

Waltham Forest Local Development Scheme

2024 - 2027

Adopted 2024



Contents

1. Executive Summary	5
Introduction	6
Requirement for a Local Development Scheme	6
Purpose of the Local Development Scheme	6
Existing Planning Policy Framework in Waltham Forest	7
2. Superseded Development Plan and Supporting Documents	7
The Development Plan Documents	7
3. The Waltham Forest Local Plan	8
The London Plan	8
North London Waste Plan	9
Neighbourhood Plans	9
London Legacy Development Corporation (LLDC)	9
Other documents	10
Supplementary Planning Documents	10
Authority Monitoring Reports	10
Sustainability Appraisal	11
The Equality Impact Assessment	12
4. Forthcoming Planning Policy Documents	14
Local Plan 2 (LP2)	14
Supplementary Planning Documents	14
5. Programme for 2024-2027	16
The Plan Making Process	17
Local Plans	17
Supplementary Planning Documents	17
6 Changes to the Planning Policy Framework	19
National Planning Policy Framework (2023)	19
Levelling Up and Regeneration Act (2023)	21
Impact on Waltham Forest LDS	22
7. Project Management, Risk Assessment and Monitoring Resources	22
Risk Assessment Table	24
Monitoring and Review	26

1. Executive Summary

- 1.1 The Local Development Scheme (LDS) is a public statement setting out the Council's project plan for preparing development plan documents. It sets out the scope and programme for the preparation of these documents and establishes the framework for delivering the spatial planning strategy for the borough.
- 1.2 Following recent monitoring of the scheme, it has become necessary to update the programme to cover the next 3 years (from 2024-2027) to ensure that the Council has an appropriate development plan framework in place that reflects national and London Plan policy requirements.
- 1.3 The 2024-2027 LDS sets out the timeframe for the preparation and likely adoption of the following documents:

Local Plan 2 Site Allocations (LP2) – adopt 2025

Exemplar Design SPD – adopt 2025

Green Spaces and Places SPD – adopt 2025

Industrial Intensification SPD – adopt 2025

Developer Contributions SPD – adopt 2025

Retrofit, Residential Extensions and Alterations SPD – adopt
Autumn/Winter 2024

Leyton Mills SPD – adopt Summer/Autumn 2024

- 1.4 LP2 will become part of the suite of Development Plan Documents (DPD). DPDs are statutory development plans, examined and found sound by a Planning Inspector. The SPDs will become part of the local planning framework that will support the DPD.
- 1.5 The London Borough of Waltham Forest Development Plan Documents consists of:
 - a) Local Plan 1 (LP1) - adopted February 2024
 - b) The Policies Map - adopted February 2024
 - c) The London Plan - adopted 2021
 - d) The North London Waste Plan – adopted March 2022
 - e) The National Planning Policy Framework - revised December 2023
- 1.6 The local planning framework documents consist of:
 - a) Supplementary Planning Documents
 - b) Sustainability Appraisal
 - c) Authority Monitoring Report
 - d) Equalities Impact Assessment

Introduction

Requirement for a Local Development Scheme

- 2.1** The Council is required by section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) to prepare and maintain a Local Development Scheme (LDS). The LDS must be revised when the Council considers it appropriate to do so (section 15(8)).
- 2.2 The LDS must specify —
- (a) The local development documents which are to be development plan documents;
 - (b) the subject matter and geographical area to which each development plan document is to relate;
 - (c) which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
 - (d) any matter or area in respect of which the authority has agreed (or propose to agree) to the constitution of a joint committee under section 29; and
 - (e) the timetable for the preparation and revision of the development plan documents.
- 2.3 There are no statutory consultation requirements necessary for the preparation of a LDS. A resolution of Full Council is required in order to bring a LDS into effect (section 15(7)) and that resolution must specify the date from which the scheme is to have effect. The Secretary of State or the Mayor of London has the power to direct the Council to make such amendments to the LDS as they think appropriate for the purpose of ensuring full and effective coverage (both geographically and with regard to subject matter) of the authority's area by the development plan documents (taken as a whole) for that area.

