstow Town Centre Area Action Plan (2014) and the Blackhorse Lane Area Action Plan (2015) will all be superseded in their entirety, and that the LLDC Local Plan (2020) will remain as the adopted development plan for Temple Mills and Eton Manor until decision making powers are transferred back to the London Borough of Waltham Forest. **MM1** will ensure that the Plan complies with the 2012 Regulations.

43. Although the adoption timescale has fallen behind the schedule in the LDS Addendum, the Plan has been prepared in accordance with the scope and role set out for it in the LDS. The Council has confirmed that the LDS has been updated to reflect the revised timescale for LP2 and other SPDs and supporting documents.
44. Consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement (KD11.1 including an Addendum).
45. The Plan complies with all other relevant legal requirements, including in the 2004 Act and the 2012 Regulations.

Assessment of Soundness

Main Issues

46. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearing, we have identified eight main issues upon which the soundness of the Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy or policy criterion in the Plan.

Issue 1 - Are the Plan's vision and strategic objectives appropriate and will future housing and employment growth be managed effectively?

Plan Format and the Plan Period

47. The LDS established the preparation of the new Local Plan in two parts. Whilst LP2 was originally intended to track the submitted Plan closely, due to the delays in the examination process for LP1 the submission of LP2 has been put back. The PPG is clear that the most appropriate format for the development plan as a whole is a matter for the local planning authority to decide, based on the circumstances of the area. Although potential development sites have informed the location and distribution of growth in the submitted Plan, this Plan sets the strategic context for LP2 which will be the subject of a separate independent examination.
48. However, to be effective, the submitted Plan requires further clarification of the role and scope of the Part 1 and Part 2 Plans and the role of the policies map, which is achieved by **MM1**. The submitted Plan also includes an Appendix 3 showing the proposed changes to the existing Core Strategy policies map and,

as the policies map is not a DPD, this should be deleted, which is achieved by **MM14** and **MM192**.

49. The Plan states that all its policies are strategic in nature. However, some are clearly detailed development management policies. So that it will be effective and consistent with the NPPF paragraph 21, the Plan should differentiate between the strategic and non-strategic policies and confirm that Neighbourhood Plans should be in conformity with the former. **MM1** and **MM200** are necessary to do that.
50. The Plan period is 2020 – 2035 and so, on adoption, the remaining Plan period will be approximately 11 years. This does not accord with the NPPF's advice that strategic policies should look ahead over a minimum 15-year period from adoption. However, key evidence documents, including the Employment Land Study (ELS) (EB6.1), have an end date of 2035 and would require updating and consultation if the Plan period was extended. This would result in considerable further delay to this examination and to the timescale for the adoption of both this Plan and LP2. The NPPF requires that policies are reviewed every five years to establish whether they need updating. Taking these matters into account, we conclude that the Plan period is justified.

Vision and Objectives

51. Six 'golden threads' represent the key principles underpinning the Plan and to help deliver sustainable development. As submitted, the golden threads do not recognise the importance of the borough's distinctive character and heritage in helping to deliver the vision. **MM2** addresses this by adding a seventh 'golden thread' and is necessary to ensure that the Plan is positively prepared.
52. The strategic objectives aim to significantly increase the supply, choice and mix of housing, to grow and diversify the economy including the cultural, creative, and digital sectors, to enhance active and sustainable transport choices, to improve health and well-being, to build resilience to climate change and to contribute to sustainable neighbourhoods. This is reflected in the vision for 'Waltham Forest in 2035' and in the specific area profiles and visions which respond to the challenges and opportunities in the South, Central and North Waltham Forest areas.
53. This is an appropriate approach which reflects the Council's corporate priorities and the economic, social, and environmental conditions outlined in the borough portrait. Nonetheless, so that the Plan has been positively prepared, **MM1** is necessary to update the Plan's context and its key policy aims, including promoting culture and creativity and delivering the Council's Climate Action Plan. Provision for existing businesses where employment sites are redeveloped is covered by the employment policies, and no further

changes to the Plan's context and key policy aims are necessary for soundness.

54. Central to creating sustainable communities is the concept of the 15-minute neighbourhood to enable residents to meet their day to day needs within a 15-minute walk, wheel, or cycle from their home. The approach cannot work in isolation and is complemented by a range of other measures, including the requirement for all new residential development to be car free, by requiring cycle storage and contributions to Car Clubs as part of new development and by working with relevant partners including TfL and adjoining boroughs to maintain and improve public transport and station capacity.
55. The Plan recognises that some journeys will need to be made by car and in those situations, proposals will be assessed against the criteria set out in Policy 68. Overall, the 15-minute neighbourhood is a reasonable framework on which to plan for the growth of existing and new communities and will help to deliver the Plan's vision and objectives. However, the submitted Plan's vision erroneously refers to 20-minute neighbourhoods, and for effectiveness **MM3** rectifies this and makes other factual updates to the vision.
56. Furthermore, the strategic objectives as submitted omit reference to the 15-minute neighbourhood and to the historic environment. So that it has been positively prepared, the Plan should include two new strategic objectives on these matters, and the strategic objective relating to design should ensure that distinctive character and heritage is reflected in new design. **MM5** corrects these points and secures an additional strategic objective to ensure that there is effective public involvement in future plan making, for example LP2 and any industrial masterplans that are prepared in accordance with Policy 30.
57. The submitted Key Diagram (Figure 3.2) also requires updating to ensure that it is consistent with the changes to the policies map. For effectiveness, **MM4** makes the necessary changes.
58. Policy 1 sets out the Plan's overarching approach to achieving sustainable development. The duplication of references to the presumption in favour of sustainable development within Policy 1 creates ambiguity. For consistency with the NPPF, this is addressed by **MM6** which additionally clarifies that decisions will also be taken in accordance with the London Plan, the North London Waste Plan and the LLDC Local Plan.

Managing Growth

59. Policy 2 sets out the planned scale of growth as 27,000 homes and 52,000 square metres (sqm) of employment floorspace. In Issues 3 and 4 we conclude that these figures are justified by the evidence. Nonetheless, the

Plan does not make clear that those figures should not be interpreted as a ceiling or a limit on development. **MM7** is, therefore, necessary so that they are expressed as minimum figures and will ensure that the Plan has been positively prepared.

60. The principles guiding the delivery of infrastructure to support this growth are set out in Policy 3, including the redevelopment of Whipps Cross Hospital and key transport projects. The re-opening of the Meridian Line would link the Chingford to Liverpool Street Overground route to the Stratford line. Whilst it is shown on the submitted policies map, the scheme is not referred to in Policy 3. To ensure that the Plan is effective, it should be included in Policy 3 and that is achieved by **MM9**. We have had regard to TfL's views that it is not deliverable within the Plan period, however it is a Council priority and in the longer term has the potential to widen sustainable travel choices in line with the Plan's vision and objectives.
61. Policy 3 as submitted requires the delivery of viable high-speed broadband which would not meet the tests for conditions on planning permissions in the NPPF and PPG. **MM9** therefore secures its deletion. The integration of new development with bus and rail infrastructure is important to provide sustainable transport choices and, so that the Plan has been positively prepared, **MM10** inserts reference to that in the explanatory text to Policy 3.
62. Policy 5 sets out an appropriate approach to managing growth, but as submitted does not include any reference to the need to secure good design and at criterion D the policy refers to 'protecting' a range of heritage assets. For consistency with the NPPF's aims in relation to design and heritage assets, **MM13** is necessary to address these points.
63. Policy 6 (Ensuring Good Growth) is reflective of the London Plan's principles for Good Growth, being growth that is socially and economically inclusive and environmentally sustainable. This policy is, in principle, sound but requires a number of alterations to update the policy wording, provide crosslinks to other related policies in the Plan, and for general clarity. **MM15** covers these modifications, which are necessary for effectiveness.
64. To deliver the planned housing and employment growth, varying degrees of intensification or higher density developments in the borough will be necessary, which is consistent with the London Plan's Good Growth objectives including GG2 for making the best use of land. To meet other strategic objectives and to respond to the varied character and context across the borough, Policy 8 (Character-led Intensification) sets out an overarching character-led approach to inform appropriate intensification, whereby sites would be considered for their general suitability for either modest

intensification (Reinforcement), considerable intensification (Transition), or transformative intensification (Transformation).

65. This approach, which also relates to other elements of the Plan, including policies for creating high quality places, and the Council's forthcoming Exemplar Design SPD, is evidenced and supported by the Waltham Forest Character and Intensification Study (LPE45 and EB2.1), which also provides guidance for considering whether sites are suitable for a reinforcement, transition, or transformation approach to intensification.
66. Policy 8 strikes a reasonable balance between the required growth for housing and employment, responding to an area's prevailing character, and promoting regeneration. It is consistent with NPPF paragraph 124 which seeks to achieve appropriate densities through policies that make efficient use of land.
67. However, for clarity and effectiveness and for general conformity with the London Plan, revisions to the policy wording are necessary to further differentiate the appropriate intensification in each of the three categories. As this is an overarching policy, the application of which would be informed by various factors, it is not necessary for soundness for it to set out these differences in greater detail. **MM16** provides the required changes to Policy 8. **MM17** sets out related changes to paragraph 4.45 to update and simplify the explanatory text and is necessary for effectiveness.

Conclusion on Issue 1

68. Subject to the MMs outlined above, we conclude that the Plan's vision and strategic objectives are appropriate and that the policies to manage future housing and employment growth will be effective.

Issue 2 - Are the locations for growth and the distribution of housing, employment and other development soundly based and in general conformity with the London Plan?

Spatial options

69. Approximately 27% of the borough is within the Green Belt or designated as Metropolitan Open Land (MOL). Two Green Belt and MOL Studies were carried out in 2015 and 2019 (EB8.1 & EB8.2) based on which, the Council concluded that the exceptional circumstances to justify alterations to the Green Belt boundary were not demonstrated. In the light of this, alterations to the Green Belt or MOL boundary were not considered as a reasonable alternative through the SA in assessing spatial options. Based on the evidence, and the great importance attached to Green Belt boundaries in the NPPF, that is a justified position.

70. The SA assessed two options for the spatial distribution of development. Firstly, the Core Strategy spatial strategy which is focused on four growth areas around Blackhorse Lane, Northern Olympic Fringe, Walthamstow Town Centre and Wood Street and on the Town, District and Neighbourhood Centres. The 'new' spatial strategy tested the distribution of growth more widely in identified hubs, town centres and opportunity locations and has also been informed by the testing of sites at these locations in the Growth Capacity Study (GCS) (LPE44).
71. Although the two options perform differently against the 20 sustainability objectives, the new spatial strategy would be the most effective in delivering the Plan's vision and objectives, in particular by locating development where the proximity of employment opportunities, shopping and other facilities and services, and their accessibility by sustainable modes of transport will support the establishment of 15-minute neighbourhoods. It will also maximise opportunities for the regeneration of brownfield and under used sites.

Locations for growth

72. Policy 4 (Location of Growth) seeks to focus new development in Strategic Locations and, within these, on Site Opportunity Locations. The 27,000 dwelling and 52,000 sqm employment floorspace requirements are apportioned between the South, Central and North Waltham Forest areas. This is a logical approach which has been informed by the evidence in the Character and Intensification Study in relation to their urban form and distinctive character.
73. The 17 Strategic Locations within the South, Central and North Areas listed in Policy 4 will be the primary areas for growth, as shown on Figure 4.1. The identification of the Strategic Locations has been informed by the evidence in the GCS about the location and clustering of sites with the best potential for redevelopment in accessible locations. They broadly encompass the designated centres of Walthamstow Town Centre, the District Centres and Neighbourhood Centres. Some housing development is also expected to take place outside the Strategic Locations, referred to as 'Elsewhere in the Borough'.
74. There are a number of inconsistencies between Policy 4 and Figure 4.1 in relation to the number and naming of the Strategic Locations. In South Waltham Forest, Church Road falls within the Lea Bridge Strategic Location and is not a separate Strategic Location. South Chingford is a District Centre within the Chingford Mount Strategic Location and not a Strategic Location in its own right. For effectiveness and clarity, **MM11** corrects these points, changes the number of Strategic Locations from 17 to 16 and makes other minor corrections to the names of the Strategic Locations. The Highams Park Strategic Location covers a wider area than the District Centre and

Neighbourhood Plan area. The deletion of the words 'District Centre' against Highams Park as proposed by **MM11** is necessary for the Plan to be clear and effective.

75. Policy SD10 of the London Plan identifies Strategic Areas for Regeneration which include the Lower and Upper Lee Valley within South Waltham Forest. The Strategic Locations of Leyton, Leytonstone, Whipps Cross, and Bakers Arms fall within the Strategic Area for Regeneration and this aspect of Policy 4 is in general conformity with the London Plan.
76. Policy 4 also identifies Site Opportunity Locations at a more fine-grained spatial level as locations for growth. These are smaller sites which have been identified on Figure 4.1 based on the GCS evidence, a call for sites exercise, and detailed site assessments of their availability and deliverability. LP2 takes forward the delivery of 75 Site Opportunity Locations which are considered to be strategic in nature and key to the delivery of growth. The remaining sites will be delivered through the brownfield land register, masterplans and planning briefs.

