

Waltham Forest Local Plan
Site Allocations Plan
Habitats Regulations Assessment Report



Date:5th August 2024

Prepared by:

Waltham Forest Council

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Executive Summary

This report presents the findings of Habitats Regulations Assessment (HRA) screening of the Waltham Forest Local Plan Part 2 Site Allocations Document.

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

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

Detailed engagement has been undertaken with Natural England and the City of London, Conservators of Epping Forest, with respect both to earlier versions of Local Plan Part 2 (Site Allocations) and Local Plan Part 1, which was adopted on 29th February 2024. Regular discussions have been maintained with both parties in order to address the comments raised, agree methodologies for further assessment of urban effects and the mitigation strategies being prepared for air quality and recreational pressure.

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

Screening of the Local Plan Part 2 Site Allocations Document was first undertaken in September 2020. Since then, Local Plan Part 1 has been adopted, and was supported by an updated HRA (published in October 2022). Changes have been made to the Local Plan Part 2 Site Allocations Document in response to the Regulation 18 consultation and the previous Regulation 19 consultation. This version of Local Plan Part 2 contains 103 sites, of which 72 have been carried forward from the previous version (with two sets of adjacent sites being combined into one allocation). Five sites from the previous version have not been retained within this version, either because development is complete or because the site no longer passes the tests for inclusion. In addition, changes have been made to the boundaries of certain sites, to the site allocation (the proposed uses), and the site requirements, in response to consultation comments, new evidence, and mitigation put forward in the separate SA.

Screening has been repeated for this version of Local Plan Part 2 Site Allocations Document (August 2024) and LSEs identified which require further investigation in HRA Task 2 i.e. Appropriate Assessment (AA). The following LSEs were identified in the HRA screening:

- Recreational pressure on Epping Forest SAC and Lee Valley SPA and Ramsar site;
- Air pollution on Epping Forest SAC; and
- Urbanisation Epping Forest SAC and Lee Valley SPA and Ramsar site.

Lee Valley SPA and Lee Valley Ramsar site

The AA has concluded that **the Local Plan Part 2 Site Allocations Document will not result in adverse effects on the integrity of the Lee Valley SPA and Lee Valley Ramsar site in relation to changes in recreational pressures and urban effects alone and in combination.**

Epping Forest SAC

Air quality was screened in as a likely significant effect resulting from the Local Plan Part 2 Site Allocations Document, which allocates development within the borough and could therefore potentially lead to an increase in traffic and therefore air pollution. An Air Quality Study (ASQ1) was prepared by Karius air quality consultants in support of the HRA in April 2021, which recommended that an Air Quality Mitigation Strategy (AQMS) be developed and implemented prior to the approval of the Local Plan. However, upon review it was recognised that this study relied on London-wide data and traffic modelling, and the contribution of the Local Plan alone could not therefore be determined.

In September 2022, the LBWF Transport and Planning Policy teams undertook a Trip Generation and Distribution Assessment of the proposed development sites included within the LP2, with this work and subsequent analysis reported within the Waltham Forest Local Plan Draft Air Quality Study 2 (ASQ2). This evidence indicates that there will be an overall net reduction in traffic within the borough as a result of the Local Plan Part 1 policies and Local Plan Part 2 allocations, and that the Local Plan will bring about reductions in traffic compared to the situation without the Plan on all roads within 200m of Epping Forest SAC except the A121 High Road within the Epping Forest District Council area, where an increase of four average annual daily traffic (AADT) is predicted with full plan implementation in 2038. This minor change is well within the daily variation in traffic flow that could occur on this road; and that any increase in AADT is well below the 50 AADT threshold of change that is typically applied by the Natural England Thames Solent team when considering the impacts of Local Plans alone and the subsequent need to consider in-combination effects. Any increases in NO_x, NH₃, N-dep and acid-dep due to the WLBWF LP 'alone' will be imperceptible.

As there will be no effect at all of the plan alone, it is therefore possible to conclude that there will be no adverse effect on the Epping Forest SAC from air pollution as a result of the Waltham Forest LP1 policies

and no further in combination assessment is therefore necessary. On the basis of the AQS2, it is possible to conclude that the growth proposed in Local Plan Part 1 and Local Plan Part 2 will not result in any residual increase in traffic or associated air pollution on roads within 200m of the Epping Forest SAC

Visitor surveys of Epping Forest have found that the entire borough falls within the Recreational Zone of Influence. The Local Plan Part 2 Site Allocations Document would result in new homes within the Zone of Influence which is predicted to have an adverse effect on the integrity of the SAC due to increased recreational pressures.

Natural England has produced advice on the Strategic Mitigation Strategy for the Epping Forest SAC. This strategy provides a framework which enables the adverse effects on the SAC to be mitigated. The requirement to implement this mitigation framework is included within the adopted version of Local Plan Part 1. It can therefore be concluded that there is no risk of adverse effects on the integrity of Epping Forest SAC as a result of recreational pressure arising from the Site Allocations Document.

Potential adverse effects in relation to urban effects¹ on the Epping Forest SAC were also identified, as the Site Allocations Document would result in new homes located within 400m of the SAC. Policy wording has been put forward within this AA to ensure the Local Plan Part 2 Site Allocations Document contains a mechanism to protect the SAC from urban effects once further project details are known and planning applications are considered. With the wording included with the Local Plan Part 2 Site Allocations Document, no adverse effects on the integrity of the Epping Forest SAC is predicted as a result of urban effects arising from the Site Allocations Document.

With the policy wording mitigation in place within the Regulation 19 Local Plan Part 2 Site Allocations Document, the supporting SANG Strategy) and given the findings of the Waltham Forest Local Plan Draft Air Quality Study 2 (AQS2)², it will be possible to conclude that **the Waltham Forest Local Plan Part 2 Site Allocations Document will not result in adverse effects on the integrity of Epping Forest SAC in relation to recreational pressures, air quality and urban effects when the Plan is assessed on its own or in combination with growth in neighbouring areas.**

¹ Defined as localised recreation from a particular allocation site, pet predation, fires, spread of disease and invasive species, littering, and fly tipping.

² WalthamForest Local Plan Draft Air Quality Study 2 (AQS2), WSP, September 2022

1 Introduction

The Council's Local Plan is being produced in two parts.

Local Plan Part 1 establishes the borough-wide spatial strategy and planning policies against which planning applications will be assessed. It has been rigorously examined by independent Planning Inspectors and found to be sound, legally compliant and capable of adoption. Accordingly, it was adopted by Full Council on 29 February 2024.

Part 2 develops further the spatial vision and targets for planned growth to meet the borough's needs as set out in Local Plan Part 1 by allocating sites and setting clear expectations for the placemaking value and Exemplar Design quality expected on each. Part 2 is referred to throughout this report as the 'Site Allocations Document'.

ClearLead Consulting was instructed to undertake a Habitats Regulations Assessment (HRA) of the Local Plan Parts 1 and 2. This report is the HRA Report which considers the potential effects of the Local Plan Part 2 Site Allocations Document. It has been updated following Regulation 18 consultation, which took place between September and December 2020, and the initial Regulation 19 consultation, which took place between November 2021 and January 2022. This HRA Report accompanies the Local Plan Part 2 Site Allocations Document during second Regulation 19 consultation.

1.1 Habitats Regulations Assessment

In the UK, the Habitats Directive (92/43/EEC) has been transposed into domestic legislation as the Habitats and Species Regulations 2017 (as amended) which requires an assessment of any plans which are likely to have a significant effect on any protected European sites, i.e. Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar wetland sites. This is commonly referred to as a Habitats Regulations Assessment (HRA). This requirement includes strategic plans with an impact on land use.

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

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

1.2 Background

The Local Plan (Part 1), now adopted, replaced, in whole, the Core Strategy (2012), Development Management Policies Document (2013), Walthamstow Town Centre Area Action Plan (2014) and Blackhorse Lane Area Action Plan (2015), and plans for development between 2020 and 2035.

The evidence behind Local Plan Part 1, examined by the independent Planning Inspectors, shows that 1,810 new homes need to be delivered in the Borough every year to address housing need, and that the Borough has the capacity to go as far as possible to meeting this need by building an average of 1,800 homes per year, or 27,000 new homes over the fifteen year 'Plan Period'.

Local Plan Part 1, the versions published during its production for statutory consultation, were subject to HRA screening and Appropriate Assessment (AA). An HRA was submitted alongside the Local Plan for examination in March 2022, and an Examination Update was published in October 2022 to inform the examination process.

The potential effects assessed in the AA of the Local Plan Part 1 are:

- Recreational pressure;
- Air pollution;
- Water pollution and water quality; and
- Urban effects.

These potential effects could arise from the growth that the Local Plan Part 1 will help to deliver. The AA is therefore addressing strategic issues such as recreational pressure from traffic and population growth across the Borough and particularly in certain strategic locations within the Borough. It is therefore addressing potential effects arising from the proposed quantum of development and to some extent the strategic locations. The overall conclusions of the AA were that: "With the mitigation in place within the LP1 and the supporting SANG Strategy (to be incorporated into a Waltham Forest Green Spaces and Places SPD to be adopted after the LP1), it will be possible to conclude that the Waltham Forest LP1 will not result in adverse effects on the integrity of Epping Forest SAC in relation to recreational pressures, air quality and urban effects when the Plan is assessed on its own or in combination with growth in neighbouring areas. The AA is able to conclude that the Waltham Forest LP1 would not result in adverse effects on the integrity of the Lee Valley SPA and Ramsar, both alone or in combination with growth in neighbouring areas."

On the basis of the precautionary principle, this HRA of the Local Plan Part 2 Site Allocations Document has also screened in recreational pressures and air quality to ensure that the AA considers whether the Local Plan Part 2 Site Allocations Document could affect the integrity of the European sites due to the locations of the development proposed in the allocation sites. This HRA also focuses on more localised potential effects, including urban effects (e.g. fly tipping).

2 The Waltham Forest the Waltham Forest Site Allocations Document

2.1 Background to the new Waltham Forest Local Plan

Once adopted, the new Local Plan Part 2 will form the development plan for Waltham Forest along with:

- The Local Plan Part 1 – Strategic Policies, adopted 29th February 2024
- The London Plan – spatial development strategy for Greater London, adopted in 2021; and
- North London Waste Plan – planning framework for waste management in partnership with other London boroughs.

2.2 Description of the Plan

The Site Allocation Document sets out what uses and development the Council would prefer to be delivered on a range of identified sites across the borough. The plan period is the same as the Local Plan Part 1: 2020-2035. The site allocations will set out the preferred use or mix of uses as well as set out any policy criteria or guidance for the development of the site. These sites are allocated to support the delivery of the Local Plan Part 1 and the London Plan.

The Local Plan Part 2 Site Allocations Document plan area is shown in Figure 2.1. The Local Plan Part 2 Site Allocations Document includes:

- Proposed development site locations, for strategic and key development across the Borough;
- Sites associated with the delivery of essential infrastructure to support growth;
- Estimated timescales for delivery or development;
- The proposed use of potential sites i.e. for residential, employment or mixed use; and
- Specific mitigation required for the development of specific sites, and particular development constraints associated with sites.

The Council has consulted on the scope of the Local Plan Part 2 Site Allocations Document. The public consultation was undertaken during the period March to April 2020. The Council has since prepared a draft Local Plan Part 2 Site Allocations Document (Regulation 19), which was consulted on between November 2021 and January 2022. This version of the Local Plan accounts for comments made in the previous consultation and updates to the evidence base.

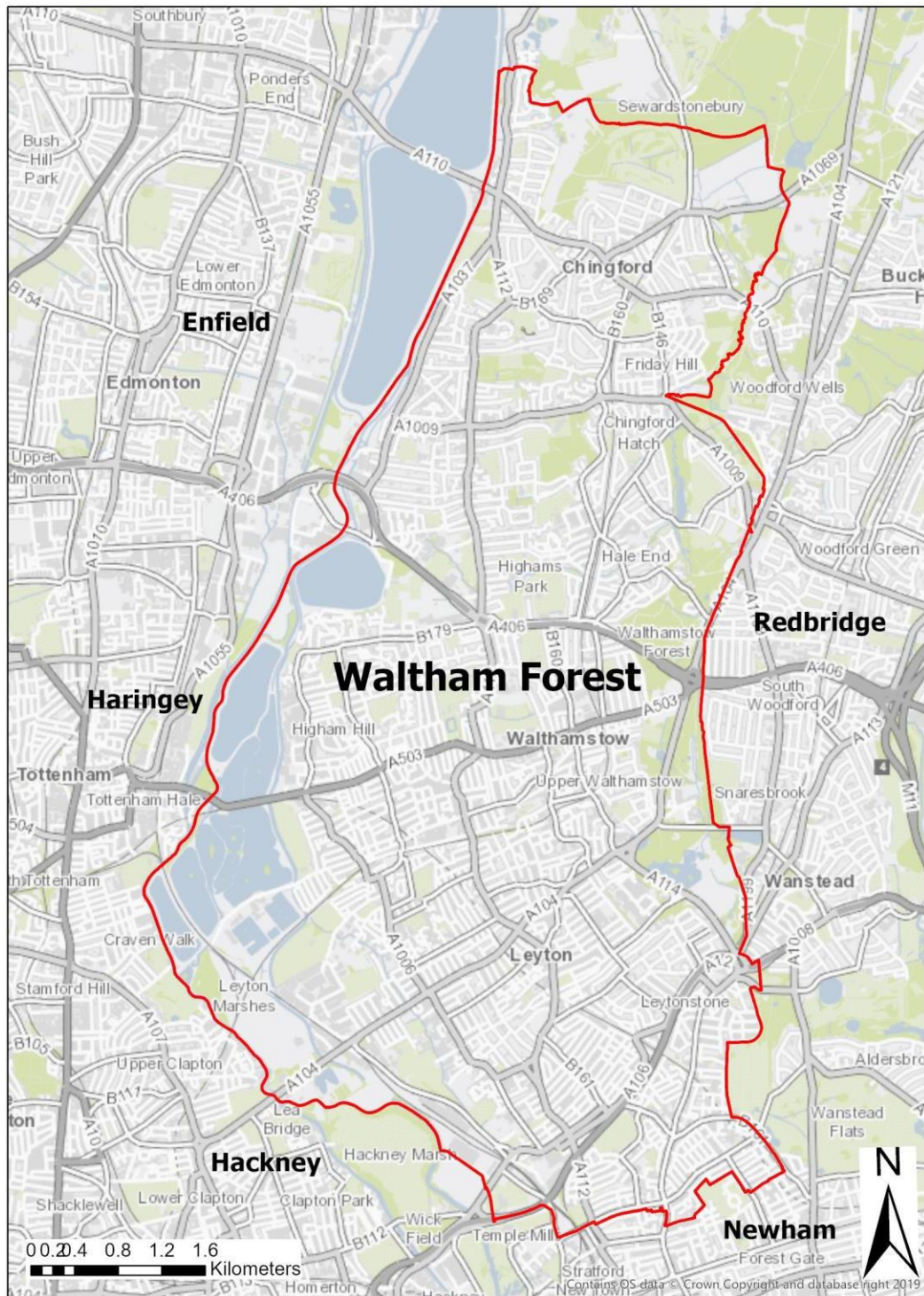


Figure 2.1: Waltham Forest Local Plan Part 2 Site Allocations Document

2.3 The Main Objectives of the Site Allocations Document

The Local Plan Part 1 sets out strategic policies and development management policies for delivering development across the borough. The Site Allocations Document forms Part 2 of the Local Plan and sets out where strategic development will be delivered across the borough over the plan period 2020-2035. These two documents should be read together.