Purpose of the Local Development Scheme

- 2.4 The Waltham Forest LDS has the following purposes:
- a) To establish and reflect the Council's priorities and enable work programmes to be set for the preparation of Development Plan Documents;
 - b) To provide a brief description of the Development Plan Documents to be prepared and the content and geographic area to which they relate;
 - c) To set out the planned timetable for preparing each Development Plan Document and the key milestones to be achieved; and
 - d) To provide an explanation of how progress against the Local Development Scheme will be monitored.

- 2.5 This document is a revision to the Local Development Scheme for Waltham Forest adopted in March 2023. It sets out the Development Plan Documents (DPDs) the Council intends to prepare over the next 3 years and their timetable for production.
- 2.6 This document sets out the timetable for the following emerging documents:
- Waltham Forest Local Plan (Site Allocations) LP2
 - Supplementary Planning Documents
- 2.7 Progress on the LDS will be reviewed as part of the Council's annual monitoring process (the Authority Monitoring Report) and in the light of further advice or regulations received from the Government.

Existing Planning Policy

3. Framework in Waltham Forest

- 3.1 The Government sets out national planning policy in the National Planning Policy Framework (NPPF, 2023) and the accompanying National Planning Practice Guidance (NPPG). There are also other national strategies and guidance that the Council needs to follow. The Local Plan must have regard to these policies and guidance and implement them taking account of local circumstances.

Superseded Development Plan and Supporting Documents

- 3.2 The following documents have been superseded and therefore no longer form part of the Development Plan Documents or supporting documents:
- Core Strategy (2012)
 - Development Management Policies DPD (2013)
 - Blackhorse Lane (adopted January 2015)
 - Walthamstow Town Centre (adopted October 2014).

The Development Plan Documents

- 3.3 The following documents make up the Waltham Forest Development Plan and consist of regional, local and neighbourhood planning policies. These have

development plan status and have been subject to independent examination carried out by a Planning Inspector.

The Waltham Forest Local Plan

3.4 This sets out the spatial and planning policy framework to promote, shape and manage growth in the Waltham Forest over a 15 year timescale (2020-2035). It aims to go as far as possible to meet the evidenced need for new homes in the borough, whilst also:

- Securing high quality design;
- Protecting and enhancing the character of local areas;
- Providing new and improved green spaces and public realm;
- Responding to the climate emergency;
- Improving air quality;
- Reducing surface water flood risk;
- Creating safer places and reducing fear of crime;
- Maximizing the number of local jobs and employment space; and
- Delivering community infrastructure, including health facilities, public transportation improvements, facilities for young people, and new cultural amenities.

3.5 Local Plan 1 (LP1) was adopted on the 29th February 2024. It brings together the new strategic and non-strategic planning policies into one document. It will be used as the key document for decision making on planning applications.

3.6 Paragraph 33 of the NPPF (2023) states 'policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.

The London Plan

3.7 The London Plan is part of the development plan for Waltham Forest. It provides the strategic, London-wide context within which all London Boroughs must set their detailed local planning policies. Accordingly, policies in the Local Plan need to be in general conformity with the London Plan. A new London was adopted in March 2021.

North London Waste Plan

- 3.8 The Council worked in cooperation with the North London Boroughs of Hackney, Enfield, Haringey, Barnet, Camden and Islington to prepare a Joint Waste Plan Document for North London which was adopted in March 2022. This will set out the planning framework for waste management in North London until 2036.

Neighbourhood Plans

- 3.9 Under the Localism Act, community organisations 'have power to draw up plans for their area that are in conformity with the Local Plan'. In July 2014, the Council designated the Highams Park Planning Group as the Neighbourhood Forum with responsibility for preparing a Neighbourhood Plan for Highams Park. The Highams Park Neighbourhood Plan was adopted in May 2020. Currently, this is the only designated neighbourhood forum in the borough and the only adopted Neighbourhood Plan.
- 3.10 Going forward, it is expected that additional community groups may come forward with a desire to prepare such plans for local areas. The Council has a legal duty to support neighbourhood planning projects as and when they come forward.
- 3.11 Key stages for the production of Neighbourhood Plans, and how the Council intends to assist community groups in preparing such plans, are set out in the Council's Statement of Community Involvement (Adopted December 2018).