Distribution of Growth

77. The apportionment of the housing requirement between South, Central and North Waltham Forest has been informed by the capacity of potential sites within those areas. The largest share of new housing and jobs growth is apportioned to South Waltham Forest, which is justified based on its denser urban form, greater connectivity by public transport, and extensive opportunities for regeneration and growth.
78. However, the housing figures in Policy 4 should be expressed as a minimum for consistency with Policy 2 and should also be modified to reflect the updated evidence in the Housing Position Statement (LPE9), Topic Paper (LPE30) and Updated Housing Trajectory (LPE31a) for which **MM11** is necessary and will ensure that the policy is justified and positively prepared.
79. Policy 4 distributes 3,800 dwellings to 'Elsewhere in the Borough', which is development anticipated to take place on sites which are outside of the Strategic Locations. They are likely to be in locations that can provide smaller scale development opportunities for housing, employment, commercial and community uses. For effectiveness, the explanatory text to Policy 4 should clarify what is meant by 'Elsewhere in the Borough', which is achieved by **MM12**.
80. The distribution of employment between the South, Central and North areas is expressed in job numbers. It is based on analysis within the ELS of the current distribution of employment types across the three areas, the effect of the GLA

jobs forecast on those jobs numbers and the potential for the intensification of employment sites within those areas. The approach reflects the circumstances of a borough where a net increase employment land will be dependent on the redevelopment of existing sites.

South Waltham Forest

81. Policy 9 is a more detailed, location specific policy for South Waltham Forest. To ensure consistency with the modifications to Policy 4 in **MM11**, changes are needed to the housing figures for the Strategic Locations in Policy 9 which is rectified by **MM21**.
82. In addition, for effectiveness, **MM21** sets out various other necessary modifications to Policy 9. These include making reference to the potential for a mixed use development at Leyton Mills, and the deletion of the requirement to re-provide waste services from Estate Way which is no longer required by the North London Waste Plan. Lea Bridge and Bakers Arms have been identified for a specific focus on safety measures, which is dealt with in criterion J with a new reference to Designing out Crime and Secured by Design principles.
83. Policy 9 criterion K as submitted seeks to 'protect' the Conservation Areas in the South area. **MM21** as published for consultation replaced that with 'conserve'. Following the MMs consultation, for compliance with the statutory test, we have replaced the word 'conserve' with 'preserve'. Additionally, the sporting venues in the Lee Valley Regional Park should be referenced in Policy 9 to support their potential for sporting and cultural purposes, and the requirements in relation to Epping Forest SAC and Lee Valley SPA should also feature within the policy. For effectiveness, these modifications are also achieved by **MM21**.
84. The vision for South Waltham Forest should also be modified for consistency with the changes to Policies 4 and 9 and that is achieved by **MM20**. Furthermore, the South area map should be updated to ensure consistency with the changes to the employment land designations on the policies map, and to identify the designated centres. That is achieved by **MM18**. The South Waltham Forest Area Profile refers to the London Plan's recognition of Leyton, Leytonstone, Whipps Cross and Bakers Arms as Strategic Areas for Regeneration. For general conformity with the London Plan, this should be corrected to clarify that they are town centres that fall within the Strategic Areas for Regeneration. **MM19** makes the necessary change.

Central Waltham Forest

85. Policy 10 is a more detailed, location specific, policy for Central Waltham Forest. To ensure consistency with the modifications to Policy 4 in **MM11**, main modifications are needed to the housing figures for the Strategic

Locations in Policy 10 which is rectified by **MM23**. The submitted policy specified the housing figures for each Strategic Location as a minimum, which would be unduly prescriptive and inflexible as proposals come forward. For effectiveness, the reference to a minimum figure for each Strategic Location should be deleted. The overall minimum target in criterion A provides sufficient direction on that point and no further changes are necessary for soundness.

86. The increase in the housing figure for Blackhorse Lane reflects the Masterplan (LPE53 and 54) referred to elsewhere in this report, and the Plan's infrastructure policies will deal with the provision of new and improved facilities.
87. So that the Plan has been positively prepared, Policy 10 should be updated to include recent projects and initiatives, including developing cultural attractions and the evening economy in Walthamstow Town centre. The requirements in relation to Epping Forest SAC and the Lee Valley SPA should also feature within the policy for effectiveness. These modifications are achieved by **MM23**.
88. Following the MMs consultation, and for compliance with the statutory test, we have replaced the word 'conserve' in criterion I of **MM23** with 'preserve' which was included in the submitted Plan. As the Plan is to be read as a whole, it is not necessary to include a cross reference to Policy 60 within Policy 10.
89. The Central area map should be updated to ensure consistency with the changes to the employment land designations on the policies map and to identify the designated centres. That is achieved by **MM22** which is necessary for effectiveness.

North Waltham Forest

90. Policy 11 is a more detailed, location specific policy for North Waltham Forest. To ensure consistency with the modifications to Policy 4 in **MM11**, main modifications are needed to the housing figures for the Strategic Locations in Policy 11, together with the deletion of South Chingford as a Strategic Location in criterion I, both of which are rectified by **MM25**.
91. A number of other modifications to Policy 11 are necessary to improve its flow and legibility and to recognise that development proposals should seek to improve connectivity links to the Borough of Enfield to the north-west and to improve air quality along the A406 North Circular corridor. The requirements in relation to Epping Forest SAC and the Lee Valley SPA should also feature within the policy. These modifications are necessary for effectiveness and are achieved by **MM25**. Criterion G provides sufficient guidance to ensure that the character and distinctiveness of Highams Park will be addressed as part of

development proposals, and no further changes are necessary for the soundness of Policy 11.

92. The provision of 1950 new jobs in criterion C relates to new jobs, rather than existing ones. The retention of existing businesses is a key objective of the Plan's economic policies.
93. The North area map should be updated to ensure consistency with the changes to the employment land designations on the policies map and to identify the designated centres. That is achieved by **MM24**. The Plan is to be read as a whole and it is not necessary to include a cross reference to Policy 60 within Policy 11.

Conclusion on Issue 2

94. Subject to the MMs outlined above, we conclude that the locations for growth and the distribution of the housing, employment and other development proposed in the Plan are soundly based and in general conformity with the London Plan.

Issue 3 – Is the housing requirement soundly based and does the Plan set out a positively prepared strategy for housing that is justified, effective, consistent with national policy and in general conformity with the London Plan?

Housing need and the Plan's housing requirement

95. In the light of the SA Addendum, the Council concluded that Option 1 (27,000 homes) should remain as the preferred option. This position is a reasonable one, based on the performance of Option 1 against the range of sustainability objectives and, in particular, objective SA1 - meeting the identified need for new homes in the borough as far as possible.
96. The London Plan sets a 10-year housing requirement for Waltham Forest of 12,640 homes or 1,264 dpy for the period 2019/20 to 2028/29. The London Plan targets for each borough were based on the 2017 London SHLAA.
97. The London Plan also makes clear at paragraph 0.0.21 that the housing targets for each borough are the basis for planning for housing in London. Boroughs are not required to revisit their housing target figures in developing their local plans, unless they have additional evidence that suggests they can achieve delivery of housing above the London Plan targets whilst remaining in line with the strategic policies of the London Plan.

98. The Plan's housing requirement is 27,000 dwellings over the Plan period (averaging 1,800 dpy), informed by the evidence of need assessed in the Waltham Forest SHMA (EB4.1), which identifies a need of 1,810 dpy from 2014 – 2039.
99. The Plan period (2020 – 2035) runs beyond the London Plan's 10-year housing target period. The London Plan advises at paragraph 4.1.11 that if a target is needed beyond the 10-year period to 2028/29, boroughs should draw upon the 2017 SHLAA and any local evidence of identified capacity, in consultation with the GLA, and should take into account any additional capacity that could be delivered as a result of any committed transport infrastructure improvements. They should also roll forward the housing capacity assumptions applied to the London Plan for small sites.
100. At the point of submission, the Council relied in part on the GCS to inform its housing land supply position over the Plan period, together with delivery through the emerging LP2 site allocations. The GCS contains a wide range of potential delivery figures from 1,194 to 1,562 dpy, which is a lower annualised level than the Plan seeks to deliver. Furthermore, none of the detailed site assessments and spreadsheets that underpin the GCS were submitted.
101. Overall, very limited capacity and delivery information was provided to the examination. Therefore, as set out in our post hearing letter, the evidence was insufficient to justify the submitted Plan's housing requirement above the borough's London Plan target.
102. The Council then undertook a programme of further work, including updating and evidencing the housing trajectory (LPE31) and five-year housing land supply position (LPE32) with completions, commitments, updated timescales for delivery, and evidence of consultation with site promoters for various key sites. It also submitted a detailed Topic Paper, and additional supporting information including specific Area Frameworks and Master Plans. Following the Stage 2 hearing sessions, a further Updated Housing Trajectory (LPE31a) and Further Updated Five Year Housing Land Supply Statement (LPE32a) were prepared for public consultation alongside the proposed main modifications.
103. The recent evidence, including discussions at the Stage 2 hearing sessions, now satisfactorily demonstrates that the Plan would be effective in delivering a minimum of 27,000 new homes over the Plan period as set out in **MM7**. This housing requirement, which is higher than the borough's London Plan target, is justified by significant local evidence which shows that delivery can be achieved whilst remaining in line with the other strategic policies of the London Plan.

104. Two Statements of General Conformity confirm the London Mayor to be supportive of the Plan's general approach of setting housing requirements that exceed the borough's London Plan targets (GLA letter dated 14 December 2020 and LPE38). The Plan is positively prepared in relation to its housing requirement, in a way that is aspirational but deliverable, and is consistent with the NPPF's aims for meeting the housing needs of present and future generations and significantly boosting the supply of homes.
105. Notwithstanding the Plan's higher housing requirement, Policy H1(a) of the London Plan sets out that boroughs must include the ten-year targets in Table 4.1 in their development plan documents. The submitted Plan does not do that, and **MM8** and **MM26** are required so that the ten-year target is included in the explanatory text to Policy 2 and within Policy 12 (Increasing Housing Supply) for general conformity with the London Plan. Given the passage of time, for clarity and therefore effectiveness, **MM8** also sets out the housing completions over the first 3 years of the Plan period.
106. Policy 12 does not include the stepped housing requirement, which is instead set out in the explanatory text. **MM26** incorporates the stepped housing requirements in table 8.1 into the policy and updates the annual requirements and the associated financial years to which they apply, which is necessary for effectiveness. **MM26** also includes several other wording clarifications for effectiveness and consistency with the wider aims of the Plan.
107. **MM27** sets out changes to paragraph 8.6 of the explanatory text regarding the stepped requirement, consequent to **MM26**, and **MM28** will ensure the deletion of the superseded as-submitted stepped requirement table, both of which are required for effectiveness.
108. NPPF paragraph 74 requires strategic policies to include a trajectory illustrating the expected rate of housing delivery over the Plan period. The trajectory in the submitted Plan does not reflect recent completions or the stepped requirements of **MM26**. **MM29** therefore provides an updated trajectory, which is necessary for effectiveness and to align with national policy.

Will a Five-Year Supply of deliverable housing land be available on adoption and is there a reasonable prospect that this can be maintained over the Plan period?

109. The NPPF states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement. The Further Updated Five Year Housing Land Supply Statement provides site-by-site detail of sites in the trajectory, including summary assessments of deliverability and the number of new homes likely to be completed in each of the five years.

110. A small sites windfall allowance has been applied for the final 2 years from 2026/27. The windfall allowance is based on 15-year historic delivery trends in the borough. It moderately undershoots, but is generally consistent with, the small sites target figure for Waltham Forest set out in the London Plan which paragraph 4.2.3 states is a reliable source of windfall sites in the context of the compelling evidence required by paragraph 71 of the NPPF.
111. Based on the stepped annual requirements set out in **MM26** to Policy 12, and with the appropriate 5% buffer applied, the trajectory and components of the five-year supply calculation demonstrate there is currently 5.3 years' supply of deliverable housing land in the borough.
112. The Updated Housing Trajectory indicates that against the Plan period requirement of 27,000 homes the Plan provides for total supply of at least 28,750 developable dwellings, representing a reasonably comfortable 6% margin of supply above the requirement. The Council's oral submissions at the Stage 2 hearing further demonstrated that the overall supply figure is somewhat cautious, as some key sites may deliver more homes than currently anticipated, particularly some large sites pipelined later in the Plan period.
113. The trajectory indicates that a rolling five-year supply is reasonably likely to continue through the Plan period, albeit the margins are currently projected to be slim in several years and, on current evidence, maintaining a five-year supply would be less secure in the event of a 10% buffer becoming relevant. Given the Council's position that it has identified all current opportunities for housing development that have a reasonable chance of coming forward and that would not result in unacceptable harm or undermine either the Plan's spatial strategy or the London Plan - and given the stepped annual requirement has been informed by that anticipated supply - there is limited headroom in some years.
114. However, there is a trend of very high rates of planning permission implementation in the borough, with only around 6% of housing units with full permission having lapsed over the 15-year period to 2019. The margin of overall supply is therefore reasonably likely to account for any potential non delivery of sites when taken across the Plan period.
115. The greater proportion of housing delivery would be later in the Plan period, and this phasing is driven primarily by the timeframe of availability of suitable land for housing. This 'backloading' and the 'ramping-up' of the annual stepped requirement from 2029/2030 to 2,494 dpy is supported by the current evidence, including for the likely delivery of housing on large sites such as at Whipps Cross Hospital and New Spitalfields Market. Maintaining the required supply will, to a significant degree, be dependent on the allocation of sufficient suitable sites for housing, which is a matter for LP2.