2.4 Plan Vision and Objectives

There are no separate vision or objectives for the Local Plan Part 2 Site Allocations Document. These are set out within the Local Plan Part 1 and are reproduced here in order to set the context of the Local Plan Part 2 Site Allocations Document. The Local Plan Part 1 (Submission Version) vision and objectives are reproduced in Boxes 2.1- 2.3:

Box 2.1: Waltham Forest Local Plan Six Golden Threads

The Local Plan sets out the strategic priorities for development and sustainable growth of the Borough over 15 years. There are seven golden threads that shape the Local Plan. These are as follows and are all considered to have equal value.

Six Golden Threads

- 1. Increasing housing and affordable housing delivery, creating liveable places.
- 2. Ensuring growth is sustainable and supported by infrastructure.
- 3. Building on the unique strengths of the borough and carrying forward its cultural legacy.
- 4. Promoting the economy to improve the life chances for all residents, students and workers.
- 5. Conserving, enhancing and celebrating the locally distinctive character and heritage of the borough.
- 6. Protecting and enhancing the natural environment.
- 7. Ensuring land optimisation and driving investment.

**Box 2.2: Walthamstow Local Plan Vision
Waltham Forest in 2035**

Waltham Forest is a key part of London and a rich resource for the growing capital city. Over the life of this Plan, the borough will be transformed. Building on our strengths as part of the capital and its outer fringe, and the identities of our eight historic town centres and the communities that have grown up around them, by 2035 the borough will be defined by a network of enterprising, culturally rich, well designed, sustainable neighbourhoods. It will attract people from across London and further afield to enjoy its cultural, creative and heritage attractions, green spaces and recreational opportunities.

Liveable Waltham Forest

Waltham Forest's vibrant network of distinctive and thriving town centres will become cultural community hubs, bringing the city to the suburbs and supporting creative, healthy and active lifestyles. A new vision of urban living will be embedded, whereby people can easily reach most, if not all, of the facilities, experiences and activities they need on a daily basis within a fifteen minute walk, wheel, or cycle from home. Building on the success of Enjoy Waltham Forest, the borough's extensive network of green spaces including Epping Forest, Walthamstow Wetlands, Green Flag Award parks, neighbourhood and pocket parks and urban spaces will connect town centres to new liveable neighbourhoods via integrated walking and cycling routes and improved public transport. These liveable neighbourhoods will include a choice and mix of genuinely affordable new homes, which - along with an increasing number of local jobs - will realise the Plan's ambitions to deliver a new model for metropolitan cultural suburbs.

Growing a creative, diverse and resilient economy in Waltham Forest

Attracting inward investment into Waltham Forest's dynamic economy is central to delivering transformational good growth and the success of this Plan. Successful growth in Waltham Forest will focus on improving life chances and job opportunities for all its residents.

The borough will maximise the advantages of its access to the most economically vibrant parts of London and its position in the UK Innovation Corridor (London-Stansted-Cambridge) to grow its own creative and cultural economy. Building on its growing and strongest sectors, Waltham Forest will become a leader in the capital's cultural, creative and digital economy, cementing its economic stability and resilience, extending its economic offer and helping residents to achieve their full potential.

Waltham Forest as a place of leisure

Waltham Forest will be one of London's top locations for leisure and recreation. The borough's diverse visitor attractions (such as the William Morris Gallery, Walthamstow Wetlands, Fellowship Square and, following its opening in 2024, Soho Theatre), its places, cultural offer and green and blue assets - including access to Epping Forest, the Lee Valley Regional Park, reservoirs and marshland - will be enhanced for residents and all to enjoy.

A key ambition of this Plan is to promote the borough as a vibrant place to live and visit. The Council aims to deliver a diverse and inclusive 24/7 economy in Waltham Forest's town centres (where appropriate) and culture venues, building a cultural legacy celebrating the creativity of the borough's communities.

Box 2.3: Waltham Forest Local Plan Strategic Objectives

There are 16 strategic objectives that will deliver the vision for Waltham Forest by 2035, they will:

1. Ensure a significant increase in the supply, choice and mix of high quality new homes, in particular delivering genuinely affordable homes to enable and encourage residents to stay in the borough and strengthen communities.
2. Grow, promote and diversify Waltham Forest's economy, including its dynamic, cultural, creative and digital sectors and its role in the Upper Lee Valley and wider UK Innovation Corridor, by both supporting indigenous growth and attracting inward investment.
3. Improve life chances by improving job opportunities, upskilling residents and providing access to new skills, training and apprenticeship opportunities.
4. Support Waltham Forest's thriving, safe and attractive town centres by maintaining their distinctive roles and making them accessible to all.
5. Ensure that residents are able to meet their day to day needs within a 15 minute walk, wheel or cycle of their home. Conserve and enhance the borough's network of culturally diverse, inclusive and sustainable neighbourhoods and celebrate their locally distinctive character and heritage.
6. Ensure timely, strategic and local infrastructure investment and delivery to support good sustainable growth for communities both now and in the future, through working with partners, investors, developers and providers.
7. Ensure that the borough's cultural legacy and creative economy flourish and grow and investment is secured to improve life chances, quality of life and well-being for all.
8. Improve the health and well-being of all who live, study and work in Waltham Forest.
9. Improve active and sustainable transport choices across the borough and beyond, building on the success of the Enjoy Waltham Forest programme and encouraging wider, fully integrated walking and cycling routes.
10. Promote exemplary standards of design in placemaking and the highest quality of development, whilst ensuring locally distinctive character and heritage is celebrated, protected and enhanced.
11. Develop a multi-functional network of green and blue infrastructure to deliver benefits for all including, where appropriate, increased public access.
12. Protect, restore and enhance the borough's natural environment to sustain biodiversity, habitats and species of conservation importance.

13. Conserve and enhance the borough's historic environment, distinctive character and heritage for future generations to enjoy. London Borough of Waltham Forest Local Plan Local Plan (LP1) - Adoption Version 13 Vision and Strategic Objectives
14. Work with partners to protect and enhance the adjoining areas of regional, national and international natural importance in Epping Forest and the Lee Valley Regional Park.
15. Build Waltham Forest's resilience through addressing sustainability, efficient waste management and the effects of climate change at all stages in the development process.
16. Ensure that engagement in plan-making is effective and actively involves residents, local organisations (such as community groups), businesses, infrastructure providers and statutory consultees.

Waltham Forest is an outer London Borough in the Northeast of London and is one of the greenest Boroughs in London. It is also one of the most diverse areas in the country with 48 per cent of residents from a minority ethnic background and is relatively small at approximately 3,880 hectares (ha). The Local Plan area is shown in Figure 2.1 above.

The North Circular Road (A406) divides the Borough into two main areas. The London Borough of Waltham Forest was created in 1965 by bringing together the parishes Chingford, Walthamstow and Leyton. These roughly align with the geographic areas of the borough identified in the Proposed Submission Local Plan: South (Bakers Arms, Lea Bridge, Leyton, Leytonstone, Whipps Cross); Central (Blackhorse Lane, Forest Road Corridor, St James' Quarter, Walthamstow, Wood Street); and North (Chingford, Chingford Mount, Highams Park, North Circular Corridor, and Sewardstone Road).

The Borough is a collection of neighbourhoods built up around busy high streets and stations, areas of industry and a total of 1,205ha of open space, parks and playing fields. The Green Belt in the borough is part of the Metropolitan Green Belt which surrounds London.

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

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

Policy 5 Management of Growth states that *"In planning for growth, the Council will seek to achieve an appropriate balance between physical, social and economic development and environmental protection"*. Policy 5 also includes protecting designated sites and areas (Green Belt, Metropolitan Open Land, Special Protection Areas, Ramsar Sites, Conservation Areas, and Listed Buildings. Finally, the policy also aims to make effective use of previously developed land,

except where land is of high environmental value or purposely safeguarded or protected for particular uses as identified on the Policies Map. Proposals including the redevelopment of underused and vacant land, in particular, sites listed on the Brownfield Land Register, will be prioritised.

The Local Plan (Part 1) also contains a range of thematic policies presented over twelve chapters which address housing delivery, economy, culture, health, community infrastructure, climate change and environment etc. Three of the thematic policies provide specific protection for biodiversity within the borough and the Lee Valley Regional Park and Epping Forest as shown in Boxes 2.4, 2.5 and 2.6.

Box 2.4:

Local Plan Part 1 Policy 79 Biodiversity and Geodiversity

Proposals should seek to protect and enhance biodiversity and geodiversity resources in the borough and achieve biodiversity net gain by:

A. Maximising opportunities to create new, or make improvements to existing natural environments, nature conservation areas, habitats or biodiversity features and links into the wider green infrastructure network, and contributing to the Local Nature Recovery Strategy;

B. Undertaking a biodiversity survey of the site and submitting it in support of all major planning applications;

C. Avoiding and minimising the impacts of development on biodiversity in accordance with the London Plan mitigation hierarchy;

D. Demonstrating a minimum 10% biodiversity net gain using the Defra Biodiversity Metric 2.0 (or subsequent version), even where development proposals do not result in biodiversity loss;

E. Preparing a long-term monitoring and maintenance plan for biodiversity and habitat proposals for a minimum period of 30 years, including both on- and off-site measures;

F. Demonstrating that any off-site measures proposed seek to enhance locally important priorities with reference to the Green and Blue Spaces Supplementary Planning Document (SPD);

G. Providing measures support species and habitats through the use of landscaping on or adjacent to buildings. This may involve the inclusion of living roofs and walls and other measures (such as bird boxes) which provide space for species to nest, roost or hibernate;

H. Temporarily protecting vacant or derelict land awaiting redevelopment that has some value for nature conservation;

I. Improving public access to areas of nature conservation (where appropriate), especially in areas of deficiency.

J. Submitting an arboricultural report at the planning application stage where a development proposal will impact on trees (see Policy 80 'Trees');

K. Protecting and enhancing the nature conservation or geological interest of nationally important wildlife sites, as shown on the Policies Map. Development proposals will not normally be granted planning permission where they pose adverse direct or indirect effects on the biodiversity or nature conservation value of any land or area within the identified Sites of Special Scientific Interest (SSSI), Sites of Importance to Nature and Enhancing the Environment Conservation (SINC), Special Areas of Conservation (SAC), Ramsar sites, or Special Protection Areas (SPA) without appropriate mitigation measures being secured prior to development. These sites are shown on the Policies Map and include but are not limited to the Walthamstow Reservoirs Special Protection Area, Walthamstow Wetlands and Walthamstow Marshes Sites of Special Scientific Interest and Epping Forest SAC;

L. Retaining, restoring and enhancing features of geological interest on sites designated for their geodiversity value. Development proposals which would cause harm to a site designated for its geodiversity value will be resisted, unless any damaging impact can be prevented by appropriate mitigation measures

Box 2.5:

Local Plan Part 1 Policy 81 The Epping Forest and the Epping Forest Special Area of Conservation

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

A. All new residential development comprising 1 or more new home(s) within the 6.2km Zone of Influence (ZOI) of the boundary of the Epping Forest SAC (see the Policies Map) contributes to the delivery of:

- i. The Strategic Access Management and Monitoring Strategy (SAMMS) in line with the mitigation measures agreed with the Conservators of Epping Forest and partner authorities; and
- ii. The provision of Suitable Alternative Natural Green Spaces (SANGs), in most cases via Community Infrastructure Levy (CIL) funding secured to make the necessary investment in open space.

B. Development proposals affecting Epping Forest and the Epping Forest SAC are sensitive and proportionate, that they deliver enhancements where possible and that they do not contribute to adverse impacts on ecological integrity, amenity or visitor enjoyment;

C. All planning applications and allocations of one new home or more in the 6.2km ZOI of the Epping Forest SAC demonstrate, through a project level Habitats and Regulations Assessment (HRA), that they will not generate adverse recreational pressure on the Epping Forest SAC.

D. Planning applications and allocations for development within 400m of the Epping Forest SAC demonstrate, through a project level Habitat Regulation Assessment (HRA), that the development will not generate adverse urban effects on the integrity of the SAC.

Box 2.6:

Local Plan Part 1 Policy 84 The Lee Valley Regional Park

A. Development proposals which affect the Lee Valley Regional Park will be required to:

- i. Include measures for the protection, enhancement and where possible, the extension of the borough's network of Green Corridors;
- ii. Improve access and links to the park and its waterways; and
- iii. Be sensitive and proportionate, and not contribute to adverse impacts on amenity, ecological integrity or visitor enjoyment. Proposals will be expected to deliver enhancements where possible. The Council supports the Lee Valley Regional Park Authority's Park Development Framework.(70) The content of the Lee Valley Park Development Framework, as adopted, is a material consideration in the determination of planning applications.

B. Development proposals will not normally be granted planning permission where they pose adverse direct or indirect effects on any land or area identified with the Lee Valley Special Protection Area (SPA)/Ramsar. Development that affects the Lee Valley SPA/Ramsar will be expected to contribute to the mitigation of any adverse effects on the SPA/Ramsar.

C. Planning applications for development at Blackhorse Lane will need to be accompanied by a project level Habitats Regulations Assessment (HRA) to ensure the development will not generate adverse urban effects on the integrity of the Lee Valley SPA/Ramsar.

3 Methodology

Figure 3.1 sets out the HRA process.

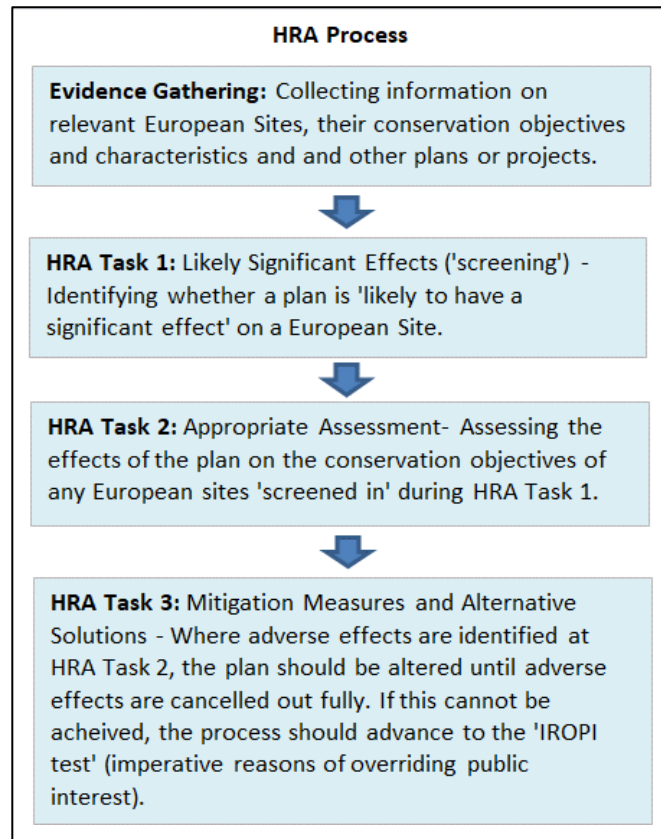


Figure 3.1 The HRA Process

During screening, the 'Precautionary Principle' needs to be applied: if an effect cannot be ruled out based on objective information it has been reported as "likely". Furthermore, a judgement⁴ by the Court of Justice of the European Union (People Over Wind) ruled that Article 6(3) of the Habitats Directive⁵ must be interpreted as meaning that mitigation measures (referred to in the judgment as measures which are intended to avoid or reduce effects) should be assessed within the framework of an AA and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site at the screening

⁴ <http://curia.europa.eu/juris/document/document.jsf?docid=200970&doclang=EN>

⁵ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

stage. The screening exercise must therefore consider elements of the plan without any proposed mitigation.