London Legacy Development Corporation (LLDC)

- 3.12 The Leyton Mills neighbourhood area is wholly within the London Borough of Waltham Forest. However, the area which includes Eton Manor and Temple Mills currently falls within the administrative area of the London Legacy Development Corporation (LLDC) who act as Local Planning Authority within a specific area that spans the London Boroughs of Hackney, Newham, Tower Hamlets and Waltham Forest and was established in 2012 to deliver the Olympic Games Legacy. The LLDC's own adopted Local Plan and associated supplementary planning guidance are the relevant Plan and guidance within the LLDC area. On December 1st 2024, the LLDC will transfer its planning powers back to the four Growth Boroughs of Hackney, Newham, Tower Hamlets and Waltham Forest and will cease to be the local planning authority but continue in its role as Mayoral Development Corporation within a reduced

area. Beyond that time, the LLDC Local Plan and its associated adopted supplementary planning guidance will continue to have planning weight.

- 3.13 London Legacy Development Corporation (LLDC) is currently the relevant Local Planning Authority for Eton Manor and Temple Mills sites. Under current legislative arrangements this remains the case until those areas falling within LLDC's jurisdiction revert to LBWF at the end of 2024.

Other documents

- 3.14 The following documents do not form part of the Development Plan Documents suite but act to support the creation and implementation of the DPD, through thematic or area specific guidance, monitoring and appraisal of the sustainability and equality implications of the DPD.

Supplementary Planning Documents

- 3.15 Supplementary Planning Documents can cover a wide range of issues and provide detailed guidance to supplement the policies in a Development Plan Document. They are a material consideration in determining planning applications. Details of the SPDs the Council currently intends to produce are set out in section 4 of this document.
- 3.16 Key stages for the production of SPDs, and how the Council intends to involve the community and relevant stakeholders, are set out in the Council's Statement of Community Involvement (Adopted December 2018). The following sets out the SPDs to be produced and the spatial extent of their focus:
- **Exemplar Design SPD** – Borough wide
 - **Green Spaces and Places SPD** – Borough wide
 - **Industrial Intensification SPD** – Industrial sites (including Locally Significant Industrial Sites and Strategic Industrial Sites)
 - **Developer Contributions SPD** – Borough wide
 - **Retrofit, Residential Extensions and Alterations SPD** – Borough wide
 - **Leyton Mills SPD** – Leyton Mills neighbourhood which relates to the section of land in the northernmost section of the Queen Elizabeth Olympic Park, which is sandwiched between the A12, the Eastway and a wide railway line.

Authority Monitoring Reports

- 3.17 The Council is also required to produce an Authority Monitoring Report (AMR).

The purpose of the AMR is to assess the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being achieved.

- 3.18 During the 3-year period of this LDS, it is intended to publish AMR documents periodically on key topic matters.

Sustainability Appraisal

- 3.19 The Planning and Compulsory Purchase Act 2004 requires Development Plan Documents to be subject to a Sustainability Appraisal, which incorporates the requirements of the Strategic Environmental Assessment (SEA) Directive. These are tools that ensure that policies in Development Plan Documents promote sustainable development and take into account the effects of development on the environment.

- 3.20 Accordingly, the process of preparing documents needs to:

- (a) Identify sustainability issues and problems;
- (b) Collect base-line monitoring information;
- (c) Predict significant effects more thoroughly;
- (d) Secure greater consultation with the public and environmental authorities;
- (e) Address and monitor the significant effects of the plan.