Affordable Housing

116. The Waltham Forest SHMA identifies a need for 1,278 affordable homes per year. Policy 13 (Delivering Genuinely Affordable Housing) sets a strategic target to deliver 50% of all new homes as genuinely affordable housing, taking a threshold approach for all developments of ten or more units to deliver a minimum of 35% affordable housing on site, with a minimum of 50% in specified circumstances. This approach, together with the affordable housing tenure requirements set out in Policy 14, is based upon the London Plan's strategy for genuinely affordable housing and is in general conformity.
117. The Whole Plan Viability Study (KD13) demonstrates that, while there are variations across the borough, the threshold approach of Policy 13 can be reasonably expected to be financially viable in many cases. It also shows that setting a lower percentage requirement for affordable housing, thereby capturing more policy-compliant development schemes, would be likely to result in a lower number of affordable units being delivered overall.
118. Policy 13 criterion D provides appropriate flexibility through a viability tested route to ascertain the maximum deliverable level of affordable housing, where the minimum threshold requirements cannot be met, and viability would otherwise significantly prejudice delivery. The policy therefore strikes an appropriate balance between likely development viability and seeking to address the borough's significant need for affordable housing as far as possible.
119. Clarifications to Policy 13 are necessary to remove ambiguities in the policy's requirements. A list of alternative housing products should be removed from Policy 13 and reintroduced, with updated wording, to Policy 18 (Other Forms of Housing). **MM30** provides these alterations, which are necessary in the interests of effectiveness. **MM36** provides the updated wording to Policy 18, setting out the affordable housing requirements as they relate to other forms of housing such as build to rent and purpose-built accommodation for students and older people. This is necessary for effectiveness and general conformity with the London Plan.
120. **MM31**, **MM32** and **MM33** provide alterations to the explanatory text to Policy 13 which are consequential changes relating to **MM30** or are otherwise needed for clarity. Similarly, **MM34** changes reference from affordable 'units' to 'homes' in Policy 14 (Affordable Housing Tenure) for consistency with Policy 13. These modifications are necessary for effectiveness.
121. Having been submitted for examination before 28 June 2021, it is not necessary for the Plan to set out requirements for First Homes. However, in accordance with the Written Ministerial Statement (WMS) and the PPG

regarding First Homes, it will need to be reviewed in due course to address this matter.

Gypsies, Travellers and Travelling Showpeople

122. The Waltham Forest Gypsy and Traveller Accommodation Assessment (GTAA) (EB4.2) provides evidence of a boroughwide need for 9 pitches to 2033. It is expected that this need will be met through the provision of additional pitches on the existing sites at Folly Lane and Hale Brinks North, which have capacity for intensified use. Given the relatively modest number of pitches required, and because the need is expected to be generated from existing residents at these two sites, the approach to meeting the identified needs through intensification of the existing sites is justified. Site allocations to this effect will be a matter for LP2.
123. The PPTS expects local planning authorities to set pitch targets in local plans and to set criteria to guide land supply allocations, where there is identified need and to form the basis for decisions where planning applications come forward. Policy 23 (Gypsies and Travellers) as submitted does not do these things and this is remedied by **MM44**, which includes broadening the policy to include Travelling Showpeople and criteria that would also be applicable to proposed plots for Travelling Showpeople for whom the GTAA identified no specific need in the borough to 2033. **MM44** is necessary to ensure the Plan is positively prepared, effective, and consistent with national policy. **MM45** sets out consequential alterations and updates to the explanatory text for the same reasons.
124. As the GTAA evidence of need does not cover the full Plan period, Policy 23 will need to be reviewed in due course. A London-wide GTAA process is being initiated and led by the GLA and is likely to be completed significantly before 2033. The Plan is therefore justified in identifying relevant needs only to 2033.

Other Housing Policies

125. Criterion C of Policy 16 (Accessible and Adaptable Housing) includes an arbitrary expectation that “a minimum of 90% of” all new-build self-contained homes should be accessible and adaptable, which would be unduly difficult for decision-makers to apply. At the hearing, it was clear that the Council expects all new-build dwellings to be accessible and adaptable, in line with Building Regulation M4(2). **MM35** rectifies the policy position in the interests of clarity and the effectiveness of the Plan.
126. Policy 19 (Small Sites) is not clear that it relates specifically to the residential-led development of small sites, and it sets out a closed list of requirements, which also does not include sites identified on the Council's Brownfield Land Register. The policy is therefore insufficiently flexible to support the NPPF's

objective of significantly boosting the supply of homes including from a variety of land, and therefore insufficiently flexible to support the delivery of housing on small sites, the contribution of which to meeting housing needs is also recognised by Policy H2 of the London Plan. **MM37** addresses these points and is necessary for effectiveness and to ensure the Plan is positively prepared and justified.

127. Policy 20 (Houses in Multiple Occupation (HMO) and Conversions) sets out detailed requirements for the conversion of larger homes to multiple smaller self-contained homes. The policy's absolute requirement for car free development could be incompatible with circumstances where the 'as existing' home has existing car parking facilities. **MM38** modifies the policy to require proposals to instead make no additional onsite parking provision for conversions and HMOs, which is necessary for effectiveness.
128. **MM39** sets out new explanatory text to clarify what the Plan means by over-concentration and saturation levels for HMOs and conversions. This is necessary for effectiveness.
129. Policy 21 (Downsizing) sets out a series of criteria seeking to encourage delivery of flats for those aged over 55. Other policies in the Plan, including Policy 15, Policy 18, and Policy 22 provide a policy context for a range of housing including for older people. Policy 21 is therefore unnecessary and would be unlikely to be effective. **MM40** and **MM41** cover the full deletion of Policy 21 and its explanatory text from the Plan.
130. Policy 22 (Supported and Specialist Accommodation) is supportive of the provision of such accommodation but does not resist the unjustified loss of existing supported and specialist accommodation and does not allow for reprovision where current standards cannot be met at existing facilities. **MM42** addresses these points, together with some other minor rewording for clarity, and all these changes are necessary for effectiveness.
131. **MM43** removes unjustified text relating to Use Classes and the likely number of bedspaces from the definitions of supported and specialist accommodation in Table 8.6 of the explanatory text to Policy 22. This is also necessary for clarity and effectiveness.
132. The provision of serviced plots of land for custom and self-build housing on all developments of 0.25ha or more is unlikely to be achievable and may not be appropriate on all sites. Criterion D of Policy 24 (Community Housing) is therefore not justified and is unlikely to be effective. **MM46** remedies this through deletion of criterion D, together with clarification in criterion B that proposals should meet identified community housing needs, which do not have

to be both local and strategic in nature, which is also necessary for effectiveness.

Conclusion on Issue 3

133. Subject to the MMs identified above, the Plan's housing requirement is soundly based and the Plan sets out a positively prepared strategy for housing that is justified, consistent with national policy, and in general conformity with the London Plan.

Issue 4 – Does the Plan set out a positively prepared strategy for the economy and employment land and will it contribute to the vitality and viability of Walthamstow town centre and other local centres?

Employment need and the employment land requirement

134. The borough is part of the functional economic region of Greater London and although it has a net deficit in terms of commuting, job density has risen from 0.37 in 2010 to 0.49 in 2019. The Plan seeks to continue to grow, promote and diversify the borough's economy to meet the employment needs of its residents and to build on its locational advantages. The Waltham Forest Economic Growth Strategy identifies six sectors for growth - digital and creative, construction, professional and urban services, manufacturing, retail, and health and social care. The success of the digital and creative sectors has resulted in the designation of a Creative Enterprise Zone at Blackhorse Lane.
135. Based on the Greater London Authority forecast of 8,100 jobs to 2035, the ELS calculates the need for an additional 52,000 sqm of employment floorspace, split between office (18,848 sqm), distribution (36,604 sqm) and a net loss of industrial floorspace (-4,215 sqm). In translating the job forecast into a floorspace requirement, the assumptions used for job densities are relevant to the sectors anticipated for expansion in the borough, and plot ratios are reasonable and robust. Sensitivities have been applied to reflect local circumstances in Waltham Forest, for example how businesses utilise space and the types of economic activity that are likely to come forward in the borough.
136. Although 22 hectares of industrial land has been lost since 2016, no allowance has been made for vacancies or loss of employment land in arriving at an employment floorspace requirement. This is justified based on the ELS's finding that losses have occurred where stock was under-utilised or not meeting occupier requirements and that its loss would not cause displacement from other sites. It is also justified in the context of the approach in Policies 25 – 29 to ensure that proposals for Strategic Industrial Locations (SIL), Locally

Significant Industrial Sites (LSIS), Borough Employment Areas (BEA) and non-designated sites do not result in the net loss of industrial land.

137. Taking the conclusions from the ELS one step further, the Employment Land Audit (ELA) re-assesses which employment sites would be suitable to deliver industrial intensification, the likely uplift in terms of new industrial floorspace, and the typologies that would be suitable to deliver on these sites to meet occupier requirements.
138. The submitted Plan identifies existing employment sites, including industrial sites as SIL, LSIS and BEA which are shown on Figure 9.1 and listed in Appendix 2, which also contains visions for those sites. The requirement for new floorspace is expected to be delivered through the intensification and consolidation of existing sites.
139. As submitted, Policy 25 (Supporting Economic Growth and Jobs) sets out the overall approach to meet the employment floorspace requirement. In the submitted Plan, BEAs are defined as locations which both accommodate and are suitable for office, research and development and industrial uses. In allowing for new office floorspace in BEAs in addition to town centres, the submitted policy is not in conformity with London Plan Policy E1, which seeks to focus office development in town centres and other existing office clusters, nor with London Plan Policy E4 which requires that a sufficient supply of land and premises for industrial and related functions should be provided in different parts of London to meet current and future demands. Policy 25 also fails to protect the borough's SIL capacity. **MM47** addresses this for general conformity with the London Plan. The definition of and the reduction in the number of BEAs as set out below addresses the conformity issue in relation to new office floorspace.
140. For effectiveness, Policy 25 should set out the mechanisms that will be used to secure the intensification of industrial land, which are through the site allocations in LP2, the Industrial Intensification SPD and the development of industrial masterplans in line with Policy 30. This is achieved by **MM47** for effectiveness. Changes to the explanatory text are set out in **MM48**. Following the MMs consultation, we have amended paragraph 4 in **MM48** to address the apparent conflict between maintaining SIL capacity whilst also delivering an uplift at the same time. The revised wording makes clear that the minimum requirement will be to maintain the capacity of the SIL, with an uplift wherever possible. Industrial capacity is defined and dealt with in Policy 30 and no further modifications to Policy 25 are necessary for soundness.

Strategic Industrial Land

141. Seven SILs are designated in the submitted Plan. SILs are the capital's principal source of industrial land, and London Plan Policy E7 seeks to resist

any loss of SIL capacity by requiring a process of SIL de-designation as part of a development plan before any non-industrial uses can be considered.

142. Policy 26 (Safeguarding and Managing SIL) does not include the full range of industrial uses which would be supported by London Plan Policy E4 and, for effectiveness and general conformity, **MM50** is necessary. The submitted policy includes reference to a masterplan approach to intensify existing industrial capacity in SIL, however the plan led approach referred to above is the appropriate mechanism. So that the Plan has been positively prepared, the reference to a masterplan approach should be deleted from Policy 26, and a new criterion added to secure the full replacement, or intensification of, existing industrial capacity. **MM50** does that. Criterion B(iii) as proposed to be modified by **MM50** is sufficiently clear, and no further changes are necessary for soundness.
143. Blackhorse Lane is identified as a SIL in Table 6.2 of the London Plan. The central and southern parts of the site have the potential to retain industrial capacity whilst also supporting the co-location of other uses including new homes and cultural uses to contribute to the Creative Enterprise Zone. A masterplanning process has been underway since 2019 and, for general conformity with London Plan Policy E5, the de-designation of the southern part of the site as SIL and its re-designation as LSIS should be addressed through this Plan. So that the Plan will be effective, **MM191** is necessary to identify the southern part of Blackhorse Lane as a LSIS in Appendix 2 and **MM49** is necessary to show the re-configured SIL and LSIS designations at Blackhorse Lane in Figure 9.1.
144. Policy 38 (Blackhorse Lane Creative Enterprise Zone) as submitted does not make clear the types of activities that will be supported there and how they will be delivered. **MM71**, **MM72** and **MM73** clarify those matters so that the Plan has been positively prepared.
145. As confirmed in the SoCG with the GLA (LPE27), to ensure that the borough's SIL capacity is maintained following the de-designation of SIL at Blackhorse Lane, the Council proposes to amend the proposed designation of Cork Tree Retail Park from LSIS to SIL. This is justified by the findings of the ELA which identified its potential for B8 storage and distribution uses due to its location close to the North Circular. It is also supported by the landowner. LP2 will take forward the allocation of the Retail Park as SIL. **MM49** is necessary for effectiveness to show Cork Retail Park as SIL in Figure 9.1.