If Likely Significant Effects (LSEs) on European sites are identified in screening, measures must be put in place to avoid them. Further investigation may be necessary to understand how the plan might affect the integrity of European sites i.e. HRA Task 2 (AA) and to develop effective avoidance and mitigation measures (or consider mitigation measures already proposed in relation to projects). Full mitigation details are not required within a plan level HRA, as confirmed by a judgement⁶ at the Court of Appeal (No Adastral New Town) which ruled that mitigation measures do not need to be considered in as much detail as the available information permits, but instead only be sufficient *'to be satisfied as to the achievability of the mitigation in order to be satisfied that the proposed development would have no adverse effect'*.

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

- English Nature (2006) draft Guidance – The Assessment of Regional Spatial Strategies and Sub-regional strategies under the provisions of the Habitats Regulations;
- Scottish Natural Heritage (January 2015) Habitats Regulations Appraisal of Plans Guidance For Plan-Making Bodies In Scotland Version 3.0 originally prepared by David Tyldesley and Associates;
- Department for Communities and Local Government (August 2006) Planning for the Protection of European Sites: Appropriate Assessment. Guidance for Regional Spatial Strategies and Local Development Documents. Draft; and
- Habitats Regulations Assessments: Protecting a European site (February 2021). Government Guidelines⁷.

3.1 Evidence Gathering

With reference to Figure 3.1, the evidence gathering task was completed in 2017. ClearLead Consulting wrote to Natural England in July 2020 to confirm the scope of the Habitats Regulations Assessment (HRA) of the Local Plan Part 2 Site Allocations Document. Natural England

⁶ <https://www.eastsuffolk.gov.uk/assets/Planning/Suffolk-Coastal-Local-Plan/Core-Strategy-and-DMP/No-Adastral-New-Town-Ltd-v-SCDC.pdf>

⁷ <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site> website accessed 18 October 2021

responded⁸ confirming that the European sites which need to be considered in the HRA of the Local Plan Part 2 Site Allocations Document are:

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

These sites are shown in Figure 3.2. Appendix A presents a summary of the site designations, qualifying features and site sensitivities. This information has been obtained from:

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

As the HRA progressed into Appropriate Assessment, further consultation has been undertaken with Natural England on the scope of assessments. Email correspondence with Natural England in July 2020⁹ confirmed that it is only sites adjacent to Lee Valley SPA and Ramsar site which could result in an LSE in relation to urban effects and recreation. This information has been used to determine an appropriate buffer zone of 50m around the SPA and Ramsar (refer to Section 3.2). Site allocations within a 50m buffer zone were therefore identified as having a potential LSE due to urbanisation and recreational pressures (refer to Section 3.2).

A meeting was held with Natural England and CoL on 13th October 2021 in which it was agreed that the urban effects assessment in relation to Epping Forest SAC should consider only allocation sites within 400m of the European site. This zone was agreed on the basis that parts of Waltham Forest adjacent the SAC are heavily urbanised. Site Allocations over 400m from the SAC would be separated by roads and other built-form and therefore present no credible risk of urban effects.

⁸ Email from Natural England dated 12/08/20

⁹ Email from Natural England dated 02/07/20

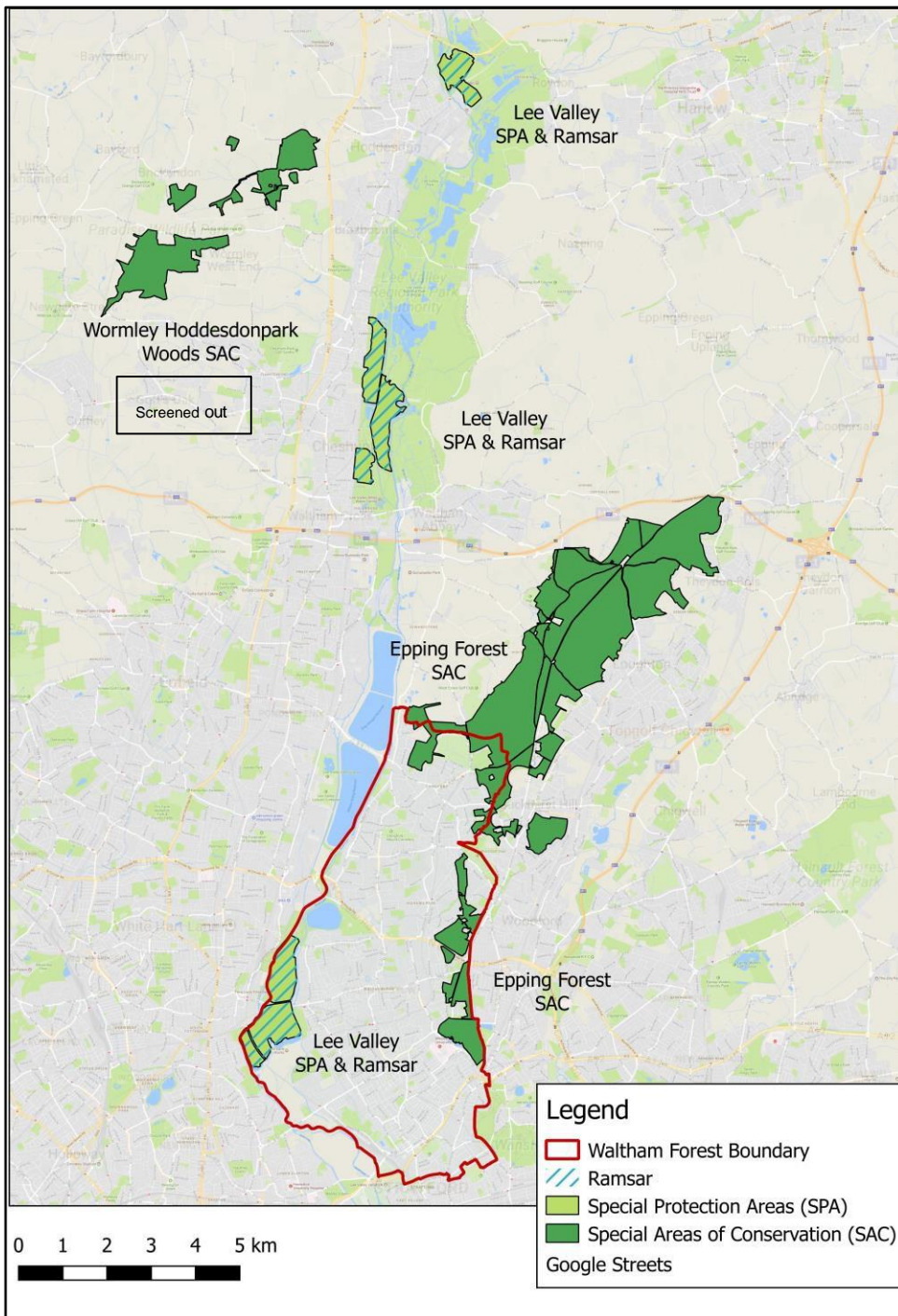


Figure 3.2: European sites in and near to the London Borough of Waltham Forest

3.2 Screening

Screening of the proposed site allocations has been undertaken at the Regulation 18 stage in September 2020 and at the initial Regulation 19 stage in November 2021. At both stages, the allocation sites have included a range of uses, including residential, mixed residual and commercial uses (residential and flexible workspaces), intensification of current industrial uses or for specific uses like a medical centre or retail.

The screening methodology identified whether LSEs could arise from the development of each site in relation to its location and proposed use. The information on key factors affecting site integrity and objectives to ensure favourable condition status of the European sites presented in Appendix 1 has been referred to in all screening exercises.

The definition of an LSE adopted for this HRA is as follows and has been taken from HRA guidance¹⁰:

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

In order to screen sites, a Geographical Information System (GIS) was used to identify:

- Proposed allocation sites within 400m of Epping Forest SAC which have a potential LSE due to urbanisation;
- Proposed allocation sites within 50m of Lee Valley SPA and Ramsar site which have a potential LSE due to urbanisation and recreational pressures; and
- Proposed allocation sites within the Natural England Recreational Disturbance impact risk zone¹¹ for Epping Forest SAC which have a potential LSE due to recreational pressures.

A 6.2km ‘Recreational Zone of Influence’ around Epping Forest SAC was also identified which was similar to Natural England’s Recreational Disturbance impact risk zone. Both zones encompassed all of the LBWF.

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

¹¹ Accessed via the Multi-Agency Geographical Information Centre (MAGIC) website www.magic.gov.uk

The screening of proposed site allocations in the Regulation 19 Local Plan Part 2 Site Allocations Document has identified a number of LSEs which would require further investigation in HRA Task 2 i.e. Appropriate Assessment (AA). The AA therefore needs to consider the following impact pathways:

- Recreational pressure on Epping Forest SAC and Lee Valley SPA and Ramsar site;
- Air pollution on Epping Forest SAC; and
- Urbanisation Epping Forest SAC and Lee Valley SPA and Ramsar site.

The findings of the screening exercise are presented in Section 4 of this report. Section 4 has been updated so that it reflects the Regulation 19 draft Local Plan Part 2 Site Allocations Document.

3.3 Appropriate Assessment

The AA of the Local Plan Part 2 Site Allocations Document examines whether there is a risk of adverse effects on the conservation objectives on the European sites as a result of the impact pathways identified during screening (see section 3.2).

The effect of each of the impact pathways on each European Site is examined in detail within Section 5 onwards. Published research/documents relating to the potential impact pathway and the relevant European site was used within each AA topic section to assess adverse effects. Where a risk of an adverse effect on a European Site is identified as a result of the Local Plan Part 2 Site Allocations Document then changes to allocation policy wording is proposed to avoid adverse effects occurring (HRA Task 3).

Where appropriate, in combination effects have been considered with regards to each of the potential impact pathways identified above. Where the potential for in combination effects with other plans was identified, the scope of the AA was broadened to assess the possible combined effects of plans in the wider area. These effects are considered in each AA topic section. Where the AA found that the Local Plan Part 2 Site Allocations Document would have no effect at all on the European Site as a result of an impact pathway then an adverse effect in combination is ruled out and no further assessment is required. This approach is in accordance with established case law (Foster and Langton¹²).

¹² R (Foster and Langton) v Forest of Dean DC and Homes and Communities Agency [2015] EWHC 2648 (Admin) Cranston J

3.4 Consultation

Previous versions of the Local Plan Part 2 Site Allocations Document and the accompanying HRA Report were consulted on widely, most recently from November 2021 to January 2022. This accounted for detailed responses from Natural England and the City of London, Conservators of Epping Forest on early versions of the plan and HRA. As a result of the consultation comments received in relation to the Regulation 18 Local Plan Part 2 Site Allocations Document HRA Report (September 2020), the methodology for the assessment of urban effects was altered and subsequently agreed with Natural England and City of London. Since January 2021, regular communication has been maintained between LBWF officers, Natural England and City of London representatives. Meetings have discussed the comments raised in December 2021 on both the LP1 and Local Plan Part 2 Site Allocations Document HRA Reports, the methodology for the urban effects assessment in this HRA and the content and approach to the air quality and recreational effects mitigation strategies prepared in support of the LP1 HRA. Recent meetings with Natural England include one held on the 16th January 2024 with respect to SAMM agreement, and one held on 30th July 2024 to discuss the HRA (this document) for Local Plan Part 2 Site Allocations Document.

3.5 Assessment Limitations

A strategic mitigation strategy for Epping Forest SAC was developed in partnership with Natural England, City of London Conservators of Epping Forest, LBWF and other neighbouring authorities. This strategy has been formally agreed in January 2024. A Suitable Alternative Natural Greenspace (SANG) strategy has been prepared by LBWF and will be incorporated within a forthcoming Green and Blue Spaces Supplementary Planning Document (SPD). This HRA relies upon the mitigation strategy and the SANG strategy.

4 Screening Findings: Regulation 19 Site Allocations Document

4.1 Introduction

The proposed site allocations within the Local Plan Part 2 Site Allocations Document were screened in October 2021 and updated in July 2024. LSEs were identified in relation to the following:

- Potential LSEs on the Epping Forest SAC and the Lee Valley SPA/Ramsar due to increased general recreational pressures;
- Potential LSE on the Epping Forest SAC through an increase in traffic and therefore air pollution; and
- Potential LSEs on the Epping Forest SAC and Lee Valley SPA/Ramsar from 'urban effects'.

Site Ref	Site Name	Screening of European Sites for Likely Significant Effects	Epping Forest SAC	Lee Valley SPA and the Lee Valley Ramsar
R19001	Leyton Mills Retail Park	Screened in - LSE	Recreation and air quality	None
R19002	New Spitalfields Market	Screened in – LSE	Recreation and air quality	None
R19003	Leyton Leisure Centre	Screened in – LSE	Recreation and air quality	None
R19004	Tesco, Bakers Arms	Screened in – LSE	Recreation and air quality	None
R19005	Stanley Road Car Park	Screened in – LSE	Recreation and air quality	None
R19006	Territorial Army Centre	Screened in – LSE	Urbanisation, recreation and air quality	None
R19007	Church Lane Car Park	Screened in – LSE	Recreation and air quality	None
R19008	Tesco, Leytonstone and adjacent sites	Screened in – LSE	Urbanisation, recreation and air quality	None
R19009	Matalan, Leytonstone	Screened in – LSE	Recreation and air quality	None
R19010	Cathall Leisure Centre, Epicentre and Jubilee Centre	Screened in – LSE	Recreation and air quality	None
R19011	Walthamstow Central Bus Station	Screened in – LSE	Recreation and air quality	None
R19012	Sainsbury's, High Street Walthamstow	Screened in – LSE	Recreation and air quality	None
R19013	Former Wilko, Walthamstow High Street	Screened in – LSE	Recreation and air quality	None

R19014	Stow Car Wash & Valeting	Screened in – LSE	Recreation and air quality	None
R19015	59-69 Sutherland Road	Screened in – LSE	Air Quality	None
R19016	Fellowship Square (Waltham Forest Town Hall)	Screened in – LSE	Recreation and air quality	None
R19017	Wood Street Station and Travis Perkins	Screened in – LSE	Urbanisation, recreation and air quality	None
R19019	Brandon Road Car Park	Screened in – LSE	Recreation and air quality	None
R19020	224-240 Billet Road	Screened in – LSE	Recreation and air quality	None
R19021	Sainsbury's Superstore, Low Hall and adjacent sites	Screened in – LSE	Recreation and air quality	None
R19022	Cork Tree Retail Park	Screened in – LSE	Air quality	None
R19023	Morrisons, Chingford	Screened in – LSE	Recreation and air quality	None
R19024	Sainsbury's Superstore, Chingford	Screened in – LSE	Recreation and air quality	None
R19025	Former South Chingford Library	Screened in – LSE	Recreation and air quality	None
R19026	Iceland Supermarket, Chingford and adjacent sites	Screened in – LSE	Recreation and air quality	None
R19027	Motorpoint, Sewardstone Road	Screened in – LSE	Urbanisation, recreation and air quality	None
R19028	3 Lea Valley Road	Screened in - LSE	Recreation and air quality	None
R19029	Chingford Library and Assembly Hall	Screened in – LSE	Urbanisation, recreation and air quality	None
R19030	North City Autos	Screened in – LSE	Urbanisation, recreation and air quality	None

