**Waltham Forest Local Plan LP1**

**Examination Hearing Day 4 – Matter 5**

Tuesday 22 March 2022 starting at 2.00pm

**Agenda**

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| Please Note:* All participants are encouraged to familiarise themselves with the Hearing Statements (and any relevant evidence) produced by the Council and other parties in respect of the matters addressed at this session. These are available on the examination website.
* The Matters, Issues and Questions are attached for ease of reference. The areas for discussion relate to points on which the Inspectors require further information or clarification.
* The afternoon hearing session will finish by 5pm, including a mid-afternoon break.
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1. **Inspectors’ Welcome and Introductions (5-10 minutes)**
2. **Matter 5: The Environment, Climate Change, Flood Risk, Pollution, and Waste Management**

**Key Documents**

Habitats Regulation Assessment (KD5)

London Environment Strategy (EB8.3)

Waltham Forest Open Space Needs Assessment (EB8.4)

Waltham Forest Green and Blue Infrastructure Strategy (EB8.10)

Strategic Flood Risk Assessment Level 1 (EB9)

Draft North London Waste Plan (EB12.1)

Air Quality Action Plan (EB13.9)

**Issue 1 - Whether the policies relating to the environment, climate change, flood risk, pollution, and waste management are positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan (Policies 79–95).**

*Key areas for discussion:*

* Safeguarding open space and recreation facilities (Policy 80) (Question 188)
* The implications of the housing target for Habitats Sites (Question 105)
* The approach to Biodiversity and Geodiversity (Policy 81) (Question 106)
* Is Policy 82 (Trees) consistent with paragraph 131 of the NPPF in relation to the important contribution that trees make to urban environments? (Question 107)
* Allotments (Policy 86) (Question 108)
* Climate change (Focus on Questions 109, 110, 113)
* Flood risk (Question 121)
* Air Pollution (Question 118)
* Water Quality and Water Resources (Question 119)
* Contaminated Land (Question 120)

**Review of Matter 5 main modifications necessary for the soundness of the plan**

*Key areas for discussion:*

* Any other necessary main modifications to Policies 79 - 95 (including Policy 85 Protecting and Enhancing Waterways and River Corridors)
1. **Close by 5pm**

**MATTERS ISSUES AND QUESTIONS**

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| **MATTER 5: THE ENVIRONMENT, CLIMATE CHANGE, FLOOD RISK, POLLUTION AND WASTE MANAGEMENT** |

**Issue 1 - Whether the policies relating to the environment, climate change, flood risk, pollution, and waste management are positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan (Policies 79–95).**

*Parks, open space and recreation*

Q188 Is Policy 80 consistent with the National Planning Policy Framework’s approach to safeguarding open space and recreation facilities and does it set out appropriate criteria to deal with development proposals that could result in the loss of such facilities?

*Habitats Sites*

Q105 What, if any, are the implications for Habitats Sites of an annualised housing target of 1,800 homes per annum (based on the Plan’s proposed overall target of 27,000) compared to the annualised target ten-year for the Borough of 1,264 homes per annum set out in the London Plan?

*Policy 81 - Biodiversity and Geodiversity*

Q106 Is the policy consistent with national policy and would it secure a net gain in biodiversity as required by section 15 of the NPPF?

*Policy 82 – Trees*

Q107 Is the policy consistent with paragraph 131 of the NPPF in relation to the important contribution that trees make to urban environments?

*Policy 86 – Allotments*

Q108 Is the policy justified in requiring no net loss of allotment sites and is it sufficiently clear how any proposals affecting allotments would be assessed?

*Policy 87 – A Zero Carbon Borough*

*Policy 88 – Decentralised Energy*

*Policy 89 – Sustainable Design and Construction*

Q109 Are the percentage reduction requirements below Part L in Policies 87 and 89 justified and consistent with national policy including the Government’s current policy for energy performance set out in the Written Ministerial Statement (March 2015)?

Q110 Are criteria D and F of Policy 87, and criterion G of Policy 89, compatible?

Q111 Should Policy 87 include different targets for development involving reuse or conversion?

Q112 How would the carbon offset fund contributions in criterion F of Policy 87 work in practice?

Q113 Is it sufficiently clear what is required in the bullet points of Policy 88 criterion A? Does criterion B contradict the requirements of A? Are the requirements justified?

Q114 Is criterion G of Policy 89 consistent with the reductions against Part L specified in Policy 87?

Q115 Is it sufficiently clear how developers and decision makers should respond to the various policy targets in practice? For example, how would compliance with the carbon reduction targets be assessed, measured, secured, and evidenced?

Q116 Does Policy 89 make sufficient provision for biodiversity, having regard to national policy and in the light of Policy 81?

Q117 Should Policy 89 make distinctions between different types or sizes of development?

*Policy 90 – Air Pollution*

Q118 Is Policy 90 consistent with NPPF paragraph 186 and in general conformity with the London Plan? Should the policy define or identify the Borough’s air quality focus areas, and should it require specific design measures for effectiveness?

*Policy 91 – Water Quality and Water Resources*

Q119 Having regard to the expectations of the Planning Practice Guidance[[1]](#footnote-1), is there evidence of a clear local need for the residential water efficiency standard set out in criterion C of Policy 91?

*Policy 92 – Contaminated Land*

Q120 Will Policy 92 be effective in managing contaminated land and preventing the spread of contamination?

*Policy 93 – Managing Flood Risk*

Q121 Is Policy 93 effective and consistent with national policy in relation to flood risk?

Q122 Is the policy sufficiently flexible to respond to situations where Sustainable Drainage Systems will not be appropriate, including having regard to the PPG[[2]](#footnote-2)?

Q123 How will criterion H be implemented in practice? Is it sufficiently clear to potential applicants and decision makers how they should respond to it?

Q124 How will criterion K be implemented in practice? Have such flood alleviation projects been identified and costed?

Q125 Overall, are Policies 87-95 positively prepared, justified, effective, consistent with national policy, and in general conformity with the London Plan?

Q126 Are any main modifications necessary for soundness?

1. [↑](#footnote-ref-1)
2. PPG Reference ID: 7-082-20150323 [↑](#footnote-ref-2)