Locally Significant Industrial Sites

146. Policy 27 (Safeguarding and Managing Change in LSIS) does not include the full range of industrial uses which are supported on LSIS by the London Plan

Policy E4, and for effectiveness and general conformity, **MM51** is necessary to include those within the policy criteria.

147. Where non-industrial uses are proposed on LSIS, there would be a requirement for a masterplan approach to ensure that the introduction of those uses would not lead to an unsustainable loss of industrial capacity nor adversely affect the ability of existing operators to function effectively. For general conformity with the London Plan and effectiveness, **MM51** is necessary to ensure that Policy 27 includes reference to a masterplan approach and that the reference to 'business' space being supported on LSIS is changed to 'industrial' space. Criterion B(iii) as proposed to be modified by **MM51** is sufficiently clear, and no further changes are necessary for soundness.

Borough Employment Areas

148. The London Plan does not make provision for the designation of BEAs. The designation of BEAs within the submitted Plan is not in general conformity with the London Plan. Given that many BEAs perform an industrial function, the submitted policies which would facilitate office floorspace on BEAs could result in the loss of industrial land. The majority of the BEAs should continue to function as a supply of industrial land, in order to contribute to the Plan's economic strategy. So that the Plan has been positively prepared, and for general conformity with the London Plan, 16 sites should be de-designated as BEA and re-designated as LSIS which is achieved by **MM191**. **MM49** is also necessary to show this change in Figure 9.1.
149. Three BEAs will be retained at Hatherley Mews, East London Office Centre and E10 Business Centre and this is justified based on their principal function as office floorspace. As submitted, Policy 28 indicates that industrial, storage or distribution and waste uses would be supported in BEAs which is not appropriate and **MM52** is necessary to delete those references within Policy 28 and to include office and research and development within the list of uses that would be supported for effectiveness. **MM53** makes the necessary changes to the explanatory text effectiveness.

Non-Designated Employment Land

150. Policy 29 (Approach to Non-Designated Employment Land) has an overly permissive approach which is not in general conformity with London Plan Policy E7, which makes clear that non-employment uses are only supported in specific circumstances. For reasons of general conformity and being positively prepared, the criteria against which residential or mixed use elements on non-designated employment land would be assessed should be expanded to include the re-provision of existing industrial floorspace as a minimum, and a

period of marketing. **MM54** makes the necessary changes. For effectiveness, **MM55** makes the necessary changes to the explanatory text to Policy 29.

151. The aim of the policy to re-provide the existing level of industrial, storage or distribution floorspace as a minimum is necessary to ensure a sufficient supply in the context of a plan where future floorspace is dependent on the re-configuration of existing sites. In situations where existing industrial uses are not functioning effectively, redevelopment to non-industrial uses would be considered after appropriate marketing, and the policy is sufficiently flexible in that regard. No further changes to **MM54** are necessary for soundness.

Other employment policies

152. Policy 30 (Industrial Masterplan Approach) sets out the principles that should inform a masterplan approach for SIL and LSIS, including where non-industrial uses are proposed. The submitted policy is not in general conformity with London Plan Policies E5 and E7 in a number of respects, including their requirements for evidence of employment land needs, details of the two-stage process set out in Policy E5 and that changes to boundaries of SIL and LSIS should be included in any future development plan document. For general conformity with the London Plan and effectiveness, **MM56**, **MM57**, **MM58**, **MM59** and **MM60** make the necessary changes to Policy 30 and its explanatory text. For clarity and effectiveness, **MM56** also includes a new footnote with a definition of industrial floorspace.
153. Following the MMs consultation, we have amended **MM58** by deleting the word 'large' from paragraph 9.23 to provide greater flexibility in the amount of uplift in industrial floorspace achieved within Areas of Intensification and Consolidation.
154. Policy 30 requires that proposals must not lead to any net loss in industrial capacity and should seek to provide a net increase. The word 'seek' provides sufficient flexibility, in conjunction with the requirement for evidence of need, in situations where a net increase is not feasible or justified by the evidence. No further changes to the policy or the explanatory text are necessary for soundness.
155. Early engagement with existing businesses on industrial sites that are being considered for consolidation as part of a masterplan approach will establish whether they wish to remain or re-locate. This should be achieved through a Retention and Relocation Strategy required by Policy 30 criterion G, as proposed to be modified by **MM56**. The requirement set out in the explanatory text to Policy 30 is justified and no further changes are necessary for soundness.

156. Whilst ideally masterplans should be produced alongside a Local Plan, the two may not always coincide or proposals may come forward throughout the Plan period and do not necessarily dovetail with plan preparation. Therefore, the policy needs to be sufficiently flexible to accommodate that and no further changes to Policy 30 and its explanatory text are necessary for soundness.
157. In some circumstances, it may be necessary to substitute industrial capacity from Waltham Forest to another part of London, but such proposals should be fully evidenced. The submitted Plan does not contain details of those requirements and, so that it has been positively prepared, **MM61** addresses that.
158. For effectiveness, the list of SIL, LSIS and BEA in Appendix 2 should be updated which is achieved by **MM191**. As a consequence of the MMs to the employment policies, the character and vision descriptions for the employment sites in Appendix 2 are out of date and are not necessary for soundness. **MM190** and **MM191** secure their deletion. The submitted Plan refers to employment use in a number of places, which can include industrial and non-industrial uses, such as offices. For clarity and effectiveness, references to 'employment' should be changed to 'industrial' in Policies 25 and 26, for which **MM47** and **MM50** are necessary.
159. Policy 31 sets out the criteria against which proposals for co-location of industrial uses with other non-industrial uses should be assessed. So that the Plan has been positively prepared, references to non-industrial uses within the policy should be removed, which is achieved by **MM62**.
160. The requirement in Policy 32 (Workspaces) that fit-out should be to a standard meeting the requirements of end users is too onerous, as in some cases they will not be known. **MM63** introduces greater flexibility into the policy to deal with these situations and is required for effectiveness. For effectiveness, **MM64** sets out in the explanatory text that early engagement is essential for the successful delivery of such schemes.
161. Policy 33 (Affordable Workspace) refers to securing such space via section 106 agreements, but this is duplicated by Policy 96 on securing developer contributions. For consistency with other Plan policies and clarity, **MM65** secures the removal of that criterion from the policy. The viability of providing affordable workspace will vary on a case-by-case basis and, so that it has been positively prepared, that should be acknowledged in the explanatory text for which **MM66** is necessary.
162. The borough has a supply of underused and vacant railway arches which are covered by Policy 35. The submitted policy does not make clear that where they are located within SIL or LSIS, proposals for non-industrial uses will be

considered against the two-stage process set out in Policies 26 and 27. In other locations, a wider range of uses will be considered, however the submitted Plan does not make reference to drinking establishments which can be an active use of railway arches. Development should also ensure that there is no harm to the safety of other highway users outside of such premises. So that the Plan has been positively prepared, these matters are addressed by **MM67**.

Town Centres

163. The designation of Walthamstow as a Major Centre and Bakers Arms, Highams Park, Leyton, Leytonstone, North Chingford, South Chingford, and Wood Street as District Centres is justified by the Retail and Town Centres Study (the Retail Study) (EB7.1) and in general conformity with the hierarchy of centres in Annex 1 of the London Plan.
164. Walthamstow Town Centre is the borough's primary location for shopping, employment and other services and facilities. The District Centres provide a range of smaller convenience and comparison shopping, below which are Neighbourhood Centres and Local Retail Parades. The hierarchy is logical and justified by the evidence and is shown on the policies map and Figure 11.1. Updates to Figure 11.1 are necessary for consistency with the policies map, which is addressed by **MM95**.
165. Policy 39 (Hierarchy of Centres) as submitted has a number of deficiencies in relation to soundness. Firstly, it implies that Walthamstow Town Centre will be the focus for future development. A more nuanced approach is required, which reinforces the role of Walthamstow Town Centre whilst supporting proposals for shops, services and facilities in the District Centres. It is not necessary for proposals in the District Centres to 'complement' Walthamstow Town Centre as set out in the submitted policy. The District Centres are important in their own right and will have an key role in delivering the 15-minute neighbourhood, which is not referenced in Policy 39 as submitted. The provision of workspace in Walthamstow Town Centre should also be supported. For accuracy, the reference to Chingford Hatch Neighbourhood Centre should be amended to Hatch Lane.
166. So that they are justified and will be effective, **MM75** and **MM76** make the necessary changes to Policy 39 and its explanatory text. The submitted Plan does not identify the local retail parades by name and, for clarity and therefore effectiveness, **MM77** is required to include a new table setting out the hierarchy and names of all the centres, including local retail parades. Blackhorse Lane should be deleted as a local retail parade and re-designated as a neighbourhood centre, reflecting the proposals for that area.

167. In seeking to focus new retail, office, leisure, cultural and community facilities in the designated centres, Policy 40 is in general conformity with the NPPF and with London Plan Policy SD7. Proposals outside of the designated centres will be assessed against criteria A – E of the policy. The submitted policy does not set out a sequential approach to the assessment of suitable in-centre locations, and the 200 sqm threshold that would trigger the requirement for a Retail Impact Assessment is not justified by the evidence in the Retail Study.
168. For consistency with the NPPF and so that the policy is justified, the threshold of 200 sqm should be changed to 2500 sqm, for which **MM78** is necessary. For completeness, the MM adds workspaces to the list of uses that would be acceptable in the designated centres and sets out that the scale of proposals in designated centres should be appropriate to their role and function. There may be circumstances where a statement of impact would be sufficient instead of a full Retail Impact Assessment. That should be made clear in Policy 40 and its explanatory text, which is achieved by **MM78** and **MM79**. These changes required for effectiveness.
169. The regeneration of designated centres, retail parades and other non-designated local areas is supported through Policy 41. The submitted policy refers to Business Improvement Districts and omits reference to Area Frameworks which can help to inform development proposals. The Council currently has no plans to designate new Business Improvement Districts. Therefore, for effectiveness, **MM80** makes the necessary modifications to Policy 41 and **MM81** updates the approach to supporting local businesses in the explanatory text.
170. Article 4 directions that removed permitted development rights for changes of use from retail and offices to residential have been reviewed with reference to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 Class MA and changes to the General Permitted Development Order (2015) (as amended). For effectiveness, the references to former Use Classes A1, A3 and B1(a) should be updated which is achieved by **MM82**.
171. Policy 42 manages changes of use within primary shopping areas, and Policy 43 deals with proposals outside of primary shopping areas but within designated centres. There is duplication between the two policies as both seek to support town centre uses as defined in the NPPF. For clarity and effectiveness, the policies should be combined with a focus on directing town centre uses to Primary Shopping Areas to maintain the vitality of these areas. **MM83** and **MM84** are necessary to delete Policy 42 and its explanatory text and **MM85** and **MM86** modify Policy 43 and its explanatory text to achieve that. **MM85** also removes criterion B relating to shop front displays as that is covered by Policy 56.

172. Policy 44 (Managing Changes of Use in Neighbourhood Centres and Local Retail Parades) seeks to protect retail units (where planning permission is required), but in order to maintain the vitality and range of services in these centres, the policy should seek to protect a wider range of commercial uses. **MM87** and **MM88** make the necessary changes to Policy 44 and its explanatory text for effectiveness. Following the MMs consultation, we have struck through the word 'retail' in **MM88** so that the explanatory text refers to 'commercial' units which is consistent with the wording in Policy 44.
173. Finally, Policy 46 (Evening and Night-time Economy Uses) emphasises the role of Walthamstow Town Centre which is identified in the London Plan as being of regional or sub-regional significance for its night-time economy. To reflect the Council's approach to cultural quarters, the reference in criterion A to creating 'cultural quarters' should be deleted, along with the reference in criterion F to ensuring access in relation to age and ability. Criterion C should have a more positive approach to securing active frontages. Finally, the requirement in criterion G that access to public transport facilities are available during the hours of operation is not within the control of individual business operators. **MM89**, **MM90**, **MM91**, **MM92** and **MM93** make the necessary changes to Policy 46 and its explanatory text.
174. The implementation of the town centre policies will be delivered through several mechanisms listed in paragraph 11.48 of the submitted Plan. For effectiveness, updates to the delivery mechanisms are required which is achieved by **MM94**.
175. As consulted upon, **MM74** set out alterations to the strategic objective at the head of Chapter 11. However, the wording in **MM74** differs from the wording of the strategic objectives as proposed to be amended by **MM5**. We have therefore made a post-consultation change to delete **MM74** from the main modifications table. On adoption, the Council can decide whether or not to make additional modifications to the Plan to include the relevant strategic objectives, as set out in **MM5**, at the head of each chapter.

Conclusion on Issue 4

176. Subject to the MMs set out above, we conclude that the Plan sets out a positively prepared strategy for the economy and employment land that is justified by the evidence and that it will make a positive contribution to the vitality and viability of Walthamstow town centre and other local centres.

Issue 5 – Does the Plan set out a soundly based strategy to address, mitigate and adapt to climate change and to safeguard and enhance the natural environment?