R19033	Pear Tree House	Screened in – LSE	Urbanisation, recreation and air quality	None
R19034	North Circular Industrial Area	Screened in – LSE	Air Quality	None
R19035	Avenue Business Park/Trinity Business Park Industrial Area	Screened in – LSE	Air Quality	None
R19036	The Sidings Industrial Estate	Screened in – LSE	Air Quality	None
R19037	Howard Road Industrial Area	Screened in – LSE	Air Quality	None
R19038	Barrett Road Industrial Area	Screened in – LSE	Air Quality	None
R19039	Highams Park Industrial Estate	Screened in – LSE	Air Quality	None
R19040	Argall Avenue Industrial Area	Screened in – LSE	Air Quality	None
R19041	Rigg Approach Industrial Area	Screened in – LSE	Recreation and air quality	None
R19042	Lammas Road Industrial Area	Screened in – LSE	Recreation and air quality	None
R19043	Orient Way Industrial Area	Screened in - LSE	Recreation and air quality	None
R19045	Lea Bridge Hotel and adjacent sites	Screened in - LSE	Recreation and air quality	None
R19046	Lea Bridge Gasworks	Screened in – LSE	Recreation and air quality	None
R19047	Lea Bridge Station Sites	Screened in – LSE	Recreation and air quality	None
R19048	Auckland Road Industrial Area	Screened in – LSE	Recreation and air quality	None
R19050	Coronation Square	Screened in – LSE	Recreation and air quality	None

R19054	Church Road/Estate Way Industrial Area	Screened in – LSE	Recreation and air quality	None
R19055	Low Hall Depot Industrial Area and adjacent sites	Screened in – LSE	Air Quality	None
R19056	806 High Road Leyton	Screened in – LSE	Recreation and air quality	None
R19057	Leyton Bus Garage	Screened in – LSE	Recreation and air quality	None
R19058	Whipps Cross University Hospital	Screened in – LSE	Urbanisation, recreation and air quality	None
R19059	Joseph Ray Road Industrial Area	Screened in – LSE	Recreation and air quality	None
R19060	Avenue Road Estate	Screened in – LSE	Recreation and air quality	None
R19061	444 High Road Leytonstone	Screened in – LSE	Recreation and air quality	None
R19062	Norlington Road Industrial Area	Screened in – LSE	Recreation and air quality	None
R19063	The Mall	Screened in – LSE	Recreation and air quality	None
R19064	St James Quarter	Screened in – LSE	Recreation and air quality	None
R19065	Osborne Grove	Screened in - LSE	Recreation and air quality	None
R19066	152-154 Blackhorse Road	Screened in – LSE	Recreation and air quality	None
R19067	1 Blackhorse Lane	Screened in – LSE	Recreation and air quality	None
R19068	Blackhorse Yard	Screened in – LSE	Recreation and air quality	None
R19069	Wood Street Families and Homes Hub	Screened in – LSE	Recreation and air quality	None

R19070	Former Homebase, Forest Road	Screened in – LSE	Recreation and air quality	None
R19072	Former Crownlea, Wood Street	Screened in – LSE	Urbanisation, recreation and air quality	None
R19073	Priory Court Estate	Screened in – LSE	Recreation and air quality	None
R19074	60-74 Sewardstone Road	Screened in – LSE	Urbanisation, recreation and air quality	None
R19078	472-510 Larkshall Road, James Yard and Shell Garage	Screened in – LSE	Recreation and air quality	None
R19079	Larkwood Leisure Centre and adjacent sites	Screened in – LSE	Recreation and air quality	None
R19080	Blackhorse Lane Industrial Area	Screened in – LSE	Recreation and air quality	Recreation and urbanisation
R19083	Former Ross Wyld Lodge	Screened in - LSE	Recreation and air quality	None
R19084	Former Texaco Filling Station, Forest Road	Screened in – LSE	Recreation and air quality	None
R19085	Temple Mills Bus Depot	Screened in – LSE	Recreation and air quality	None
R19086	Barclays Bank, Walthamstow and adjacent sites	Screened in – LSE	Recreation and air quality	None
R19087	Whitehouse Farm	Screened in – LSE	Urbanisation, recreation and air quality	None
R19088	Highams Court	Screened in – LSE	Recreation and air quality	None
R19090	82-92 Vallentin Road	Screened in – LSE	Recreation and air quality	None
R19092	Mission Grove Car Park	Screened in – LSE	Recreation and air quality	None
R19093	Courtenay Place	Screened in – LSE	Recreation and air quality	None

R19094	High Street Car Park	Screened in – LSE	Recreation and air quality	None
R19096	Walthamstow Central LU Station Entrance, Selbourne Road	Screened in – LSE	Recreation and air quality	None
R19099	Former Poundland, High Street and adjacent sites	Screened in – LSE	Recreation and air quality	None
R19100	1 Russell Road	Screened in – LSE	Recreation and air quality	None
R19101	The Regal	Screened in – LSE	Recreation and air quality	None
R19102	Central House	Screened in – LSE	Recreation and air quality	None
R19106	Thorpe Coombe Hospital	Screened in – LSE	Recreation and air quality	None
R19107	Aston Grange	Screened in – LSE	Recreation and air quality	None
R19109	Garages at St Davids Court	Screened in – LSE	Recreation and air quality	None
R19110	Hurst Road Medical Centre	Screened in – LSE	Recreation and air quality	None
R19112	Cedar Wood House	Screened in – LSE	Recreation and air quality	None
R19114	Rowden Parade	Screened in – LSE	Recreation and air quality	None
R19115	Willow House and Sterling House	Screened in – LSE	Recreation and air quality	None
R19116	Montague Road Estate	Screened in – LSE	Recreation and air quality	None
R19117	The Brambles	Screened in – LSE	Recreation and air quality	None
R19118	London Academy of Sustainable Construction	Screened in – LSE	Recreation and air quality	None

R19119	Trumpington Road Care Home	Screened in – LSE	Recreation and air quality	None
R19120	489-495 Grove Green Road	Screened in – LSE	Recreation and air quality	None
R19121	Chingford Horticultural Society and adjacent site	Screened in – LSE	Recreation and air quality	None
R19122	Garages at Hungerdown and St Egberts Way	Screened in – LSE	Urbanisation, recreation and air quality	None
R19123	Ridgeway Hotel	Screened in – LSE	Recreation and air quality	None
R19124	KFC, Lea Bridge Road	Screened in – LSE	Recreation and air quality	None
R19125	204-206 High Street and Walthamstow Westbury Road Job Centre	Screened in – LSE	Recreation and air quality	None
R19127	Folly Lane Traveller Site	Screened in – LSE	Recreation and air quality	None
R19128	Hale Brinks North Traveller Site	Screened in – LSE	Urbanisation, recreation and air quality	None
R19126	Hall Lane Industrial Area	Screened in – LSE	Air Quality	None
R19108	Templeton Avenue	Screened in – LSE	Recreation and air quality	None

4.2 Screening Conclusions

As LSEs have been identified on Epping Forest SAC and Lee Valley SPA and Ramsar site resulting from the site allocations in the Local Plan Part 2 Site Allocations Document, it is necessary to proceed to the AA stage of HRA. All proposed allocation sites within the Local Plan Part 2 Site Allocations Document have been screened in for further assessment. The AA is presented in Sections 5 to 8 of this report.

5 Appropriate Assessment: Recreational Pressures

5.1 Introduction

Screening of the Regulation 19 Local Plan Part 2 Site Allocations Document identified that all the proposed site allocations (apart from R19015, R19022, R19034, R19035, R19036, R19037, R19038, R19039, R19055, R19126 because no residential use is proposed) could have a potential LSE on the Epping Forest SAC as they would result in population growth which could increase recreational pressures within this SAC.

Screening of the Regulation 19 Local Plan Part 2 Site Allocations Document also identified that site allocation R19080 Blackhorse Lane SIL3 could result in an LSE from recreational pressures on the Lee Valley SPA and Ramsar as it could result in new residential development within 50m of the SPA and Ramsar site.

5.2 Background

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

- Trampling and wear from pedestrians and cyclists leading to soil compaction/erosion and damage to veteran tree roosts, eutrophication from dog fouling, grazing challenges due to interactions between visitors and livestock, direct damage to veteran trees from climbing, damage to tree saplings effecting recruitment of new trees, harvesting, disturbance to invertebrates and other wildlife. (Please note that potential effects of fires, littering, fly tipping, spread of disease and invasive species have been considered under the issue of 'Urban Effects' in Section 9); and
- Disturbance of the bird species for which the Lee Valley SPA and Ramsar is designated (either by people or cycling).

5.3 Assessment of Effects Alone and In Combination

5.3.1 Epping Forest SAC

Current recreational pressures on the Epping Forest SAC

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

Epping Forest SAC is a popular destination due to its location on the outskirts of London. The forest received 4.2 million visits in 2014¹³ and the City of London Corporation has concerns that high levels of people to the most popular parts of the forest are resulting in damage to vegetation and erosion of soils. Also, Epping Forest is a key mountain biking destination as it is easily accessible by train. Off-road cyclists are creating new tracks as they ride through the woodland and widening existing tracks¹⁴ which is leading to fragmentation, degradation, soil erosion and loss of habitat continuity. Natural England's Site Improvement Plan¹⁵ lists Public Access/Disturbance as a priority issue that is currently impacting on the condition of the SAC.

Formal visitor surveys were undertaken in 2017 and 2019 by Footprint Ecology¹⁶¹⁷ to understand the visitor use of Epping Forest SAC. The surveys identified that 75% of visitors to Epping Forest SAC in 2017 came from within 6.176km of the forest whereas in 2019 this figure was 6.67km (and 6.36km excluding the holiday makers). The zone from which 75% of visitors originate from is considered by Natural England to be the 'Recreational Zone of Influence'¹⁸ and any proposed residential developments within this zone are therefore considered to have a recreational impact on the SAC. Natural England have confirmed that the Epping Forest SAC Recreational Zone of Influence should currently be set at 6.2km¹⁹; this distance encompasses all of the London Borough of Waltham Forest.

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

¹³ Epping Forest Management Plan

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

¹⁴ www.trailforks.com/region/epping-forest/?activitytype=1&z=11.9&lat=51.67006&lon=0.04019

¹⁵ Natural England (December 2014). Site Improvement Plan: Epping Forest.

¹⁶ Liley, D., Panter, C., Weitowitz, D. & Saunders, G. (2018). Epping Forest Visitor Survey, 2017. Unpublished report by Footprint Ecology for the City of London Corporation as Conservators of Epping Forest.

¹⁷ Liley, D., (2019). Epping Forest Visitor Survey (2019). Unpublished report by Footprint Ecology for Epping Forest District Council.

¹⁸ Natural England Interim Advice Note (March 2019). Andrew Smith – Thames Team

¹⁹ Natural England Epping Forest SAC Zone of Influence (June 2020). Letter to Epping Forest District Council. Jamie Melvin – West Anglia Team

Effects of the Site Allocations Document on Epping Forest SAC Alone

Due to the proximity of the Borough of Waltham Forest to the Epping Forest SAC, all of the Site Allocations at which residential development is proposed within the Draft Local Plan Part 2 Site Allocations Document would result in new homes that fall wholly or partly within 3km of the SAC which is within the Inner Zone of Influence. These Site Allocations could help to deliver the borough's identified need of up to 27,000 homes within this inner zone. The population growth associated with these new homes would result in an increase in recreational pressures on the Epping Forest SAC. This SAC is already under pressure from existing high levels of recreational activity and therefore, without mitigation, the additional pressures are predicted to result in an adverse effect on the integrity of the SAC.

Mitigation Recommendations for the Site Allocations Document

As agreed with Natural England through the examination process on Local Plan Part 1, all new residential development comprising 1 or more new homes within the 6.2km Zone of Influence (ZOI) of the boundary of Epping Forest SAC will make a financial contribution to strategic measures as set out in the costed Strategic Access Management Measures (SAMM) provided by the Conservators of Epping Forest²¹. The proposed SAMM, which have been agreed by its members, would include measures to manage recreational pressures by encouraging users to use designated routes/areas away from sensitive parts of the Forest and monitor visitor impacts on SAC features to guide visitor management. As set out in the Local Plan Part 1 HRA Examination Update (October 2022), these costings have been laid out in terms of whole forest SAMM Mitigation Measures, with a 25 year total of £17,121,594 and an in perpetuity total (125 years) of £62,626,158. The Corporation of London considers these mitigation measures to be essential to the protection of Epping Forest SAC.

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

- Traditional Suitable Alternative Natural Greenspace (SANG), meeting the 8ha minimum standard, meeting the guidelines;

²⁰ Natural England Developments to the Strategic Approach relating to the Epping Forest SAC Mitigation Strategy (March 2021). Letter to the Epping Forest SAC Oversight Group. Aidan Lonergan.

²¹ Conservators of Epping Forest (December 2020). Proposed Whole-Forest SAMMS Mitigation Measures.

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

An Epping Forest SAC SANG Strategy has been produced by the London Borough of Waltham Forest to offset recreational effects on the SAC. The SANG Strategy will ensure that SANGs will be delivered alongside housing development in order to mitigate for increased recreational pressures on Epping Forest SAC. The SANG Strategy was prepared in consultation with Natural England and the City of London and was informed by site visits on 20th April 2021 and 5th September 2022, which confirmed potential for SANG delivery through a number of sites within the borough. An agreed strategy was published in September 2022 prior to the Examination in Public of Local Plan Part 1, which was found to be sound, and will be incorporated within a wider Green and Blue Spaces SPD.

The SANG Strategy will provide a package of mitigation measures based on Natural England's 'Toolbox Approach'. The strategy aims to provide a scheme that provides attractive alternative open spaces to Epping Forest SAC. The sites identified are wide ranging in their type and size. Proposals were

drawn up for each site in consultation with Natural England, with peer review from the City of London Corporation and the Lee Valley Regional Park Authority. The following sites were identified to be included within in the strategy as set out in the document published in November 2022:

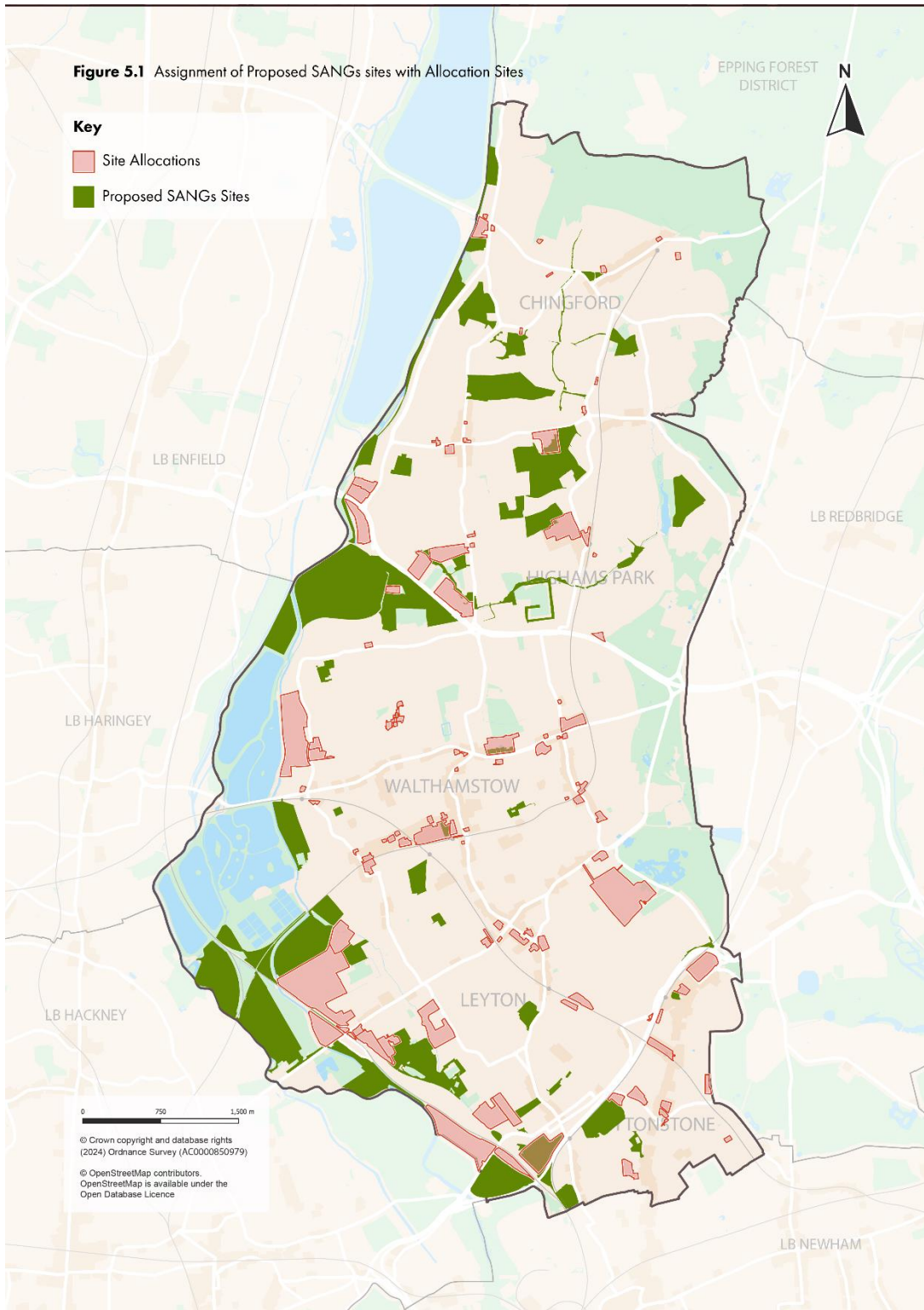
1. Lee Valley Link
2. Sewardstone Paddocks
3. Chingford Rugby Club
4. Mansfield Park
5. Ridgeway Park
6. Policeman's Alley/Organ Lane
7. Chingford Green/St Peter and St Pauls Church
8. Pimp Hall Park
9. Chingford Mount Cemetery
10. Larks Wood
11. The Highams Park
12. River Ching Walk
13. Ainslie Wood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

27. St John the Baptist Churcyard
28. Leyton Cricket Ground and Brewster Park
29. Sidmouth Park and Coronation Garden
30. St Patrick's RC Cemetery (*subsequently removed*)
31. Langthorne Park
32. Drapers Field
33. Leyton Mills Retail Park
34. Eton Manor
35. Leyton Jubilee Park
36. Waterworks
37. Walthamstow/Leyton Marsh Nature Reserve
38. Low Hall Sports Ground
39. Low Hall Farm

Interventions are proposed that would enhance the SANGs to make them more attractive to encourage visitors away from the Epping Forest SAC. Uplift was calculated for each SANG based on an assessment of the proposed interventions and the expected additional number of visitors that will be attracted to the site following the proposed interventions. This has been based on Walthamstow Wetlands visitor data (2022) combined with the technical expertise and extensive experience of LBWF Officers supported by consultation with Natural England.

The SANG Strategy also includes details on costing of the proposed interventions and assurance that sufficient SANG is provided in advance of occupancy of residential developments. Details on the funding mechanism is also be provided for the creation and management of the SANG in perpetuity. Figure 5.1 presents the relationship between the allocation sites and the proposed SANG sites, demonstrating which SANG sites would provide a facility for use by residents of the allocation sites and indicating the proportion of the SANG network assigned to each site allocation.

Policy 81: The Epping Forest and the Epping Forest Special Area of Conservation is a protection policy (refer to Box 2.5) which requires developments to contribute to a mitigation strategy to offset impacts of recreational pressures on the Epping Forest SAC. The policy and associated supporting text sets out the London Borough of Waltham Forest approach and specifically requires developments of 1 or more units to contribute to the provision of SAMMs and SANGs, as set out in the Council's proposed SANG Strategy. Further details on contributions towards SANG and SAMM will be set out in the Green and Blue Spaces SPD.



Additional mitigation measures required for sites which are within 400m of the Epping Forest SAC are identified in Section 7 in relation to localised recreational and urbanisation effects. In these instances, developments would be required to provide a 'SAMM+' contribution in line with Natural England's Toolbox Approach to directly fund a significant project from the City of London's proposed complete solution (refer also to Section 7: Urban Effects). This may reduce the overall requirement strategically and deal with potential acute development issues of development in close proximity to the SAC. See Section 7 for further information.

Assessment of In Combination Effects

The Local Plans of the following authorities would have an in combination increase in recreational pressures to Epping Forest SAC through delivering new housing within the 6.2km Recreational Zone of Influence:

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

All these authorities are included within the Epping Forest SAC Oversight Group and Natural England has provided a framework to enable these authorities to ensure no adverse effects from recreational pressures through implementing Natural England's Emerging Strategic Mitigation Strategy for Epping Forest (dated 6th March 2019).

The Epping Forest District Council (EFDC) Local Plan (Submission Version dated 2017) was found to be not sound by the Inspector during the Examination (report dated 2nd August 2019) and requires major modification. The Inspector required further details on the SANG Strategy before it can be concluded that there would be no adverse effect on the SAC as a result of an

increase in recreational pressures. EFDC has prepared a SANG Strategy within their Green Infrastructure Strategy (April 2021)²². The EFDC SANG Strategy addresses the points raised by the Inspector during the examination. The EFDC SANG Strategy is predicted to offset the recreational pressures on the SAC and provide sufficient certainty to enable the EFDC Local Plan HRA to conclude that there would be no adverse effects on the SAC. The Epping Forest District Council Local Plan was adopted in March 2023.

Following the completion of the Waltham Forest SANG Strategy, along with the EFDC's SANG Strategy and the Waltham Forest LP1 policy wording, it is possible to conclude that **the Waltham Forest Local Plan Part 2 Site Allocations Document will have no adverse effects on the integrity of Epping Forest SAC with regards to recreational pressure when assessed in combination with the EFDC Local Plan.**

²² Epping Forest District Council (April 2021). Green Infrastructure Strategy.

5.3.2 Lee Valley SPA and Ramsar

Current recreational pressures on the Lee Valley SPA and Ramsar

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

The Walthamstow Reservoirs are managed to meet the operational needs of the site's main focus as water supply reservoirs. The 'Walthamstow Wetlands Project' was completed in 2017 and was supported by an HRA to ensure it did not have an adverse effect on the integrity of the SPA/Ramsar²³. The project has enhanced the main public access points into the site and provided new public access routes around parts of the reservoir. An access management system is in place with primary and secondary routes around the site. Seasonally restricted routes also occur which are shut off from the public during sensitive times for the rare birds that use the site. A visitor centre, café and exhibition space are located in the centre of the reservoir complex. Dogs are not permitted within the site at any times and cycling is only permitted on primary routes. Fishing and bird watching, which was previously unrestricted, is controlled by fishing and birdwatching permits which are capped to protect the reservoirs. The site is managed by dedicated wardens.

The access management system's primary requirement is to protect the sensitive bird areas within the SPA/Ramsar from recreational activities. The important bird areas were identified by extensive ornithological surveys, focussing on the shoveler, gadwall and bittern populations that are the designated feature of the SPA/Ramsar. The surveys were undertaken to support the HRA of the project and are updated annually. The results of the post construction bird surveys found that bird distribution was consistent with the pre-construction baseline and the mitigation within the design of the site was effective²⁴.

The number of visitors to the reservoirs in 2018 was estimated to be 70,000 per annum with this number predicted to gradually increase until 2023/24 when visitor numbers are set to plateau at 180,000 per annum²⁵.

²³ BSG Ecology 2014. Part 1: Report to Inform a Habitats Regulations Assessment for the Lee Valley Special Protection Area. Walthamstow Reservoirs – Walthamstow Wetlands Project.

²⁴ www.bsg-ecology.com/portfolio_page/walthamstow-wetlands-ornithological-survey-design-inputs-hra-support Website accessed 5 March 2020

²⁵ Walthamstow Wetlands Project Business Plan cited in BSG Ecology, 2014.

Effects of the Site Allocations Document on Lee Valley SPA and Ramsar

The allocation site R19080 Blackhorse Lane SIL3 could potentially increase the residential population living within 50m of the SPA and Ramsar site and could increase use of the site by the public. The potential effects of this increase in recreational pressure on the SPA/Ramsar features due to visual and/or audible disturbance is discussed below.

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

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

Unauthorised entry to the site through cutting gaps in the perimeter fence could potentially occur as a result of an increase in the population, if the SPA/Ramsar is accessible to residents of the proposed development at R19080 Blackhorse Lane SIL3, adjacent to this European Site. This could result in disturbance to sensitive bird areas. However, the SPA/Ramsar is separated from the site allocation by the Lee Flood Relief Channel and Thames Water security fencing. The site can only be directly approached from the south or from Forest Road. In each case robust security fencing borders the site (tall metal fence with spikes or wooden palisade fence overtopped by strands of barbed wire). It is noted that existing residential development is present within the Blackhorse Lane area and post-construction bird surveys have not recorded any adverse effects on bird distribution. It is therefore concluded that the site is not susceptible to unauthorised access due to proposed development at Blackhorse Lane and no adverse effect on the integrity of the SPA/Ramsar is therefore predicted.

Assessment of In Combination Effects

The access management strategy being implemented at Walthamstow Reservoirs has been specifically designed to ensure there are no impacts on the bird interest within the SPA/Ramsar and this strategy therefore already provides a mechanism to ensure no future adverse effects occur as a result of population growth in the area. Therefore, a neutral effect is predicted on the integrity of the SPA/Ramsar as a result of increased population due to the Local Plan Part 2 Site Allocations Document. No in combination assessment of recreational pressures on the SPA/Ramsar is, therefore, required as no residual adverse effects on the integrity of the

conservation objections of this European Site is predicted as a result of the Local Plan Part 2 Site Allocations Document. The access management scheme within the SPA/Ramsar is also considered to be sufficiently robust to account for population increases from other plans or projects.

5.4 Conclusion

5.4.1 Epping Forest SAC

Epping Forest SAC is currently subject to high levels of recreational pressures which are causing damage to the habitats and erosion of soils within the site²⁶. Visitor surveys of Epping Forest have found that the entire borough falls within the 6.2km Recreational Zone of Influence. The Local Plan Part 2 Site Allocations Document would result in 27,000 new homes within the Zone of Influence which is predicted to have an adverse effect on the integrity of the SAC due to increased recreational pressures.

The Strategic Mitigation Strategy for the Epping Forest SAC provides a framework which enables the adverse effects on the SAC to be mitigated. The requirement to implement this mitigation framework is included within 'Policy 81: The Epping Forest and Epping Forest Special Area of Conservation' of the adopted Local Plan Part 1. It can therefore be concluded that there is no risk of adverse effects on the integrity of Epping Forest SAC as a result of recreational pressure arising from the Local Plan Part 2 Site Allocations Document.

Following the completion of the Waltham Forest SANG Strategy, along with the EFDC's SANG Strategy and the Waltham Forest LP1 policy wording, it is possible to conclude that **the Waltham Forest Local Plan Part 2 Site Allocations Document will have no adverse effects on the integrity of Epping Forest SAC with regards to recreational pressure when assessed in combination with the EFDC Local Plan.**

²⁶ Natural England (December 2014). Site Improvement Plan: Epping Forest.

5.4.2 Lee Valley SPA and Ramsar

The access management strategy being implemented at Walthamstow Reservoirs has been specifically designed to ensure there are no impacts on the bird interest within the SPA/Ramsar. This strategy already provides a mechanism to ensure no future adverse effects occur as a result of population growth adjacent the SPA/Ramsar. Therefore, **no adverse residual effects on the integrity of the Lee Valley SPA /Ramsar are predicted** as a result of recreational pressures due to the Local Plan Part 2 Site Allocations Document either alone or in combination.

6 Appropriate Assessment: Increased traffic on air quality

6.1 Introduction

Screening of the Local Plan Part 2 Site Allocations Document identified that all the proposed site allocations could increase traffic and therefore air pollution and result in an LSE on the Epping Forest SAC.

Screening of the Local Plan Part 2 Site Allocations Document did not identify an LSE on the Lee Valley SPA and Ramsar in relation to air quality. Although roads occur within 200m of Walthamstow Reservoir SSSI, which is a component of the Lee Valley SPA and Ramsar, they are sealed reservoirs that are designated for the bird interest which rely on freshwater habitats. Freshwater habitats are typically not susceptible to atmospheric pollution from road traffic (refer to Appendix 3 for further information). This SPA and Ramsar is therefore not considered further in this topic section.

6.2 Background

The Local Plan Part 2 Site Allocations Document could potentially cause an adverse effect on the European sites identified above if traffic (and therefore emissions to air) were to increase within the borough or beyond the borough boundary for trips to access employment or other facilities such as cultural or retail. This could result in an increase in nitrogen deposition, which could have a direct or indirect effect on habitats sensitive to additional nitrogen. Direct effects arise when a pollutant is dispersed in the air and taken up by vegetation causing an adverse impact on plant health. Indirect effects occur when the pollutant settles onto the ground causing eutrophication or acidification of the soil. These effects can lead to changes in species composition due to encroachment of plants that favour higher nitrogen levels.

Natural England advises that European Sites falling within 200m of the edge of a road affected by a plan or project need to be considered further²⁷ ²⁸(this does not mean that there is not the possibility of impacts due to increasing emissions from diffuse sources).

²⁷ Bignal, K., Ashmore, M. & Power, S. 2004. The ecological effects of diffuse air pollution from road transport. English Nature Research Report No. 580, Peterborough.

²⁸ Ricarda-Aea, 2016. The ecological effects of air pollution from road transport: an updated review. Natural England Commissioned Report no.199.