Climate Change

177. Chapter 18 of the Plan includes 8 policies specifically related to Addressing the Climate Emergency. These policies seek to provide clear direction in relation to mitigation, adaptation, and building the borough's resilience to climate change, the approach to zero carbon development and sustainable design and construction, energy infrastructure requirements, air pollution and land contamination, urban heating, water resources, and managing flood risk.
178. As submitted, Policy 87 (A Zero Carbon Borough) is not fully aligned with the London Plan's approach to the energy hierarchy and minimising greenhouse gas emissions. **MM167** addresses this, including by specifying minimum percentage targets for on-site carbon reductions below Part L of the Building Regulations for residential and non-residential development. These minimum requirements go beyond the reductions specified in Level 4 of the withdrawn Code for Sustainable Homes and therefore beyond the expectations of the WMS of 25 March 2015 and the PPG.
179. However, this is necessary to support the borough's 2019 Climate Emergency target of achieving net zero by 2030 and for conformity with Policies SI2 and SI3 of the London Plan and its aims for a zero-carbon city. Furthermore, the Whole Plan Viability Study applied an uplift to base build costs to factor in the cost of achieving policy compliant carbon reductions.
180. **MM167** also clarifies which requirements of Policy 87 relate only to major development and incorporates additional criteria where energy masterplans are required, including to identify opportunities to maximise renewable electricity generation and possible land for energy centres or energy storage. These changes, together with alterations to improve the flow of the policy, are necessary for effectiveness and general conformity with the London Plan.
181. **MM168** provides additional explanatory text on the position for energy efficiency improvements for existing buildings, particularly in relation to retrofitting for listed buildings and in conservation areas. It also highlights that further guidance will be provided in the Retrofit and Residential Extensions SPD. This is necessary for the effectiveness of Policy 87.
182. Policy 88 (Decentralised Energy) is insufficiently clear what is required from development in terms of decentralised energy and low carbon heating systems and has internal ambiguities particularly regarding 'futureproofing' and making development 'connection ready'. **MM169** addresses this by providing clear

thresholds and requirements for installing communal heating systems or connecting to an existing district heating network and is necessary for clarity and effectiveness. **MM170** sets out updated explanatory text to reflect both **MM169** and the London Plan, which is also necessary for effectiveness and general conformity.

183. Policy 89 (Sustainable Design and Construction) does not require applications for development to include a mechanism for demonstrating compliance with the various policy criteria (i) to (ix). Criterion G is unnecessary as it repeats carbon reduction requirements in Policy 87. **MM171** therefore sets out additional criterion A, requiring a Sustainability Statement to be submitted with applications and specifying the thresholds to which this applies. It also deletes criterion G and clarifies and updates the policy wording. **MM172** provides new explanatory text to Policy 89 in relation to listed buildings and conservation areas. **MM171** and **MM172** are necessary for effectiveness.
184. In seeking only to mitigate for air pollution, rather than avoid it, Policy 90 will not be effective in improving the borough's air quality and does not align with London Plan Policy SI1. **MM173** sets out changes to the policy wording to remedy this point, as well as some alterations to wording for clarity and updating. **MM174** sets out new explanatory text regarding transport assessments, air quality, and the Epping Forest SAC and the Plan's associated monitoring requirements. These modifications are necessary for effectiveness, consistency with national policy, and general conformity with the London Plan.
185. Criterion A of Policy 91 (Water Quality and Water Resources) seeks to mitigate, rather than avoid, deterioration in water quality associated with development. This is not consistent with the overall policy aim to prevent any adverse effects on water quality and supply from new development, so the policy would not be effective. **MM175** therefore expands criterion A to ensure the starting point is ensuring no deterioration, and requiring mitigation where there is potential for adverse effects.
186. Criterion C is also reworded by **MM175** for clarity in relation to domestic and non-domestic water efficiency measures, including that planning conditions will be used to secure such measures. Criterion E is deleted because it is unnecessary in addition to criterion D in relation to sewerage. These changes are necessary for clarity and consistency throughout the Plan and therefore for effectiveness.
187. Given its broad scope, Policy 91 does not need to specifically refer to or distinguish between Water Framework Directive (WFD) waterbodies and non-WFD waterbodies for soundness. The Plan also deals with WFD waterbodies at Policy 85.

188. In setting out the Plan's approach for managing Contaminated Land, Policy 92 specifies that investigation and desk-based research should be carried out, but it does not indicate how that should be addressed for planning applications. It also does not set out a requirement for remediation, where necessary to deal with identified contamination.
189. These points are remedied by **MM176**, including through specifying that Preliminary Risk Assessments should be submitted with applications. In addition, while the policy refers to sensitive receptors it does not specify Groundwater Source Protection Zones (SPZ), where groundwater is particularly sensitive to contamination. Following the MMs consultation, we have made a further change to **MM176** to include reference to SPZs in criterion C in recognition of the importance of groundwater as a sensitive receptor.
190. Further explanatory text to assist with appropriate procedures and principles when undertaking assessments and research is provided through **MM177**, which is necessary for the effectiveness of Policy 92.

Flood Risk and Management

191. The Level 1 Strategic Flood Risk Assessment (SFRA) (EB9.1) identifies that a considerable proportion of the borough is at risk of flooding, both now and when taking account of climate change, including from rivers, surface water, and groundwater sources. As identified in our post hearing letter, no sequential test document was submitted with the Plan and there was no evidence to indicate that the sequential test had been properly applied to inform and justify the Plan's spatial distribution of growth in terms of flood risk.
192. Whilst the Plan does not contain site allocations, it is necessary for the sequential test to be satisfied in accordance with national policy for plan making, including because Policies 4 to 11 and Figure 4.1 clearly identify the Strategic Locations and Site Opportunity Locations where the substantial proportion of the borough's growth will be directed.
193. As part of the Council's further programme of work, a strategic level, borough-wide sequential test has been applied as set out in the Flood Risk Sequential Test Statement (LPE34). This found that the Plan's housing requirement cannot be fully met utilising reasonably available sites in Flood Zone 1. Around half of the Plan's housing requirement is likely to be delivered in Flood Zone 1 locations.
194. To support the Plan's aims for housing and employment growth, and the need to reuse and regenerate brownfield land and locate new development in accessible locations, the sequential approach shows that delivery in areas at

sequentially lowest risk of flooding in Flood Zones 2 and 3 will also be necessary and this is justified at the strategic level in the interests of achieving those strategic aims.

195. Future site allocations and planning applications in Flood Zones 2 and 3 will also require the exception test to be satisfied, where necessary, and will require consideration of site-specific Flood Risk Assessments and any necessary measures to manage and mitigate residual risks. To this end Policy 93 deals with Managing Flood Risk, which we consider further below.
196. We are satisfied, as also concluded by the Environment Agency in its SoCG with the Council (LPE39), that the Sequential Test Statement is suitable and proportionate, and demonstrates how the Plan is consistent with national flood risk policy and guidance in correctly applying a sequential, risk-based approach to the strategic location of development, steering development to areas at lowest risk of flooding so far as possible, and taking account of all relevant sources of flood risk and the current and predicted future impacts of climate change.
197. Work on the borough's SFRA was primarily undertaken before climate change allowances for the London Management Catchment were reduced in July 2021. The SFRA therefore includes allowances for climate change which exceed those reduced requirements and overestimate the flood risks at the strategic level compared to the latest allowances. Site-specific flood risk assessments where required for future site allocation and planning applications would be expected to use the allowances prevailing at the time. Any site allocation requirements including safeguarding space for flood storage or other flood management measures would be a matter for LP2.
198. Policy 93 (Managing Flood Risk) is not fully consistent with national policy and guidance, which have been updated in relation to flood risk since Plan submission, and the policy is not set out in a logical order and lacks clarity in some areas. **MM178** reorders the policy, broadly aligning with key elements of national flood risk policy including NPPF paragraphs 159 to 169 in clarifying the requirements in relation to flood risk in the borough. It also clarifies the requirements for site-specific flood risk assessments and flood resistant design and construction, resilience, safe management of residual flood risk, incorporation of Sustainable Drainage Systems, and emergency planning.
199. In addressing the policy requirements, plan users would need to take account of climate change in considering flood risk now and in the future. Further reference to climate change in Policy 93 is therefore not required for soundness. **MM178** does not include specific reference to Flood Zone 3b, the functional flood plain. As national planning policy and guidance set out

safeguards for the functional flood plain, it is not necessary for the policy to reiterate those.

200. **MM179** provides additional explanatory text, including to inform site-specific flood risk assessments where they relate to areas identified as having critical drainage problems, and guidance for Sustainable Drainage Systems and greenfield and surface water runoff. **MM180** provides an updated Figure 18.1 diagram identifying Flood Zones 2 and 3 for clarity and consistency with other key diagrams in the Plan and with the policies map. **MM178**, **MM179** and **MM180** are necessary for effectiveness and consistency with national policy.
201. We are satisfied that, when read as a whole and subject to the modifications identified above, the Plan takes a proactive approach to climate change, compliant with paragraph 153 of the NPPF, and includes policies designed to secure that the development and use of land in the borough will contribute to mitigating and adapting to climate change and the uncertainties of climate risks.

Epping Forest and the Epping Forest SAC

202. Due to its location and general accessibility, Epping Forest is a popular visitor destination with the most recent estimate of visitor numbers at approximately 4.8 million per year¹. Around 3.35 km² of the SAC is located within the Plan area, along the northern edge of the borough adjoining the administrative boundary with Epping Forest District Council and along the eastern edge adjoining the London Borough of Redbridge.

Recreation Pressure

203. The SAC is already under pressure from high levels of recreation activity. The Plan would result in new homes within the 6.2km Zone of Influence around the SAC and additional pressure for recreation and visits to Epping Forest from new residents. The HRA identified potential adverse effects on integrity from trampling, erosion, dog fouling, damage to trees and challenges when introducing changes to grazing regimes.
204. Our post hearing letter concluded that the SANG Strategy set out in the draft Mitigations SPD was not sufficiently developed to enable us to conclude that the Plan would not have an adverse effect on the integrity of the Epping Forest SAC arising from recreation pressure. In response, the Council undertook additional work to further develop the SANG Strategy and submitted a revised

¹ Waltham Forest Green Spaces and Places SPD Part 1: Suitable Alternative Natural Greenspace (September 2022)

approach as part of the draft Waltham Forest Green Spaces and Places SPD² (LPE33).

205. Waltham Forest comprises large built-up areas, where the provision of alternative greenspace at the standard of 8 hectares per 1000 population to offset visits to the SAC would be neither practical nor deliverable. Therefore, in collaboration with Natural England, the City of London Corporation as the Conservators of Epping Forest and the Lee Valley Regional Park Authority, the Council has developed a bespoke approach to SANG delivery in the borough.
206. The average number of visits to Epping Forest per person has been calculated using published data. Based on planned housing growth, a forecast has been made of the additional number of visits that will need to be made elsewhere as a potential alternative to the Forest. Following a review of existing green spaces in the borough, an assessment has been made of their potential to support an uplift in visitor numbers through various interventions. Finally, an assessment of the location/distribution of proposed SANG has been made to ensure that there will be a sufficient supply of SANG within a 15-minute walking distance of the Strategic Locations.
207. Although bespoke, the approach responds to the challenges in the borough and has the support of relevant partners including Natural England, the City of London Corporation (Conservators of Epping Forest) and the Lee Valley Regional Park Authority as evidenced through the joint letters (LPE40, LPE41 and LPE42). The approach is directly related to the number and location of new homes proposed in the Plan's spatial and growth strategy and interventions will be funded through the Community Infrastructure Levy.
208. The other main approach to mitigation is through the SAMMS which has been agreed and finalised with Natural England, partner boroughs in the Technical Oversight Group and the City of London Corporation (Conservators of Epping Forest). The SAMMS sets out costed measures to manage and mitigate recreation pressures through visitor management and monitoring, wardening and education, and providing facilities such as dog exercise areas.
209. Overall, based on the evidence and the proposed mitigation, we can conclude beyond reasonable scientific doubt that the Plan will not have an adverse effect on the integrity of the Epping Forest SAC arising from the impact pathway of recreation pressure, both alone and in combination. Furthermore, the implementation of the SANG strategy, including the required uplift in visitor numbers to the identified SANGs, will be robustly monitored through Policy 97, as proposed to be modified by **MM183**, **MM185** and **MM186** which are covered in Issue 8 below. Relevant and robust monitoring indicators are included within

² LPE33 paragraph 2.2

the monitoring framework, as proposed to be modified by **MM198**, which is also covered in Issue 8.

Atmospheric Pollution

210. The Air Quality Study³ informing the HRA of the submitted Plan took into account all committed schemes within London in terms of traffic growth. It concluded that there would be a likely significant effect on the Epping Forest SAC arising from the impact pathway of atmospheric pollution, in combination with other plans and projects, due to increases in traffic on roads within 200 metres of the SAC. Following AA, the HRA's conclusion of no adverse effect on the integrity of the Epping Forest SAC was dependent on the adoption of an AQMS. Our post hearing letter concluded that significant changes to the technical data and inputs to the modelling in the Air Quality Study were needed to respond to the concerns of Natural England, and that the AQMS should be finalised in response to that updated modelling.
211. Air Quality Study 2 (LPE35) assesses the effect of the Plan alone, by measuring Average Annual Daily Traffic (AADT) from development sites likely to come forward in accordance with the spatial strategy and the Site Opportunity Locations identified in Policy 4. It concludes that, with the exception of the A1199 High Road and part of the A121 High Road in Epping Forest District, all roads are expected to have reduced AADT flows with full Plan implementation by 2038. The changes in AADT were considered against an indicative threshold of 50 AADT, as set out in the Joint Nature Conservation Committee (JNCC) Guidance (LPE65). Increases in traffic movements up to this threshold would result in emissions of Nitrogen Oxides (NO_x), ammonia, nitrogen deposition and acid deposition levels that are too small to be of consequence in terms of the SAC's qualifying features.
212. The findings of Air Quality Study 2 are based on the approach that sites currently generating significant traffic movements will be developed as car free developments, in accordance with Policy 68, and that this will result in a reduction in vehicle movements from a significant proportion of development sites. Sensitivity testing has been carried out to assess the effect of higher than anticipated trip generation should not all sites be developed as 'car free'. The work on road traffic trip generation and distribution from likely development sites has been robustly tested through the examination, and the evidence has been updated where necessary. The revised HRA concludes that such potential impacts 'alone' can be screened out, as can the relative contribution of the Local Plan to 'in-combination' effects.
213. Epping Forest condition surveys will continue to provide evidence of the condition of the SAC and effects arising from impact pathways, including the

³ LPE23.1 Appendix 4

effect of traffic growth on atmospheric pollution on roads within 200 metres of the SAC. A Plan review mechanism is required to deal with the potential harm that could occur if sites do not come forward as anticipated, and the reduction in AADT is not achieved. Through conditions and legal agreements attached to planning permissions, trip generation will be monitored. Where development generates vehicle trips in excess of the levels anticipated in Air Quality Study 2, a review of traffic distribution to and from the site will be triggered, to assess changes in traffic levels on roads within 200 metres of the SAC, and the potential for an adverse effect on the integrity of the SAC. The monitoring indicators and review mechanism are covered under Issue 8.

214. Overall, based on the evidence we can conclude beyond reasonable scientific doubt that the Plan will not have a likely significant effect on the Epping Forest SAC arising from the impact pathway of atmospheric pollution, both alone and in combination with other plans and projects. In coming to that view, we have had regard to Natural England's position that it is satisfied with the approach taken in Air Quality Study 2, and as set out in LPE64, agrees with the conclusion of the revised HRA.
215. Policy 83 is the overarching policy to protect and enhance Epping Forest and its SAC. The submitted policy fails to comply with the Habitats Regulations and its provisions require updating in the light of the updated HRA evidence.
216. Firstly, the requirement for developer contributions to the SAMMS and SANG is triggered at varying scales of development on sites within 6 kilometres (km) of the SAC. However, both the thresholds at which contributions would be triggered, and the 6km distance are inconsistent with Natural England's advice. Secondly, Policy 83 does not require project level HRA. To address recreation pressure and to comply with the Habitats Regulations, a project level HRA for proposals of one dwelling or more within the 6.2km Zone of Influence should be required. Thirdly, the requirement for project level HRA for sites within 500 metres of the SAC to assess for urban effects is inconsistent with Natural England's standing advice that proposals within a buffer zone of 400 metres of the SAC should provide this.
217. These matters are addressed by **MM161** which is necessary for the Plan's compliance with the Habitats Regulations. The necessary changes to the explanatory text for Policy 83 are set out in **MM162** and **MM163**.

The Lee Valley SPA and Ramsar Site

218. The Walthamstow Reservoirs SSSI covers ten reservoirs which form part of the Lee Valley SPA/Ramsar site and are managed to meet operational needs as water supply reservoirs. The Walthamstow Wetlands Project has enhanced and managed public access to the site. The HRA of the submitted Plan

concluded that the development of small sites adjacent to the SPA and Ramsar site could have adverse urban effects. For compliance with the Habitats Regulations, Policy 84 should make clear that proposals with adverse effects on the SPA/Ramsar site will not normally be permitted which is addressed by **MM164**.

Other Natural Environment Policies

219. Policy 79 seeks to preserve and enhance green and blue infrastructure and access to open spaces. The submitted policy refers to the protection of Green Belt and MOL only, and for positive preparation it should seek to protect other designated open spaces and include reference to the Green and Blue Spaces SPD. For consistency with the NPPF, the reference to 'exceptional' circumstances in relation to Green Belt should be changed to 'very special' circumstances. Finally, the requirement that all new development must maximise opportunities for urban greening is unduly onerous and not in general conformity with the London Plan Policy G5 in which the requirement is applied to major development.
220. These matters are addressed by **MM151** which will ensure that the policy is justified, consistent with national policy and in general conformity with the London Plan. **MM152** and **MM153** are necessary to modify the explanatory text, including an explanation of the Urban Greening Factor as set out in the London Plan. Further details of how biodiversity can be increased in green infrastructure will be covered in the Green Spaces and Places SPD. Finally, for consistency with the notations on the policies map, the Green Belt and MOL diagram requires updating which is achieved by **MM154**.
221. Policy 80 (Parks, Open Spaces and Recreation) as submitted does not seek to resist proposals which would result in a net loss of open space or sports facilities. For consistency with the NPPF paragraph 99, **MM155** addresses that and, to ensure consistency with the changes to the policies map, **MM156** amends the submitted Plan's open space diagram.
222. Policy 81 (Biodiversity) requires a number of main modifications for improved flow and effectiveness. For consistency with forthcoming national policy, it should seek to secure a minimum 10% biodiversity net gain as part of development proposals and set out examples of measures to improve biodiversity. It should also make clear that mitigation will be required where proposals affect sites designated for their biodiversity value. **MM157** and **MM158** are necessary to secure these modifications to Policy 81 and its explanatory text. Measures to deal with invasive non-native species and lighting details are a matter for the Green Spaces and Places SPD.
223. Policy 82 requires proposals to retain and protect trees with high amenity value. Since trees protected by Tree Preservation Orders and in Conservation

Areas are protected under other legislation, those references should be deleted from the policy. For clarity and effectiveness, the policy should make clear that contributions sought from the Capital Asset Value for Amenity Trees lost will be directed to other local green infrastructure provision. The necessary changes to Policy 82 and its explanatory text are set out in **MM159** and **MM160**.

224. Policy 85 (Protecting and Enhancing Waterways and River Corridors) requires a number of changes in the interests of clarifying the policy requirements, which are provided by **MM165**. Associated explanatory text relating to environmental permits is set out in **MM166**. These modifications are necessary to ensure policy effectiveness in relation to protecting and enhancing waterways and river corridors. Further relevant details, including in relation to buffer distances and the use of rivers for freight transport, are proposed to be provided in the Green and Blue Space SPD and it is not necessary for such details to also be set out in the Plan.

225. Finally, Policy 95 (Waste Management) requires development to make adequate provision for the storage of waste and recycling. For effectiveness, criterion D requires expansion to clarify that such provision will be expected to meet the specifications of the Council's Waste and Recycling Guidance for Developers, and **MM181** delivers this.

Conclusion on Issue 5

226. Subject to the MMs set out above, we conclude that the Plan sets out a soundly based strategy to address, mitigate and adapt to climate change and to safeguard and enhance the natural environment.

Issue 6 – Does the Plan set out a positively prepared strategy for the built environment including tall buildings, heritage assets, and the design of new development?

Design

227. Policy 56 (Delivering High Quality Design) sets an ambitious but appropriate approach to securing high quality and inclusive design informed by local character and distinctiveness, consistent with the aims of the NPPF. However, some modifications are necessary to ensure the policy is effective and consistent with national policy requirements.

228. To address that, **MM112** introduces various policy requirements, including relating to relevant design guidance and design codes, and tree-lined streets where appropriate, to better reflect changes introduced in the July 2021 NPPF. **MM110** and **MM111** also reflect these national policy aims by adding to the

explanatory text in relation to creating high quality places. Other changes to Policy 56 in **MM112** introduce support for cohesive, quality design through masterplans or similar approaches, as advocated by the NPPF, and to specify the type and scale of development for which “Building for a Healthy Life” and “Active Design” criteria will apply in order that the requirements are clear and applied in a proportionate manner.

229. In addition, through **MM112** the policy expectation for ‘visually attractive’ architecture is strengthened to align it with the exemplar design quality expectations of Policy 57 for Tall Buildings (as modified, see below) and with the forthcoming Exemplar Design SPD. In the interim, **MM113** provides further context to the Council’s exemplar design priorities and sets out the suite of proposed SPDs for achieving this, including the Exemplar Design SPD, and this explanatory information is necessary for effectiveness.
230. **MM112** also clarifies the expectations of Policy 56 in relation to design measures for climate change resilience and includes cross references to related policies for green infrastructure, open spaces, biodiversity, and trees, for internal consistency. **MM114** provides additional explanatory text regarding design guides and codes, including deference to the National Design Guide and National Model Design Code when there is no relevant local guide or code in place. It also reflects the NPPF’s expectation that development that is not well designed should be refused. Finally, **MM115** provides further explanatory text for “Building for a Healthy Life” and clarifies the threshold at which the policy requirement will be triggered for consistency with **MM112**.
231. Overall, **MM110** to **MM115** are necessary to ensure the effectiveness of Policy 56 and its consistency with national policy.
232. Policy 58 (Residential Space Standards) sets out minimum requirements for internal and external space for new homes. For internal space, the policy is, in principle, consistent with NPPF Footnote 49 and London Plan Policy D6, by using the Nationally Described Space Standards (NDSS) for new homes with 1 to 4 bedrooms as set out in Table 14.2 of the Plan.
233. The London Plan sets out that ensuring homes are of adequate size and fit for purpose is crucial in an increasingly dense city. The Whole Plan Viability Study identified that this policy requirement, along with various other London Plan requirements, is now embedded in the base build costs and there is nothing to suggest this would impede delivery. The need for the NDSS internal space standard in the borough is therefore adequately justified.
234. However, changes are required to the flow of Policy 58 for the clarity of its various requirements and when they apply, including in relation to the local minimum outdoor space standards of 10 sqm relating to flats and maisonettes.

London Plan Policy D6 sets a minimum standard of 5 sqm but allows for boroughs to specify higher local external space standards in their development plan documents.

235. The 10 sqm requirement is supported by the Green and Blue Infrastructure Study (LPE47.5) and the Character and Intensification Study, which identify the importance of garden spaces in responding to climate change, providing resilient urban environments and green streetscapes, mitigating deficiencies in public open spaces, and positively contributing to biodiversity, and adequately justify the Plan's local standard.
236. **MM123** provides these changes to Policy 58, together with an altered requirement that each area of amenity space must be a minimum size of 5 sqm and at least 1.5m in depth and width, to ensure reasonable useability of external amenity spaces and align with the London Plan. It also provides additional policy text to make clear that single aspect dwellings should be avoided wherever possible, to align with the London Plan, and to include natural surveillance as a design consideration for external spaces.
237. A cross reference to the Mayor of London's Supplementary Planning Guidance, Providing for Children and Young People's Play and Informal Recreation, will provide certainty in relation to per-child play space requirements. **MM123** is necessary to ensure the policy is justified, effective, consistent with national policy, and in general conformity with the London Plan.
238. New explanatory text for the approach to dual aspect homes and to emphasise the importance of avoiding single aspect homes is provided by **MM124** for effectiveness.
239. As submitted, Policy 59 (Amenity) criterion A seeks only to address harmful impacts to amenity involving overlooking, loss of privacy, enclosure, outlook, and light where they relate to adjacent residential properties. Therefore, in the interests of effectiveness and consistency with national policy, **MM125** is necessary to align the policy with NPPF paragraph 130, which expects a high standard of amenity for existing and future users, by removing the association with adjacent residential properties only. This change will also ensure that criterion A is internally consistent with the broader overall policy aim, which includes existing and future occupiers, neighbours, and the surrounding area.
240. To ensure the Plan's effectiveness, **MM127** is required to provide legibility clarifications to Policy 61 (Advertisements, Hoardings and Signage) and changes criterion C to clarify that negative impacts should be avoided to host buildings and the surrounding area.

Tall Buildings

241. The London Plan identifies that tall buildings can form part of a plan-led approach to facilitating regeneration, managing growth, contributing to the delivery of new homes and economic development and, particularly, making optimal use of the capacity of sites that have good access to services, amenities, and public transport. To ensure that tall buildings contribute positively to shaping the character of the area, the London Plan expects exemplary architectural quality and sets out specific requirements for identifying suitable locations for tall buildings, including that they should only be developed in locations that are identified as suitable through a plan-led process.
242. Waltham Forest has seen an uptick in applications that include tall buildings of 10 storeys or more in recent years, with the Topic Paper and updates at the Stage 2 hearing setting out that around 17 such planning permissions had been granted on identified sites in Strategic Locations in the South and Central areas of the borough from 2017 to March 2023. A significant proportion of these are built or under construction, including at The Mall in Walthamstow town centre where redevelopment including a tall building of 34 storeys has been permitted.
243. The submitted Plan's approach to Tall and Taller Buildings is set out in Policy 57. The submitted policy does not define tall buildings (or 'taller' buildings) and, despite setting out that tall buildings are unlikely to be supported outside Strategic Locations and Opportunity Sites, the Plan does not clearly identify on a map the areas of the borough where tall buildings would be appropriate or indicate appropriate building heights for tall buildings.
244. Therefore, Policy 57 is not justified or effective, and is not in general conformity with London Plan Policy D9. During the examination, the Council worked with the GLA to develop modifications to the Plan, culminating in the submission of a SoCG (LPE27), which proposed separating Policy 57 into two policies, one for "Tall Buildings" and another for "Building Heights".
245. **MM116** sets out the revised Policy 57 (Tall Buildings). As well as improvements to the flow of the policy for clarity and effectiveness, **MM116** sets out a clear definition for tall buildings in Waltham Forest, which is consistent with the expectations of London Plan paragraph 3.9.3. Part A specifies the limited locations where tall buildings will be supported with cross reference to a new map (**MM118**) which sets out those locations to be identified in the Plan as potentially suitable for tall buildings.
246. **MM116** part B sets out the types of sites and circumstances in which tall buildings that exceed the defined number of storeys might be acceptable, including specifying that indicative height ranges for such sites will be provided

in LP2 site allocations. Part D of **MM116** also provides detailed policy criteria for assessing proposals for tall buildings, including relating to their visual, environmental, functional, and cumulative impacts, which are aligned with the criteria in London Plan Policy D9, with cross references to the Plan's general design Policy 56. In these respects, Policy 57 as proposed to be modified in **MM116** is sound and in general conformity with the London Plan.