6.3 Assessment of Effects Alone and In-combination

An Air Quality Study was prepared by Kairus air quality consultants in support of the HRA, dated 8 April 2021 and updated in March 2022. The Air Quality Study (hereafter referred to as 'AQS1') was based on detailed dispersion modelling to predict the impacts on airborne nitrogen oxides ('NOx'), ammonia ('NH3'), nutrient nitrogen deposition ('N-dep') and acid deposition ('acid-dep') at Epping Forest SAC. The assessment used traffic data provided by AWP transport consultants, which were derived from Transport for London's London Highway Assignment Model scenarios for 2016, 2021, 2026, 2031 and 2041. AQS1 provided impacts in-terms of the LBWF LP1 in combination with forecast growth across the region. It concluded: *"The assessment of emissions associated with traffic generated by the draft Local Plan has shown that in terms of airborne NH3, nutrient nitrogen and acid deposition the impacts cannot be classed as insignificant. Given the sensitivity of the habitats found within Epping Forest SAC to nutrient nitrogen and acid deposition it is recommended that an AQMS is developed and implemented prior to approval of the Local Plan."*

However, upon review it was recognised that this study relied on London-wide data and traffic modelling, and the contribution of the Local Plan alone could not therefore be determined. Since then, the LBWF Transport and Planning Policy teams have undertaken a Trip Generation and Distribution Assessment of the proposed development sites included within the LP2. The purpose of this assessment is to assess specifically the impact of the proposed development on the local highway network and to inform a further air quality assessment in relation to Epping Forest SAC, using different traffic data which relates more specifically to the growth proposed within the Local Plan. This work and subsequent analysis has been reported within Waltham Forest Local Plan Draft Air Quality Study 2 (AQS2), WSP, September 2022.

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

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

The approach has been to determine vehicle trip generation and distribution for each site allocation, without and with the LP, to determine the expected net changes in AADT on roads

within 200m of the Epping Forest SAC. The changes have been determined with full LP implementation ('the LP scenario'), and for each year between 2022 and 2038. The trip generation exercise has assumed the following:

Residential

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

Retail

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

Industrial

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

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

Discussions were held with Natural England on 1 August 2022 and 8 September 2022 and as a result, the changes in AADT were considered against an indicative threshold of 50 AADT, which has previously been adopted by the Natural England Thames Solent area team when considering the impacts of local plans alone and the subsequent need to consider in-combination effects. The rationale is that any increases in traffic below this threshold would result in increases in NO_x, H₃,

N-dep and acid-dep levels that are too small to be of consequence in-terms of sensitive ecological features.

The results of the trip generation exercise for the LP scenario are included in the WSP AQS2 (September 2022) report. This shows, for each strategic location, the changes in AADT flows that are predicted with the LP scenario compared to the situation without the LP. The results for the LP scenario demonstrate overall reduction in trips.

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

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

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

The AQS2 undertaken by WSP draws the following conclusions:

- There will be an overall net reduction in traffic within the borough as a result of the LP1 policies and LP2 allocations;
- The Local Plan will bring about reductions in traffic compared to the situation without the plan on all roads within 200m of EFSAC except the A121 High Road within the EFDC area, where an increase of four AADT is predicted with full plan implementation in 2038. This minor change is well within the daily variation in traffic flow that could occur on this road;
- Any increase in AADT is well below the 50 AADT threshold of change that is typically applied by the Natural England Thames Solent team when considering the impacts of Local Plans alone and the subsequent need to consider in-combination effects. Any increases in NOx, NH3, N-dep and acid-dep due to the WLBWF LP 'alone' will be imperceptible; and
- This study (AQS2) demonstrates that an AQMS is not required.

6.4 Conclusions

On the basis of the AQS2 undertaken by WSP, it is possible to conclude that the growth proposed in Local Plan Part 1 and Local Plan Part 2 will not result in any residual increase in traffic or associated air pollution on roads within 200m of the Epping Forest SAC. As there will be no effect at all of the plan alone, it is therefore possible to conclude that there will be **no adverse effect on the Epping Forest SAC from air pollution as a result of the Waltham Forest LP1 policies and no further in combination assessment is therefore necessary.**

7 Appropriate Assessment: Urban Effects

7.1 Introduction

A variety of 'urban effects' can result in adverse impacts on European sites. Those considered in particular in this section are given below:

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

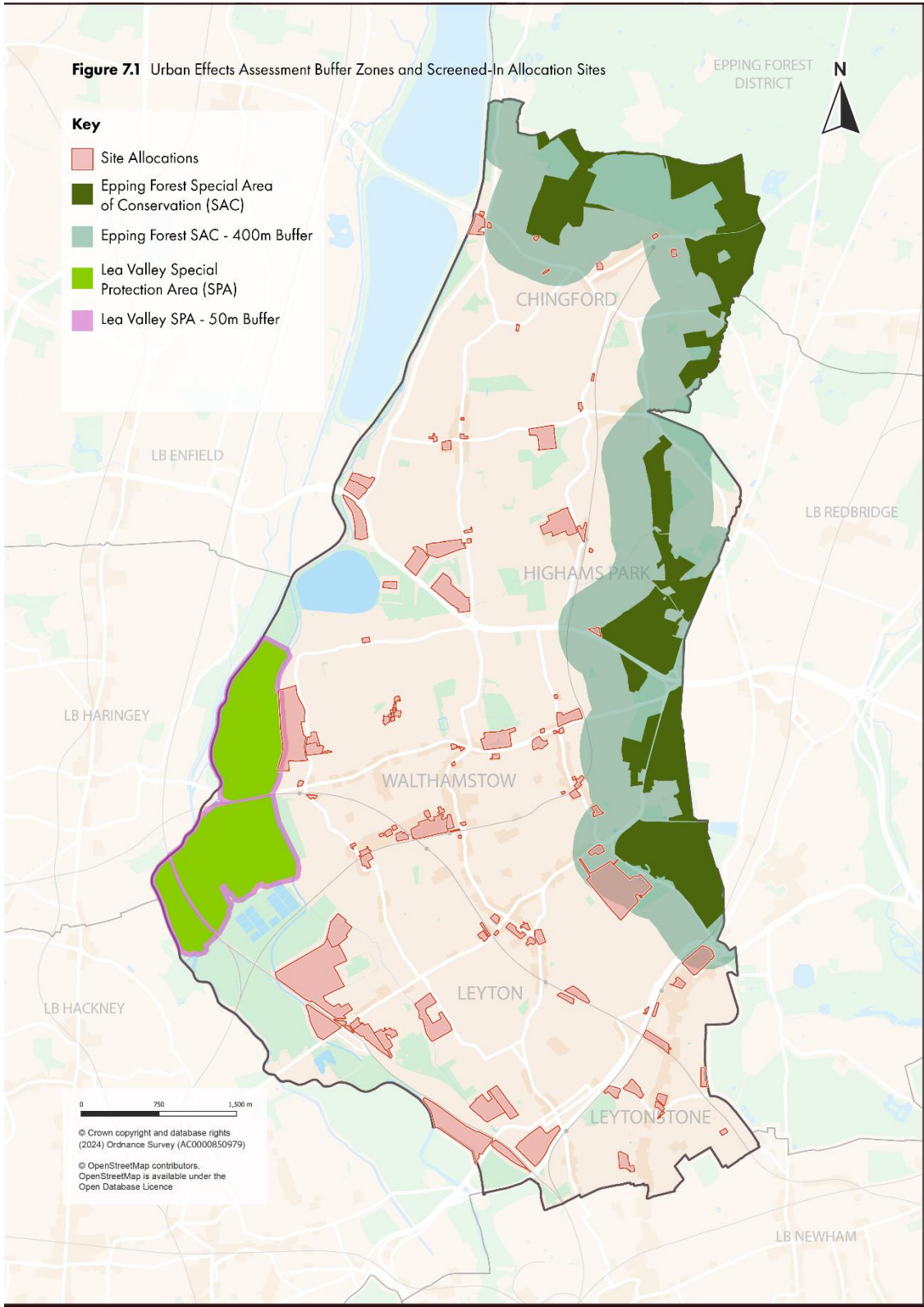
Screening of the Local Plan Part 2 Site Allocations Document has identified that the following sites could result in an LSE from urban effects on the Epping Forest SAC as they are located within 400m of the SAC boundary:

- South Waltham Forest: R19006, R19008 and R19058;
- Central Waltham Forest: R19017 and R19072; and
- North Waltham Forest: R19027, R19074, R19087, R19122, R19029, R19030, R19033, R19128

Screening of the Local Plan Part 2 Site Allocations Document has also identified that the following site could result in an LSE on the Lee Valley SPA and Ramsar as it is located within 50m of this site:

- R19080 Blackhorse Lane SIL 3

The screened-in allocation sites are shown on Figure 7.1.



7.2 Background

This sub-section gives an outline of the evidence regarding each urban effect outlined in Section 7.1 followed by a summary of the effects of relevance to each European Site in sub-section 7.3:

The localised effects of recreational pressures including the effect of dogs on the Lee Valley SPA/Ramsar and Epping Forest SAC are considered in Section 5: Recreational Pressures. However, it is noted that urban effects and localised recreational pressures are intrinsically linked. Site allocations within 400m of the Epping Forest SAC would result in more regular visits from new residents, as well as potential new bike jumps, den building sites and camps being created in the SAC. This could result in proliferation of access points into the SAC and further soil compaction and vegetation removal. A discussion of measures which mitigate for urban effects and localised recreational pressures have therefore been included within this section where appropriate.

7.2.1 Cat predation

Cat predation is considered to be a potential issue for the wintering birds within the Lee Valley SPA/Ramsar as birds are particularly vulnerable to predation. Studies have shown that on average cats roam up to 400m although they can occasionally roam further²⁹. 400m from the proposed development is considered to be the zone where adverse effects from cat predation could occur.

7.2.2 Localised effects from construction

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

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

²⁹ Barratt, D.G. (1997). Home range size, habitat utilisation and movement patterns of suburban and far cats *Felix catus*. *Ecography* 20 271-280.

7.2.3 Fires

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

Studies have been undertaken on the cause of fires^{30 31}, although much of this is based on research on the lowland heathland in the Dorset Heaths. The principle causes of 'wild' fires are: deliberate fire-setting; camp fires/barbeques; planned fires that have got out of control (e.g. planned moorland management fires).

There is some evidence that a significant proportion of deliberate fire setting is by school-aged children. The Kirby & Tantram research showed that where more than 15% of the surrounding area (taken to be a 500m buffer around the designated site) was developed the numbers of unplanned fires increased; below this threshold the incidence of fires was close to zero.

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

Fly-tipping and littering including garden waste are likely to be more prevalent when the urban area is within 400m of the SPA/SAC boundary (Liley, 2004; Liley, 2005; Underhill-Day, 2005). A study of Yateley Common to Castle Bottom SSSI (Liley, 2004) found that garden waste dumping was concentrated around the developed edges of the SSSI/SPA. Dumping of garden waste also increases the spread of invasive non-native species and diseases within a SAC/SPA i.e. rhododendron can be a host to the *Phytophthora* pathogen which is a threat to beech trees³². Release of unwanted pets and fish is also likely to be more prevalent from urban areas close to a SAC/SPA.

³⁰ J. C. Underhill-Day, (2005) 'A literature review of urban effects on lowland heaths and their wildlife', English Nature Research Reports, Number 623

³¹ J.S. Kirby & D.A.S Tantram (1999) 'Monitoring heathland fires in Dorset: Phase 1' Report to Department of the Environment, Transport and the Regions: Wildlife and Countryside Directorate

³² https://consult.cityoflondon.gov.uk/consult.ti/EF_Management_Plan_1/viewCompoundDoc?docid=6709076&sessionId=&voteid=&partId=6711220

7.3 Assessment of effects alone and in-combination

7.3.1 Epping Forest SAC

Effects of the Site Allocations Document

No adverse effects on the SAC are predicted from dust deposition during construction or an increase in cat population as a result of the Local Plan Part 2 Site Allocations Document for the following reasons:

- Construction of developments within the borough would follow guidance set out in the Mayor of London's 'The Control of Dust and Emissions During Construction and Demolition Supplementary Planning Guidance.' This guidance ensures that appropriate dust control measures are implemented on construction sites. Adverse effects on the SAC as a result of dust deposition is therefore unlikely; and
- Cats are not predicted to have an effect on the stag beetle population which is one of the reasons for the SAC designation. The heavily urban context of the boundary between the SAC and the borough means that an existing domestic cat population is already likely to occur within Epping Forest. The potential increase in cat population resulting from the Local Plan Part 2 Site Allocations Document is not expected to have an adverse effect on the integrity of the stag beetle population within the SAC.

The management of fly-tipping and litter and its associated risk of introduction of non-native species and disease through garden waste is identified as an issue for Epping Forest SAC by the City of London Corporation. Collection and disposal of fly-tipping waste and litter costs over £250,000 a year. Also, substantial fires have previously occurred within Epping Forest SAC³³. Although the City of London Corporation employs staff to deal with litter/fly-tipping and an Emergency Plan is in place which covers fires, these issues are having a drain on limited resources.

Notwithstanding this, research has shown that fly-tipping, litter and fire risk are more likely to occur adjacent to a European Site, with adverse effects increasing nearer to the SAC. Movement barriers may be present between the proposed development and the SAC (i.e. busy roads), which may limit access to the SAC. All the Site Allocations within 400m of the SAC (as listed in Section 7.1 above) are assessed in further detail in the below table:

³³ <https://www.bbc.co.uk/news/uk-england-london-23382771> website accessed 5 March 2020

Table 7.1: Assessment of Site Allocations within 400m of the Epping Forest SAC			
Site Allocation Number	Approx. distance to SAC at its closest point	Number of proposed new homes	Unmitigated Potential Effects
South Waltham Forest			
R19006 Territorial Army Centre,	100m	129 homes	Site separated from SAC by roads, however, pedestrian road crossing points occur on Whipps Cross Rd enabling pedestrian access to the SAC. Development could therefore result in an increased risk of littering and possible fire damage to the SAC. No risk of littering from garden waste due to separation between site and SAC. Overall, this site is predicted to result in an adverse effect on the integrity of the SAC due to urbanisation
R19058 Whipps Cross University Hospital	60m	1500 homes	Development would result in approximately 1500 new dwellings. Pedestrian access to the SAC would be via the pedestrian crossing across Whipps Cross Rd. Dwellings would be within accommodation blocks and gardens are therefore likely to be communal and maintained by a management company. The development is also separated by a main road and depositing garden waste within the SAC is therefore unlikely. 1500 dwellings proposed and therefore this development would result in a significant increase in population which could increase littering and fire risk within the SAC. This site is predicted to result in an adverse effect on the integrity of the SAC due to urbanisation.
R19008 Tesco Leystone	160m	1100 homes	Site is separated from the SAC by roads, however, pedestrian road crossing points occur between the site and the SAC enabling pedestrian access. Development could therefore result in an increased risk of littering and possible fire damage to the SAC. There is no risk of littering from garden waste due to separation between the site and the SAC. Overall, this site is predicted to result in an adverse effect on the integrity of the SAC due to urbanisation.