247. However, **MM116** as consulted on introduces other very limited circumstances in which a tall building may be supported on sites outside those identified on the **MM118** map. Part C and the associated criteria i. to v. set restrictive requirements which are intended to establish the approach to any future site allocations through LP2 or other DPDs involving tall buildings in locations other than those identified by the **MM118** map. These criteria include that such sites would only be within the Plan's identified Strategic Locations and that the tall building(s) would need to fully satisfy all other policy requirements.
248. Notwithstanding the specific requirements of part C i. to v., the sentence set out in LPE27 to make it explicit that such sites will be identified in LP2 and/or other subsequent DPDs, to ensure general conformity with the London Plan, was omitted in error from **MM116** as published for the MMs consultation. Without it, there is potential for ambiguity between the intention of part C and its explicit requirements. There is also divergence with the clear expectation of Policy D9 that tall buildings should only be developed in locations that are identified as suitable in development plans. The reference to other DPDs in part C, not just LP2, will adequately future proof the policy for effectiveness through the life of the Plan.
249. For the avoidance of ambiguity and so for effectiveness, and to ensure general conformity with the London Plan, we have therefore altered **MM116** following the MMs consultation to include the omitted sentence. This will ensure it is clearly specified in Policy 57 that sites relevant to part C will be identified through LP2 or other DPDs.
250. The London Plan's development-plan-led approach to tall buildings is, among other things, intended to avoid isolated tall buildings outside designated suitable locations while enabling each borough to identify the locations in their areas which may be appropriate for tall buildings. The relaxation of the part Ci. requirement for site allocations for tall buildings to be located in the borough's Strategic Locations would substantially dilute the Plan's strategic approach to tall buildings, as well as fall outside the requirements of general conformity.
251. To ensure effectiveness and general conformity with the London Plan, **MM117** is required to delete superseded explanatory text and **MM119** is needed to provide replacement text that reflects the changes to Policy 57 and the introduction of a map of potentially suitable locations for tall buildings in the

Plan. In light of the change to the published **MM116**, we have made a change to the published **MM119** to make the explanatory text clear that any locations suitable for tall buildings through part C will be identified in LP2 and/or other DPDs.

252. The locations identified on the **MM118** map are all within Strategic Locations and their potential suitability for tall buildings is justified by appropriate and proportionate strategic-level evidence including the Character and Intensification Study, the Skyline Study (LPE46), and the Topic Paper, and further supported by the master-planning work. The Skyline Study is focused in its scope and does not extend to assess the potential suitability of wider areas of the borough for tall buildings, which is a reasonable approach given the London Plan's overarching locational framework for tall buildings and the Plan's focus on the Strategic Locations.
253. The Plan recognises that tall buildings will not be appropriate in all parts of the borough, including because of the varied character areas and levels of accessibility, whilst recognising the potential benefits of tall buildings and aligning with the strategic expectations of the London Plan. **MM118** ensures that the necessary map showing the potential locations for tall buildings will be included within the Plan to ensure the approach is justified, effective, and in general conformity with the London Plan.
254. The details of future proposals for tall buildings and their effect on the character and appearance of the area are a matter for subsequent planning applications and so are not matters that go to the soundness of the Plan.
255. No potentially suitable locations for tall buildings have been identified in the Plan in North Waltham Forest, which generally reflects the Plan's character-led approach, the available evidence including the Skyline Study, and the expectations of Policy 57, as modified, that tall buildings will only be suitable on certain sites identified for a Transition or Transformation approach to intensification. This is internally consistent with the approach to character-led intensification in Policy 8. A separate restrictive policy for tall buildings specific to North Waltham Forest is therefore not necessary.
256. A new policy for Building Heights is set out in **MM120**, in order that the Plan is clear in relation to indicative appropriate heights for developments in Transformation, Transition, and Reinforcement areas across the borough, and aligns with Policy 8. This new policy deals with building heights for developments of 9 storeys or less, which fall outside the Plan's definition of a tall building. It replaces the ambiguous position in relation to 'taller buildings', which was not precisely defined meaning the policy expectations for such buildings were unclear.

257. **MM120** appropriately addresses varying character across the South, Central, and North areas of the borough, by recognising that appropriate building heights will vary with local character and context, including historic context. It also cross-references to Policy 57 where proposed buildings would be 10 storeys or more and therefore defined as tall buildings and sets out that they will not be appropriate in areas suited to a Reinforcement approach to development.
258. The table in part A of the new 'Building Heights' policy indicates suitable building heights and provides clear links to Policy 57, where appropriate, and supports and aligns with the strategic approach for tall buildings of 10 storeys or more. Whilst the table does not expressly refer to LP2 site allocations, the links to Policy 57 within it are sufficient to direct Plan users to the identified location and site allocation requirements for tall buildings, and to satisfy the requirements for general conformity with the London Plan.
259. Furthermore, as the new policy does not specifically deal with tall buildings, **MM120** does not need to make such reference to site allocations. **MM120** is necessary for effectiveness and for general conformity with the London Plan.
260. **MM121** is necessary to ensure a consequential response to **MM120**, relocating explanatory text associated with the new Building Heights policy, and providing additional guidance. Similarly, **MM122** provides additional explanatory text to ensure the effective implementation of the new policy. These modifications are necessary for effectiveness.
261. Finally, for effectiveness, the monitoring indicator in table 5.8 which relates to tall buildings requires updating to reflect the modifications to Policy 57. **MM197** does this.

Heritage

262. Policy 72 (Designated Heritage Assets) is not consistent with the NPPF's expectation that 'great weight' should be given to any harm to designated heritage assets or with the public benefits test, and it does not set out the approach for any justified loss of an asset. **MM142** rectifies these points, together with points of clarification and to improve the flow of the policy and is necessary to ensure consistency with national policy and for effectiveness.
263. **MM143** provides consequential additions to the explanatory text, and **MM144** provides an updated Figure 16.1 map showing the borough's conservation areas to ensure alignment with the policies map. These modifications are necessary for effectiveness.

264. The specific approach for Listed Buildings is set out in Policy 73, which as submitted has inconsistencies with national policy, particularly with regard to consideration of heritage significance and the public benefits test, and the Planning (Listed Buildings and Conservation Areas) Act 1990, particularly relating to the terms in which the policy is expressed. **MM145** deals with these points, together with additions to include considerations such as repairs to listed buildings and the setting of nearby heritage assets, which are necessary for effectiveness and consistency with national policy and legislation.
265. Policy 74 (Conservation Areas) also has some inconsistencies with national policy and legislation with regard to clear and convincing justification being required for any harm, and the statutory requirement for special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area, and particularly relating to the terms in which the policy is expressed. The policy's approach to Article 4 Directions also requires adjustment to ensure it supports only the measured and targeted use of this mechanism, as the PPG expects. These modifications, set out in **MM146** together with some changes to improve the flow and clarity of the policy, are necessary for effectiveness and consistency with national policy and legislation.
266. In the approach to Archaeology, Policy 75 incorrectly refers to Archaeological Protection Zones and requires the blanket preservation of archaeological assets and their settings which is not justified in all instances. **MM147** addresses this by referring to Archaeological Protection Areas (APA) and changing 'preservation' to 'conservation', together with clarification to the approach for archaeological investigations of non-designated assets of archaeological interest. These changes are necessary for effectiveness.
267. As consulted upon, **MM147** does not provide any threshold for the requirement of desk-based archaeology assessments. To ensure the requirement is proportionate, following the MMs consultation we have amended **MM147** to specify that such assessments will be required for all applications for development in a designated Tier 1 APA and for major applications in a Tier 2 APA. **MM147** is necessary for effectiveness and to ensure the approach is justified.
268. The overarching approach to Non-Designated Heritage Assets is provided in Policy 76, which is inconsistent with national policy in applying a blanket presumption against the substantial harm or loss of such assets and is inconsistent with the Plan's approach to locally listed heritage assets in Policy 77. Modifications are therefore necessary to ensure the policy wording is compatible with Policy 77, and to clarify the circumstances and the clear and convincing justification that would be required for substantial harm to, or loss of, a non-designated heritage asset. **MM148** provides the necessary changes to Policy 76 in the interests of consistency with national policy and the

effectiveness of the Plan. Non-designated heritage assets of archaeological interest are covered by Policy 75 and therefore no specific differentiation for archaeological assets is necessary for the soundness of Policy 76.

269. As submitted, the title of Policy 77 (Locally Listed Buildings) and criterion A only relate to locally listed buildings, rather than the wider range of heritage assets that could be locally listed in the borough, such as parks and gardens which the policy refers to in criterion D. The elements of heritage interest in criterion A do not include archaeological or artistic interest and so are not consistent with the NPPF definition of significance for heritage policy. Furthermore, the approach to development affecting parks and gardens is unduly restrictive and unjustified considering the national policy position. **MM149** addresses these matters, together with wording changes for internal consistency with Policy 76 and **MM148**, to ensure effectiveness and consistency with national policy.

270. The approach to development proposals in Highams Area of Special Character is set out in Policy 78, which does not refer to the Article 4 Direction for the Area. **MM150** includes an additional criterion to cover this, together with some changes to wording for clarity. These modifications are necessary for effectiveness.

271. As consulted upon, **MM141** sets out alterations to the strategic objective at the head of Chapter 16. However, the wording in **MM141** differs from the strategic objectives as proposed to be amended by **MM5**. We have therefore made a post-consultation change to delete **MM141** from the main modifications table. On adoption, the Council can decide whether or not to include the relevant strategic objectives, as set out in **MM5**, at the head of each chapter.

Conclusion on Issue 6

272. Subject to the MMs set out above, the Plan's approach to the built environment including tall buildings, heritage assets, and the design of new development is positively prepared, justified, effective, consistent with national policy, and in general conformity with the London Plan.

Issue 7 – Does the Plan make adequate provision for infrastructure including transport and community facilities to support new development and healthy communities?

273. The Plan is supported by an Infrastructure Delivery Plan (KD12) which covers a wide range of infrastructure that will support growth and its accompanying Schedule will be updated annually. The overall approach to securing developer contributions towards new and improved infrastructure is in Policy 96. **MM182** is necessary to ensure that the policy is consistent with the tests

for developer contributions set out in the CIL Regulations, and to incorporate factual updates.

Will the Plan deliver a modal shift towards active and sustainable modes of transport?

274. Based on the evidence in the Strategic Transport Review (EB10.1) and Transport Topic Paper (EB10.2), the Plan seeks a fundamental shift in favour of sustainable and active travel modes. This will support the aim in the Mayor of London's Transport Strategy for at least 80% of all trips in London by 2041 to be made on foot, by cycle or using public transport. It will also contribute towards the Council's objective of reducing private car travel by 30% to help address the Climate Emergency and will contribute to a reduction in nitrous oxide emissions.
275. The mechanisms by which this will be delivered are central to the Plan's transport policies and include low traffic 15-minute neighbourhoods, new residential development to be car free, investment to increase the capacity of public transport and joint working with the GLA on road pricing and workplace parking levies. The spatial strategy also seeks to focus growth in locations with good connectivity by public transport.
276. Policy 62 (Promoting Sustainable Transport) as submitted does not refer to car free development as a mechanism to support modal shift to sustainable transport, and the list of sustainable transport initiatives in criterion I should be expanded to include local bus service improvements. So that the policy will be effective, those points are addressed by **MM128**. Following the MMs consultation, we have re-instated the reference to 'public transport' in criterion C which was shown as a deletion in error. For effectiveness, the reference to 20-minute neighbourhoods in the explanatory text to Policy 62 should be corrected to 15-minute which is achieved by **MM129**.
277. Requiring new development to support a shift to active travel modes will also contribute to modal shift and will be secured through Policy 63 (Active Travel). The submitted policy does not refer to the role of 15-minute neighbourhoods in securing active travel and omits reference to the Lee Valley Regional Park SPA. Those matters are rectified by **MM130**, which also makes text changes to improve flow and clarity and is necessary to ensure that the policy is effective.
278. Policy 64 (Public Transport) seeks to ensure that new development is integrated with public transport. For consistency with the MMs to Policy 3 in **MM9**, it should include reference to the potential re-opening of the Meridian Line, in addition to supporting the phased introduction of a fully electric bus fleet. So that the Plan has been positively prepared, these modifications are

set out in **MM131** and **MM132** updates the submitted Plan's public transport diagram.

279. Whilst Policy 64 does not refer to any other specific public transport projects, it is the most appropriate transport policy in which to include the possible re-opening of the Meridian line. Any impact of this re-opening on other rail services is an operational issue for future consideration and is not a matter of Plan soundness.

280. As submitted, Policy 65 (Development and Transport Impacts) does not include a specific threshold at which the requirement for a Transport Assessment and other evidence will be triggered, and it also omits the requirement for a Delivery and Servicing Plan to control deliveries and freight during the construction and operational phases of development. So that the policy is justified, those points are addressed by **MM133**, which also clarifies that in relation to minor development, the requirements will be assessed on a case-by-case basis. **MM134** makes the necessary changes to the explanatory text and is necessary for effectiveness. The explanatory text should also set out the role of Travel Plans for reasons of effectiveness, which is achieved by **MM135**.

281. Policy 66 (Deliveries, Freight and Servicing) does not make clear that its requirements will apply at both the construction and operational phases, and criterion E in relation to deliveries is unduly restrictive and would not meet the tests for conditions. So that the policy is justified and will be effective, **MM136** rectifies those points and **MM137** makes the necessary modifications to its explanatory text.

282. Policy 67 (Construction Logistic Plans) should seek to ensure that construction traffic routes avoid the roads within the Epping Forest SAC. **MM138** makes the necessary change for compliance with the Habitats Regulations and amends the flow and legibility of the policy for clarity and effectiveness.

283. The overall aim of Policy 68 (Managing Vehicle Traffic) is that new residential development should be car free or car capped. The implementation mechanisms to achieve this include the maximum parking standards which are set out in Appendix 1 of the Plan, restricting new residents' access to parking permits in existing Controlled Parking Zones and requiring new development to make provision for car clubs. The policy does, however, recognise that there will be situations where car parking is required, and sets out the criteria that will apply where it is proposed.

284. As submitted, Policy 68 does not make clear how mixed use proposals will be assessed and, so that the Plan has been positively prepared, **MM139** addresses that. It would be necessary for development proposals to specify

the level of parking provision, if any, for any residential element, and for employment and other commercial uses.

285. Criterion H of Policy 68 clearly states that operational parking for business and industry use will be permitted when need is demonstrated in the Transport Assessment and will be assessed in accordance with the maximum standards set out in Appendix 1. The expansion of the policy to apply to mixed use development is therefore not justified, and will be a matter for a future Plan review. Parking provision at GP practices is dealt with by criterion G of the policy and in the standards in Appendix 1 and no other main modifications are necessary for soundness in that regard.

286. The Plan recognises that less-well-connected areas may require some car parking within new development and Policy 68 criterion A sets out that, in these situations, a Transport Assessment must be submitted to justify any deviation from the car free approach. There is no justification for a different policy approach to managing vehicle traffic within the North of the borough.

287. Where estate regeneration is proposed, the Council seeks to reduce and manage the level of parking provision for returning residents, and to re-purpose surplus spaces. Policy 68 does not make clear that such proposals will be required to submit a Car Parking Management Plan setting out the arrangements for this. So that the Plan has been positively prepared, **MM139** outlines the details that will be required.

288. As submitted, Policy 69 (Electric Vehicles) does not make clear that parking for electric vehicles must be justified by a Transport Assessment, as is required for other vehicles in accordance with Policy 68. It also specifies that only electric vehicles will be permitted at new residential development, which cannot be controlled through planning legislation and that requirement should, therefore, be deleted. So that the policy will be effective and is justified, these points are addressed by **MM140**.

289. The cycle and parking standards in Appendix 1 require main modifications to reflect the changes to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which is achieved, for effectiveness, by **MM188** and **MM189**.

Other Community Infrastructure Policies

290. Policy 36 (Promoting Culture and Creativity) as submitted does not make clear what development proposals are expected to achieve, and the policy threshold of 100 units or 10,000 sqm is not justified by the evidence. **MM68** addresses these concerns, including by clarifying that reference to major development is

as defined in legislation⁴ and removing the requirements related to the unjustified thresholds. This MM also makes various other changes necessary for flow and legibility. **MM69** provides consequential changes to the explanatory text and additional guidance on the commissioning and funding of public art. These modifications are necessary to ensure the Plan is justified and effective.

291. **MM70** brings Policy 37 (Protecting Public Houses) into general conformity with London Plan Policy HC7, by recognising that their community value may be wider than just heritage value, including as a place for socialising and entertainment. It also clarifies that the criteria in part A of the policy are not an inclusive list and changes the minimum marketing evidence expectations from 12 to 24 months in line with the London Plan. These modifications are necessary for effectiveness and general conformity.
292. Policy 48 (Social and Community Infrastructure) requires modification for general conformity with the London Plan's requirement for 24 months marketing evidence where a proposed development would include the loss of a facility. **MM96** provides this change, together with further clarification in criterion E that the length and scope of marketing can be agreed with the Council, dependent on specific case circumstances, which offers appropriate flexibility in the context of NPPF paragraph 93 and London Plan Policy S1. As criterion E only applies where criterion D has been satisfied, the policy appropriately expects there to be a demonstrated local surplus or lack of need for the facility before the marketing expectations of criterion E will be engaged. That approach is soundly based.
293. Policy 48 requires other changes for clarity, which are included in **MM96**, and **MM97** provides associated explanatory text for the marketing requirements. These MMs are necessary for effectiveness.
294. Policy 49 (Education and Childcare Facilities) is generally supportive of such provision but does not provide a safeguard to prevent the unjustified loss of education and childcare facilities. **MM98** addresses this together with clarification that entrances and playgrounds for early years and primary provision should be away from busy roads, and several other changes for clarity. **MM99** provides new explanatory text relating to the policy's expectations for educational facilities to be provided in generally accessible locations. These modifications are necessary to ensure that the Plan is justified and effective.

⁴ The Town and Country Planning (Development Management Procedure) (England) Order 2015

295. To ensure the effective implementation of policies in Chapter 12 of the Plan, **MM100** provides new text about the Council's implementation tools, including working with key delivery partners.
296. Policy 50 (Promoting Healthy Communities) does not recognise the potential of the borough's waterways for achieving healthy, inclusive, and safe places and supporting healthy lifestyles, as NPPF paragraph 92 envisages. **MM101** addresses this by the inclusion of an additional criterion, together with some changes and updates for clarity, and is necessary for effectiveness and consistency with national policy.
297. The thresholds in Policy 51 (Health Impact Assessments) are arbitrary and not justified by evidence. **MM102** provides a clear set of thresholds and development types for which Health Impact Assessments will be required. **MM103** deletes superseded paragraph 13.14 from the explanatory text, and **MM104** provides replacement text. These modifications are necessary to ensure the policy is justified and effective in its approach to the health and wellbeing impacts of developments.
298. The requirements of Policy 52 (Making Safer Spaces) largely duplicate requirements in Policy 60 (Designing Out Crime), so the policy is not necessary or justified. For effectiveness, **MM105** deletes Policy 52. **MM126** alters Policy 60 to combine it with those elements of deleted Policy 52 which the submitted Policy 60 does not cover. This includes re-naming Policy 60, clarifying the policy wording, and specifying that the Council will work with its partners, including through requiring all major development to achieve Secured by Design accreditation. These modifications are necessary for effectiveness and to ensure the Plan is justified.
299. **MM106** sets out various changes to the wording of Policy 53 (Noise, Vibration and Light Pollution) for clarity and general conformity with the requirements of London Plan Policies D13 and D14, relevant British Standards, and NPPF paragraphs 185 and 187, particularly regarding the 'agent of change' principle and managing noise in construction and operation. These changes will ensure effectiveness, consistency with national policy, and general conformity with the London Plan.
300. It is insufficiently clear how Policy 54 (Hot Food Takeaways) would be applied in assessing planning applications. Criterion A is ambiguous in terms of the location and concentration of takeaways, and criterion B does not specify how the required 400 metres from childcare, education and youth facilities should be determined and applied.
301. **MM107** provides clarification, including that hot food takeaways should be in designated centres or parades, for assessing the concentration and

interrelationship of takeaway units, and specifying that the 400 metres requirement relates to walking distance. These changes, which align the policy with the expectations of the PPG for creating a healthier food environment and with London Plan Policy E9, are necessary for the policy to be effective and for general conformity.

302. **MM108** provides alterations to Policy 55 (Betting Shops and Payday Loan Shops) to clarify that the criteria apply to both types of shops, and a change to the cross reference to Policy 60 for consistency with **MM126**, in the interests of effectiveness.

303. **MM109** provides updates and alterations to paragraph 13.27 of the explanatory text, relating to the delivery of the Chapter 13 policies for health and wellbeing, and is required for consistency with other MMs and the effectiveness of the Plan.

Conclusion on Issue 7

304. Subject to the MMs outlined above, we conclude that the Plan is justified, effective, consistent with national policy and in general conformity with the London Plan in making adequate provision for infrastructure, including transport and community facilities to support new development and healthy communities, and that it will support a modal shift towards active and sustainable modes of transport.

Issue 8 – Would development be viable having regard to policy requirements and will Plan implementation and delivery be robustly monitored?

Viability

305. The Plan has been informed by a Whole Plan Viability Study which was prepared in accordance with the guidance in the NPPF and the PPG. It provides a robust assessment of the Plan's viability based on the type and scale of development likely to come forward over the Plan period, and the various policy requirements including for affordable housing, contributions to infrastructure, accessible housing, carbon reduction and SANG. The range of site typologies and market areas tested is reasonable, including mixed use development on existing industrial sites. The Study's conclusion that taller/denser developments are more likely to be viable in the higher benchmark value areas and on sites in lower existing use values is broadly supportive of the spatial strategy for intensification.

306. The Viability Study concludes that the borough has a complex range of development scenarios, and some delivery is dependent on sites that are in

various existing uses coming forward for development. The most significant policy requirement is for affordable housing and, for some sites, it will be necessary to strike a balance between the policy requirements sought via section 106 planning obligations and the provision of affordable housing. However, Policy 13 as proposed to be modified by **MM30** is sufficiently flexible to enable that balance to be struck.

307. Overall, the Plan's policy requirements including for affordable housing are not of such a scale that they would threaten the viable delivery of sites in the borough.

Monitoring

308. Policy 97 (Monitoring Growth Targets) sets out the circumstances in which a full or partial review of the Plan would be triggered. For the reasons outlined in Issue 5, two additional triggers relating to SANG visitor uplift and traffic growth resulting in harm to the Epping Forest SAC are necessary for soundness and legal compliance. **MM183** is necessary to ensure that the Plan is legally compliant with the Habitats Regulations and will be effective. The deletion of the superfluous bullet in relation to employment sites and clarification of the indicator on retail floorspace are also secured in **MM183**.

309. **MM184**, **MM185**, **MM186** and **MM187** provide additional explanatory text for Policy 97 and are necessary for effectiveness.

310. The monitoring framework in Appendix 5 is grouped in accordance with the Plan's chapters which is a logical approach. The policies will be monitored annually against the indicators and targets and reported in the Authority Monitoring Report. A number of changes are necessary for soundness. The targets for housing provision in the South, Central and North Areas require updating for consistency with **MM11**, which is achieved by **MM194**. The target for Gypsies, Travellers and Travelling Showpeople's accommodation should be increased from 7 to 9 for consistency with **MM44**, for which **MM195** is necessary.

311. New indicators and targets are necessary to ensure that the Plan will be effective. These are in relation to biodiversity net gain, SANG capacity and visitor uplift, the number of vehicle movements from new development sites compared with the level set out in a Transport Assessment submitted with a planning application and Air Quality Study 2 and the condition of Epping Forest SAC. These are set out in **MM198**. Additional indicators are necessary to monitor Policies 26, 27 and 28 in relation to the economy, and to disaggregate the indicator for employment floorspace to show the target for storage and distribution floorspace which is achieved by **MM196**. A new indicator for flood risk is also necessary as set out in **MM199**. Finally, the indicator for Policy 57

should be modified so that it is consistent with the changes to the policy in **MM116** and **MM120** which is achieved by **MM197**.

Other Matters

312. Appendix 4 lists various evidence base documents. This is out of date and is not necessary for the Plan's soundness, and the full evidence base is published on the Council's website. In the interests of effectiveness, **MM193** is therefore necessary to delete Appendix 4.

Conclusion on Issue 8

313. Subject to the MMs outlined above, the Plan will be viable having regard to policy requirements and the arrangements for Plan monitoring and delivery are robust.

Overall Conclusion and Recommendation

314. The Plan has a number of deficiencies in respect of soundness and legal compliance for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the issues set out above.

315. The Council has requested that we recommend MMs to make the Plan sound and legally compliant and capable of adoption. We conclude that the duty to cooperate has been met and that with the recommended main modifications set out in the Appendix, the 'Shaping the Borough: Waltham Forest Local Plan (LP1) 2020 – 2035' satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

Sarah Housden

Catherine Jack

INSPECTORS

This report is accompanied by an Appendix containing the Main Modifications.