Central Waltham Forest			
R19072 Former Crown Lea,	260m	104 homes	Pedestrian access between the site and the SAC via Wood St and pedestrian crossing across the A104. Development could therefore result in an increased risk of littering and possible fire damage to the SAC. No risk of littering from garden waste due to separation between the site and the SAC. Overall, this site is predicted to result in an adverse effect on the integrity of the SAC due to urbanisation
R19017 Wood Street Station and Travis Perkins,	398m	54 new homes	Site is on the cusp of the 400m zone. The site is separated by the rail line and several roads and can only be accessed indirectly via road/walkway under wood street station. No risk of urbanisation therefore predicted from this site.
North Waltham Forest			
R19027 Motorpoint	390m	293 homes	Site is just under 400m from the SAC; however, it has good pedestrian access to the SAC via Kings Head Hill Rd and Holly Drive. The development could therefore result in an increased risk of littering and possible fire damage to the features of the SAC. There is considered to be no risk of littering from garden waste due to distance between site and SAC. Overall, this site is predicted to result in an adverse effect on the integrity of the SAC due to urbanisation
R19074 60-74 Sewardstone Rd	335m	41 homes	Site has good pedestrian access to the SAC via Kings Head Hill Rd and Holly Drive. The development could therefore result in an increased risk of littering and possible fire damage to the features of the SAC. There is considered to be no risk of littering from garden waste due to the distance between the site and the SAC. Overall, this site is predicted to result in an adverse effect on the integrity of the SAC due to urbanisation

R19029 Chingford Library and Assembly Hall	395m	30 homes	Site is just under 400m from the SAC; however, it has good pedestrian access to the SAC via Mornington Rd. The development could therefore result in an increased risk of littering and possible fire damage to the features of the SAC. There is considered to be no risk of littering from garden waste due to distance between the site and the SAC. Overall, this site is predicted to result in an adverse effect on the integrity of the SAC due to urbanisation
R19030 North City Autos, Chingford	235m	14 homes	Site has pedestrian access to the SAC via Ranger's Rd. The development could therefore result in an increased risk of littering and possible fire damage to the features of the SAC. There is considered to be no risk of littering from garden waste due to distance between site and SAC. Overall, this site is predicted to result in an adverse effect on the integrity of the SAC due to urbanisation.
R19033 Pear Tree House	120m	18 homes	Site has good pedestrian access to the SAC via Gordon Rd and Forest Avenue. The development could therefore result in an increased risk of littering and possible fire damage to the features of the SAC. There is considered to be no risk of littering from garden waste due to distance between site and SAC. Overall, this site is predicted to result in an adverse effect on the integrity of the SAC due to urbanisation
R19087 Whitehouse Farm	0m	21 homes	Site has pedestrian access via Hawksmouth immediately north of the site. There is potential for littering and garden waste to be discarded into the SAC from within the site. The development could result in an increased risk of littering and possible fire damage to the features of the SAC. Overall, this site is predicted to result in an adverse effect on the integrity of the SAC due to urbanisation
R19122 Garages at Hungerdown and St Egberts Way	260m	6 homes	Pedestrian access between the site and the SAC via Kings Head Hill. Development could therefore result in an increased risk of littering and possible fire damage to the SAC. No risk of littering from garden waste due to separation between the site and the SAC. Overall, this site is predicted to result in an adverse effect on the integrity of the SAC due to urbanisation.

R19128 Hale Brinks North Traveller Site	0m	Gypsy/ Traveller Pitches	Site has pedestrian access to the north of the site. There is potential for littering and garden waste to be discarded into the SAC from within the site. The development could result in an increased risk of littering and possible fire damage to the features of the SAC Overall, this site is predicted to result in an adverse effect on the integrity of the SAC due to urbanization.
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Mitigation is included in the section below which also discusses whether there are additional risks relating to recreation pressure that may need to be considered over and above the measures outlined in Section 5.

Mitigation Recommendations

Strategic level mitigation

Adverse effects on the Epping Forest SAC have been identified as a result of site allocations which occur within 400m of the SAC: R19006, R19008, R19017, R19027, R19029, R19030, R19033, R19058, R19072, R19074, R19087, R19122, R19128. In order to mitigate for these adverse urban effects, a 'SAMM+' contribution in line with Natural England's 'Toolbox Approach' would be required by each site to directly fund 'a significant project from the City of London's proposed complete solution to deal with potential acute development issues in close proximity to the SAC'.

A costed whole-forest SAMM strategy has been produced by Conservators of London (refer to Section 5) with a more detailed SAMM+ strategy (LUC 2020)³⁴. This SAMM+ strategy sets out costed measures for reducing urban effects (which includes localised recreational pressures) in the busiest areas in the forest, which includes Chingford Plain and Leyton Flats.

Mitigation measures detailed within the SAMM+ strategy to reduce urban effects/recreational pressures in these two areas are outlined in Table 7.2 below. Each site allocation would be required to contribute towards this SAMM+ strategy to ensure funding for these measures is provided in-perpetuity.

Site level mitigation

A bespoke SAMM package has been agreed for Whipps Cross through the existing consent, in agreement with Natural England. The site allocation should include specific reference to the implementation of that SAMM package.

Where site allocations about Epping Forest, such as R19087 Whitehouse Farm, development will be required to incorporate a 15m minimum deep non-amenity green space screening between the site and Epping Forest.

³⁴ LUC (September 2020). Epping Forest SAC Mitigation Report.

Table 7.2. SAMM+ Mitigation Measures for Epping Forest SAC to reduce Urban Effects (LUC, 2020)	
Site Allocations	Mitigation Measures
Chingford Plain	
R19027, R19074, R19087, R19122, R19029, R19030, R19033	<p>Establish Bury Lane car park as a primary car park for the site as it is outside of the SAC, it has considerable capacity and is currently under-used. Improve signage and surfacing to this car park.</p> <p>Provide bins suitable for the disposal of dog waste.</p> <p>Wayfinding and signage provided to encourage circular routes around Chingford Plain but outside the SAC, with routes demarcated by unsurfaced mown paths only.</p> <p>Provide a gravel path from the Bury Road to Connaught Water, to provide a clear link suitable for less mobile users and hence provide a suitable alternative to using the smaller and limited capacity car park at Connaught Water.</p> <p>Repair of damage from desire lines along current desire line. Measures to include decompaction of existing path and encouragement of the growth of longer acid grass.</p> <p>Sealed surface path joining Connaught Water to the visitor centre and QE Hunting Lodge to replace the wide and muddy desire line.</p> <p>Informal recreation area promoted behind QE lodge and Butler's Retreat for kite flying, dog walking, as well as woodland play area to ensure Butlers Lodge and QE Hunting Lodge continue to act as a primary hub for visitors to Epping Forest.</p> <p>Events promoted in the areas of Chingford Plain adjacent to Bury Lane Car Park, and only in areas outside of the SAC land.</p> <p>Improved entrance, cycle hire and café hub at Bury Road/Rangers Road junction. These should include toilet facilities to allow visitors to use the car park as a base for exploring the area to the west.</p> <p>Improved signage to and from Chingford Town Centre for pedestrian and public transport connections, Modify provision of car parking at and around Barn Hoppitt car park. Prevent the use of SAC area as an overflow car park.</p> <p>Circular route signposted to Warren Pond.</p> <p>Provide a circular route around Chingford Golf Course signposted from Bury Lane car park to relieve recreational pressure from the eastern section of Chingford Plain. Ensure that paths are well signed with information to help avoid conflicts between walkers and golfers.</p> <p>Landscape improvements, Lay hard surface outside the Butler's Retreat and Visitor Centre to improve the seating area and provide a coordinated access point to Connaught Water and to the Bury Road car park.</p> <p>Provision of a Ranger service liaison with visitors, to run the dog liaison, golf course and cyclist liaison groups and oversee specialist habitat maintenance and restoration.</p>

Table 7.2. SAMM+ Mitigation Measures for Epping Forest SAC to reduce Urban Effects (LUC, 2020)

Site Allocations	Mitigation Measures
<p>Leyton Flat</p> <p>R19008, R19006, R19058, R19072, R19128</p>	<p>Fire defense lines (routes clear of woody vegetation) to provide access for fire trucks and to provide a defensible area to help prevent a spread of fire from Leyton Flats to adjacent housing. These lines also provide a preferred pedestrian route around the SAC acid grassland and will be waymarked accordingly.</p> <p>Measures to reduce erosion of acid grassland, a key feature of the SSSI and habitat which is characteristic of Leyton Flats. The area is also included as part of the dry heath areas of Epping Forest, a qualifying habitat of the SAC.</p> <p>Amenity grassland area maintained close to the car park and Hollow Pond only. Low key barriers may be necessary in the short term to confine recreational use (especially the exercising of dogs) to this area.</p> <p>Signage installed to educate visitors about why the acid grassland needs to be protected to attempt to deter visitors from crossing the sensitive area.</p> <p>Improvements to already established entry and exit points to Leyton Flats. This should include improved litter / dog waste disposal, parking and vehicle management, consistent interpretation, wayfinding and signage, consideration of sightlines.</p> <p>Significant entrance improvements associated with the Whipps Cross 'Mini- Holland' scheme and access to Cow Pond.</p> <p>Subject to further scoping and impact assessment, there may be an option to provide a new interpretation facility, boat hire facility, refreshments and toilets close to the main car park (outside SAC).</p> <p>Circular, surfaced trail, with boardwalks where necessary (with appropriate measures to protect ancient trees) promoted around Hollow Lake to provide pedestrian route for visitors and deter activity from more sensitive areas such as the acid grassland habitat.</p> <p>Edges of the existing Hollow Pond and Eagle Pond naturalised and re-graded in key areas to improve wetland habitats.</p> <p>Existing wet woodland habitat managed to diversify woodland types and improve habitats for wildlife associated with standing water.</p> <p>Glade creation, clearance and wood-pasture restoration to improve growing conditions for ancient trees. Glades created alongside footpaths for improved edge habitat and to make the path feel safer and to deter antisocial activity. Retain older trees for their landscape and ecological value.</p> <p>Access enhanced and promoted to non-SAC land to the south of Leyton Flats adjacent to the hospital, in order to decrease visitor pressure on the SAC. Enhancements could include creating more open areas, benches, dog bins, Provision of a Ranger service for liaison with visitors, to help run the dog liaison and Whipps Cross hospital site liaison groups and oversee specialist habitat and restoration.</p>

Each site allocation would be required to contribute towards this SAMM+ strategy to ensure funding for these measures is provided in-perpetuity. This strategy provides a suitable mechanism to protect the SAC from urban effects when used in-conjunction with the project-level mitigation outlined below.

Policy 93: Waste Management within Local Plan (Part 1) is a protection policy that would result in a reduction of waste production and subsequent disposal. It also ensures that all new development includes sufficient waste and recycling facilities. In addition, the Waste and Recycling Guidance for Developers (Waltham Forest 2020)³⁵ includes the requirements for new developments to dispose of redundant bulk household goods, such as refrigerators, furniture and cookers, which will also be addressed within the forthcoming Exemplar Design Supplementary Planning Document (SPD). This policy and development guidance documents provides a mechanism to reduce waste and reduce fly-tipping within Epping Forest SAC.

Project level mitigation

Policy 81: The Epping Forest and Epping Forest Special Area of Conservation within LP1 is a protection policy (refer to Box 2.5). Part D of this policy requires planning applications for developments and allocations within the agreed buffer distance of the Epping Forest SAC (400m) to demonstrate through project level HRA that the development will not generate adverse urban effects on the integrity of the SAC.

Project-level HRA should provide project specific details on how adverse urban effects on the SAC would be mitigated. The following wording has been put forward for inclusion in the 'Site Requirements' for site allocations R19006, R19008, R19017, R19027, R19029, R19030, R19033, R19058, R19072, R19074, R19087, R19122, and R19128 as these are all located within 400m of the Epping Forest SAC; that, in order to secure planning permission, development proposals will be expected to:

- Provide a development design that focuses on ensuring the proposed buildings, landscaping and infrastructure layout maximise on site green spaces and minimise access to Epping Forest SAC.;
- Undertake a project level Habitats Regulations Assessment (HRA) setting out details of the proposed measures that would mitigate for urban effects to ensure no adverse impact on the Epping Forest Special Area of Conservation (SAC); and
- Implement waste management measures for the site in accordance with the borough's Waste and Recycling Guidance for Developments strategy and the Exemplar Design Supplementary Planning Document (SPD), or any updates to these documents.

³⁵ [https://www.walthamforest.gov.uk/sites/default/files/Waste%20 %20Recycling%20-%20Guidance%20for%20Developers.pdf](https://www.walthamforest.gov.uk/sites/default/files/Waste%20%20Recycling%20-%20Guidance%20for%20Developers.pdf) website accessed 18 October 2021

In addition the following text has been put forward for inclusion in the introductory chapters of the Site Allocation Document (LP2):

“A Habitats Regulations Assessment (HRA) has been undertaken on the Local Plan (Parts 1 and 2) in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and in consultation with Natural England and the City of London, Conservators of Epping Forest. As part of the concluded Strategic Mitigation for Epping Forest, mitigation measures are proposed. The first is that all residential development within 400m of the Special Area of Conservation (SAC) and all development of one or more dwellings within 6.2km of the SAC is required to make a financial contribution to strategic measures as set out in the costed Strategic Access Management Measures (SAMM) provided by the Conservators of Epping Forest. The second mitigation approach is to identify and deliver alongside housing development sufficient, high quality and attractive Suitable Alternative Natural Greenspaces (SANGs) as part of the borough’s SANG Strategy in order to mitigate for increased recreational pressures on Epping Forest SAC.

The HRA has identified that developments within 400m of the Epping Forest Special SAC boundary pose a particular risk to the integrity of the SAC and will therefore need to do more in relation to mitigating potential adverse urban effects arising from development. Potential urban effects need to be dealt with on a site by site basis and specific mitigation put forward for consideration. Policy wording is included in Local Plan Part 1 and Local Plan Part 2 to ensure that urban effects are addressed at the detailed design stage. The HRA assessment has identified the types of mitigation which are suitable for incorporation into detailed design at the project stage in order to ensure that measures are secured to eliminate adverse effects on the SAC. As well as mitigating potential effects on site, there are projects in the SAMM strategy which allocations could also specifically contribute to.”

Policy wording therefore ensures that urban effects are addressed at the detailed design stage and that measures are possible that can be secured at project level to eliminate adverse effects on the Epping Forest SAC.

Assessment of In Combination Effects

Epping Forest SAC is also located partly within the London Borough of Redbridge and Epping Forest District. The Redbridge Local Plan (adopted March 2018) aims to provide 17,237 new homes across the borough. The HRA of this Local Plan states that an estimated 53 units would be located within the Epping Forest SAC zone of influence for urban effects (defined as 400m within the Redbridge HRA). The EFDC Local Plan 2011-2033 (adopted March 2023) makes provision for a minimum of 11,400 new homes. The HRA of this Local Plan found that 3,310 new homes would be located within 400m of the SAC.

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

The London Borough of Enfield is approximately 350m to the west of Epping Forest SAC. The Enfield Local Plan is being prepared which is likely to result in new homes across the borough; however, King George Reservoir lies on the eastern edge of this borough and therefore it is not possible for development to be located within 400m of the SAC and no in combination urban effects from this Local Plan are therefore predicted.

7.3.2 Lee Valley SPA and Ramsar

Effects of the Local Plan Part 2 Site Allocations Document

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

- Cats are not predicted to have an effect on the SPA and Ramsar feature as the likelihood of a cat regularly preying gadwall, shoveler or bittern is very remote. For example, if the housing development is a block of flats, it may be that residents are less likely to own cats;
- Fire risk within the SPA/Ramsar is considered to be low as the majority of the habitats within the site are aquatic;
- Invasive species release and spread of disease into the SPA/Ramsar through fly-tipping of garden waste and release of fish is considered to be unlikely as the reservoir is surrounded by security fencing and none of the sites within the Local Plan Part 2 Site Allocations Document would result in gardens backing on to the site. Also, Policy 95: Waste Management would result in a reduction of waste production and subsequent disposal;
- Visual disturbance of birds is unlikely as the reservoirs are already screened from surrounding land as they have high retaining banks and marginal vegetation; and
- Construction of developments within the borough would follow guidance set out in the Mayor of London's 'The Control of Dust and Emissions During Construction and Demolition Supplementary Planning Guidance. This guidance ensures that appropriate dust control measures are implemented on construction sites. Adverse effects on the

SPA/Ramsar as a result of dust deposition is therefore unlikely.

The LP2 could result in an urban effect from noise generated by the construction of developments near to the SPA/Ramsar. A 3-year study of wetland birds at the Stour and Orwell SPA³⁶ found that the birds reacted most to relatively infrequent events, such as gun shots and aircraft noise. Birds seemed to habituate to frequent 'benign' events such as vehicles, sailing and horses, but there was evidence that apparent habituation to more disruptive events related to reduced bird numbers as birds appeared to avoid the most frequently disturbed areas.

R19080 Blackhorse Lane SIL 3 would result in commercial development approximately 35m from the Lee Valley SPA and Ramsar which could increase noise levels within this European Site during construction. The birds within the SPA and Ramsar are likely to have become habituated to a degree of background noises as the area is surrounded by urban development with busy roads. Nonetheless, increased noise levels within the site during the sensitive winter period, particularly during construction, could disturb the designated bird species within the SPA/Ramsar. Therefore, a risk of an adverse effect on the integrity of the Lee Valley SPA/Ramsar cannot be ruled out at this stage due to potential urban effects from site R19080. All remaining site allocations are over 50m from the SPA/Ramsar are not predicted to have an urban effect on this European Site due to distance.

Mitigation

Policy 82 Part C: The Lee Valley Regional Park within LP1 states that 'Planning applications for development at Blackhorse Lane will need to be accompanied by a project level HRA to ensure the development will not generate adverse urban effects on the integrity of the Lee Valley SPA and Ramsar'. This would provide an appropriate mechanism to protect the Lee Valley SPA/Ramsar from adverse urban effects potentially generated by allocation R19080 as appropriate constructions measures would need to be included as part of the project-level HRA to demonstrate how no adverse effects would be achieved at the detailed design stage.

Assessment of In Combination Effects

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

³⁶ Ravenscroft, N. (2005) Pilot study into disturbance of waders and wildfowl on the Stour-Orwell SPA: analysis of 2004/05 data. Report to Suffolk Coast & Heaths Unit.

7.4 Conclusions

7.4.1 Epping Forest SAC

Epping Forest SAC is currently subject to urban effects primarily from fly-tipping and litter but also from fires. The Local Plan Part 2 Site Allocations Document would result in new homes located within 400m of the SAC.

Provided that the mitigation recommendations detailed in Section 7.3.1 of this report are implemented within the Local Plan Part 2 Site Allocations Document then it can be concluded that the **Local Plan Part 2 Site Allocations Document would not result in adverse urban effects on the integrity of Epping Forest SAC either alone or in-combination.**

7.4.2 Lee Valley SPA and Ramsar

The assessment of urban effects of the Local Plan Part 2 Site Allocations Document has found that there would be no adverse effects on the Lee Valley SPA and Ramsar as a result of cat predation, localised effects of construction, fires and fly-tipping/litter. It can therefore be concluded that there are **no adverse residual effects on the integrity of the Lee Valley SPA /Ramsar as a result of urban effects due to the Local Plan Part 2 Site Allocations Document either alone or in combination.**

8 Summary, Mitigation and Conclusions

8.1 Screening Results

HRA screening of the Local Plan Part 2 Site Allocations Document (2024) policies identified a number of LSEs in relation to the following:

- Potential LSE on the Epping Forest SAC and the Lee Valley SPA/Ramsar due to increased recreational pressures;
- Potential LSE on the Epping Forest SAC through an increase in traffic and therefore air pollution; and
- Potential LSE on the Epping Forest SAC and Lee Valley SPA/Ramsar from 'urban effects'.

8.2 Appropriate Assessment

The AA stage of HRA has been undertaken to evaluate the potential for the 'screened in' sites within the Local Plan Part 2 Site Allocations Document to result in adverse effects on the European sites as listed above.

8.2.1 Epping Forest SAC

With the mitigation in place within the LP1 and the supporting SANG Strategy (incorporated into a Green and Blue Spaces SPD) it will be possible to conclude that the Waltham Forest Local Plan Part 2 Site Allocations Document will not result in adverse effects on the integrity of Epping Forest SAC in relation to recreational pressures when the Plan is assessed on its own or in combination with growth in neighbouring areas.

On the basis of the AQS2 undertaken by WSP, it is possible to conclude that the growth proposed in Local Plan Part 1 and Local Plan Part 2 will not result in any residual increase in traffic or associated air pollution on roads within 200m of the Epping Forest SAC. As there will be no effect at all of the plan alone, it is therefore possible to conclude that there will be no adverse effect on the Epping Forest SAC from air pollution as a result of the Waltham Forest Local Plan policies and no further in combination assessment is therefore necessary.

It was concluded that the following site allocations could have an adverse effect on the Epping Forest SAC as they would result in development occurring within 400m of the SAC (urban effects):

- South Waltham Forest: R19006, R19008 and R19058;
- Central Waltham Forest: R19017 and R19072; and
- North Waltham Forest: R19027, R19074, R19087, R19122, R19029, R19030, R19033, R19128

8.2.2 Lee Valley SPA and Ramsar

The AA is able to conclude that the Local Plan Part 2 Site Allocations Document will not result in adverse effects on the Lee Valley SPA and the Lee Valley Ramsar site in relation to recreational pressures and urban effects, both alone and in combination with growth in neighbouring areas.

8.3 Mitigation Recommendations

8.3.1 Epping Forest SAC

Recreational Pressures

The requirement to implement a mitigation framework to offset the recreational impacts of the Local Plan Part 2 Site Allocations Document is included within 'Policy 83: The Epping Forest and Epping Forest Special Area of Conservation' of the adopted Local Plan Part 1. No further mitigation recommendations are therefore put forward.

Urban Effects

The following wording has been put forward for inclusion in the 'Development Guidelines' for site allocations R19006, R19008 and R19058, R19017, R19072, R19027, R19074, R19087, R19122, R19029, R19030, R19033, R19128 as these are all located within 400m of the Epping Forest SAC; that in order to secure planning permission, development proposals will be expected to:

- Provide a development design that focuses on ensuring the proposed buildings, landscaping and infrastructure layout maximise on site green spaces and minimise access to Epping Forest SAC;
- Undertake a project level Habitats Regulations Assessment (HRA) setting out details of the proposed measures that would mitigate for urban effects to ensure no adverse impact on the Epping Forest Special Area of Conservation (SAC); and
- Implement waste management measures for the site in accordance with the borough's Waste and Recycling Guidance for Developments strategy and the Exemplar Design Supplementary Planning Document (SPD), or any updates to these documents.

In addition the following text has been put forward for inclusion in the introductory chapters of the Site Allocation Document (LP2):

"A Habitats Regulations Assessment (HRA) has been undertaken on the Local Plan (Parts 1 and 2) in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and in consultation with Natural England and the City of London, Conservators of Epping Forest. As part of the concluded Strategic Mitigation for Epping Forest, mitigation measures are proposed. The first is that all residential development within 400m of the Special Area of Conservation (SAC) and all development of one or more dwellings within 6.2km of the SAC is required to make a financial contribution to strategic measures as set

out in the costed Strategic Access Management Measures (SAMM) provided by the Conservators of Epping Forest. The second mitigation approach is to identify and deliver alongside housing development sufficient, high quality and attractive Suitable Alternative Natural Greenspaces (SANGs) as part of the borough's SANG Strategy in order to mitigate for increased recreational pressures on Epping Forest SAC.

The HRA has identified that developments within 400m of the Epping Forest Special SAC boundary pose a particular risk to the integrity of the SAC and will therefore need to do more in relation to mitigating potential adverse urban effects arising from development. Potential urban effects need to be dealt with on a site by site basis and specific mitigation put forward for consideration. Policy wording is included in Local Plan Part 1 and Local Plan Part 2 to ensure that urban effects are addressed at the detailed design stage. The HRA assessment has identified the types of mitigation which are suitable for incorporation into detailed design at the project stage in order to ensure that measures are secured to eliminate adverse effects on the SAC. As well as mitigating potential effects on site, there are projects in the SAMM strategy which allocations could also specifically contribute to.”

8.4 Overall Conclusions of the HRA

With the suggested mitigation in place within the Regulation 19 Local Plan Part 2 Site Allocations Document and the supporting SANG Strategy (incorporated into a Green and Blue Spaces SPD) it will be possible to conclude that **the Waltham Forest Local Plan Part 2 Site Allocations Document will not result in adverse effects on the integrity of Epping Forest SAC in relation to recreational pressures, air quality and urban effects when the Plan is assessed on its own or in combination with growth in neighbouring areas.**

The AA was able to conclude that **the Local Plan Part 2 Site Allocations Document will not result in adverse effects on the Lee Valley SPA and the Lee Valley Ramsar site, both alone and in combination with growth in neighbouring areas.**

9 Next Steps

This HRA Report is being published in support of consultation on the Proposed Submission Version (Regulation 19) of Local Plan Part 2 (Site Allocations), and the Council will continue to engage with statutory bodies, including Natural England.

Following consultation on the Regulation 19 Local Plan Part 2 Site Allocations Document, the Plan will be submitted to the Planning Inspectorate, acting on behalf of the Secretary of State, for examination in public.

Appendix 1 – Information about European Sites

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

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

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

Table A1.1: Epping Forest SAC	
Name	Epping Forest SAC UK0012720
Location with regards to plan area	The majority of the site occurs to the north of the plan area with the southern part of the site extending into the north and east of the plan area: approximately 3.25 km ² of the site is within the plan area itself.
Reason(s) for designation:	
<p>ANNEX I</p> <p>Primary</p> <ul style="list-style-type: none"> • 9120 Atlantic acidophilous beech forests with <i>Ilex</i> and sometimes also <i>Taxus</i> in the shrub layer (<i>Quercion robori-petraeae</i> or <i>Ilicic-Fagenion</i>) <p>Non Primary</p> <ul style="list-style-type: none"> • 4010 Northern Atlantic wet heaths with <i>Erica tetralix</i> • 4030 European dry heaths <p>ANNEX II species – Primary</p> <ul style="list-style-type: none"> • 1083 Stag beetle <i>Lucanus cervus</i> 	
Component SSSI sites	<ul style="list-style-type: none"> • Epping Forest SSSI
Conservation objectives	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species; • The structure and function (including typical species) of qualifying natural habitats; • The structure and function of the habitats of qualifying species; • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely; • The populations of qualifying species, and, • The distribution of qualifying species within the site.³⁷

³⁷ Natural England 27 November 2018 – version 3.

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

Table A1.1: Epping Forest SAC

Vulnerability and current conditions

Deteriorating air quality and under-grazing are the two key pressures that currently affect the site. While recreational pressure is a considerable impact in some areas, these are localised; however, funding of management on the SAC is governed largely by donation and contributions from the Corporation of London and it is likely that the ability to adequately manage recreation on the SAC will come under increasing pressure as the population of northeast London, Epping Forest and east Hertfordshire increases.

Within the London Borough of Waltham Forest, only one SSSI management unit that underpin the SAC is in favourable condition – some are considered to be recovering from unfavourable status, but others are showing no improvement or are declining. In all cases, poor air quality is cited in the most recent condition assessment process (2010) as a primary factor for this condition. There are localised concerns over recreational pressure, but the condition assessment reports state that the site would be able to withstand this in a more robust manner were it not for the stress imposed by atmospheric pollutants. Under-grazing is also reported as a factor affecting condition in the majority of the management units.

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

- Air pollution - ensure no further increase in atmospheric nitrogen deposition, and measures are implemented to control, reduce and ameliorate nitrogen impacts;
- Undergrazing - Maintain appropriate grazing levels;
- Recreational pressure - manage recreational activity within the site;
- Changes in species distribution - Maintain extent and distribution of beech trees by managing beech tree health and beech sapling recruitment;
- Hydrological changes - maintain hydrological conditions within the site;
- Water pollution - ensure water pollutants do not enter the site from surface water run-off from adjacent roads;
- Invasive species - ensure invasive species do not spread i.e. heather beetle and grey squirrel; and
- Disease - ensure disease does not spread within the site i.e. *Phytophthora* ³⁸

³⁸ Adapted from Site improvement plan – Epping Forest SAC (Natural England, 2016).
<http://publications.naturalengland.org.uk/publication/6663446854631424>

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

Table A1.2: Lee Valley SPA

<ul style="list-style-type: none"> Gadwall <i>Anas strepera</i>, 445 individuals, representing an average of 2.6% of the GB population (5 year peak mean 1998/9- 2002/3) 	
<p>Component SSSI sites</p>	<ul style="list-style-type: none"> Walthamstow Reservoirs SSSI Amwell Quarry SSSI Rye Meads SSSI Turnford and Cheshunt Pits SSSI
<p>Conservation objectives for the SPA</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:</p> <ul style="list-style-type: none"> The extent and distribution of the habitats of the qualifying features; The structure and function of the habitats of the qualifying features; The supporting processes on which the habitats of the qualifying features rely; The population of each of the qualifying features, and The distribution of the qualifying features within the site.³⁹
<p>Vulnerability and current condition</p> <p>The Information Sheet on Ramsar Wetlands⁴⁰, states that ‘the whole site supports high levels of visitor pressure; principally for purposes of angling, walking, cycling and birdwatching; with boating on the adjacent canal. These activities are mostly well regulated and at current levels are not considered to threaten the interest’.</p> <p>During the most recent condition assessment of the SSSI units that underpin the SPA/Ramsar site (2014), the Walthamstow reservoirs were listed as recovering from unfavourable condition. The assessment noted that ‘Wintering cormorant, tufted duck and shoveler counts, and breeding pochard and tufted duck numbers, were all assessed as favourable against the baseline data. Breeding heron numbers continue to fail the minimum threshold, but this is not considered to be a result of detrimental site management. The underlying causes are being investigated.’</p> <p>There is also a potential problem from over-extraction of surface water for public supply, particularly during periods of drought.</p>	

³⁹Natural England 21 February 2019 - version 3.

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

⁴⁰ <http://jncc.defra.gov.uk/pdf/RIS/UK11034.pdf>

Table A1.2: Lee Valley SPA

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

- Water pollution - ensure water pollutants do not enter the site and nutrient enrichment is limited;
- Hydrological changes - maintain hydrological conditions within the site with consistent freshwater flows and volumes;
- Recreational pressure - manage recreational activities in sensitive locations;
- Inappropriate scrub control - maintain appropriate scrub management;
- Fisheries - maintain appropriate fish species and population levels to ensure suitable food and water quality is maintained for designated features;
- Invasive species - ensure invasive species do not spread, particularly *Azolla* and invasive aquatic blanket weeds;
- Inappropriate cutting/mowing - maintain appropriate cutting/mowing regime for reedbed; and
- Air pollution - ensure no further increase in atmospheric nitrogen deposition.⁴¹

⁴¹ Adapted from Site Improvement Plan – Lee Valley SPA (Natural England, 2014)
<http://publications.naturalengland.org.uk/publication/5864999960444928>