- 3.21 As part of the process, the Council must:

- Prepare a sustainability report on the significant effects of options and the draft plan;
- Carry out consultation on the draft plan and accompanying sustainability report;
- Take into account the sustainability report and the results of consultation in decision-making;
- Provide information when the plan is adopted and show how the results of the sustainability appraisal and SEA have been taken into account.

- 3.22 To achieve this, a scoping report was produced in 2017 (published for consultation July - August 2017 and finalised September 2017). This set out issues, indicators and objectives providing the framework for testing the sustainability credentials of LP1 (strategic and development management policies) and LP2 (site allocations). Following this, a Sustainability Appraisal for the Regulation 18 Version of the Local Plan (LP1 and LP2) was produced in Autumn 2019. A Sustainability Appraisal was then prepared for the Regulation 19 version of LP1 in October 2020.

- 3.23 Further to this a Sustainability Appraisal Report Addendum for LP1 was published in September 2022.

- 3.24 Development Plan Documents are also subject to Appropriate Assessment

(under the amended Habitats Regulations) to ensure proposals do not harm sites of international conservation value. A Habitats Regulations Assessment (HRA) was prepared in Autumn 2020, with a further document being produced for Spring 2021. However, to mitigate Air Quality and Recreation Impact Pressures identified in the Epping Forest SAC, further assessment was required at various stages to ensure that proposals coming forward in the Local Plan do not adversely affect the current condition of the Forest.

- 3.25 This ensures that all Development Plan Documents are based on a thorough understanding of the borough's needs and of the opportunities and constraints affecting it. In assembling an evidence base, the Council will look to previous research in the borough as well as to new work and will draw on inputs from local organisations and stakeholders. The list of evidence-based projects undertaken and currently in progress are as follows:
- 3.26 Evidence base documents are published on the [Council's Local Plan Evidence Base webpage](https://www.walthamforest.gov.uk/planning-and-building-control/planning-policy/local-plan/evidence-base) (<https://www.walthamforest.gov.uk/planning-and-building-control/planning-policy/local-plan/evidence-base>) . This list will be updated as and when new information becomes available.

The Equality Impact Assessment

- 3.27 An Equality Impact Assessment (EqIA) is an evidence-based approach to ensure that proposal policies, practices, and decision-making processes are fair and do not present barriers to participation or disadvantage for protected groups.
- 3.28 EqIA analyses the policies/proposals included in the Development Plan Documents to assess their effects on people with protected characteristics covered by the Equality Act 2010. There are three aims of the Equality Act, these are:
- (a) Eliminate unlawful discrimination, harassment, victimisation, and any other conduct prohibited by the act.
 - (b) Advance equality of opportunity, between people who share protected characteristics and those who don't.
 - (c) Foster good relations, between people who share a protected characteristic and people who do not share it.
- 3.29 A judgment has to be made as to how each of the policies and proposals would impact positively or negatively on the identified groups. Protected characteristics include age, sex, religion/belief, race, gender reassignment, sexual orientation, pregnancy and maternity and disability. This assessment also considers marriage/civil partnership and lower income communities as separate groups. As background the Equality Act 2010 identified the following:

- a) Age: this refers to persons defined by either a particular age or a range of ages;
- b) Sex/Gender: this refers to a man or to a woman or a group of people of the same sex, while gender refers to the wider social roles and relationships that structure men's and women's, boys' and girls' lives;
- c) Ethnicity/Race: Refers to protected characteristics of race as encompassing colour, nationality (including citizenship) and ethnic or national origins;
- d) Religion or belief: religion means any religion a person follows. Belief means any religious or philosophical belief, and includes those people who have no formal religion or belief;
- e) Disability: a disabled person is defined as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities;
- f) Sexual orientation: a person's sexual orientation relates to their emotional, physical and/or sexual attraction and the expression of that attraction.
- g) Pregnancy and maternity: pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth;
- h) Gender reassignment: this refers to people who are proposing to undergo, are undergoing, or have undergone a process for the purpose of reassigning their gender identity;
- i) Marriage and civil partnership: marriage can be between a man and a woman or between two people of the same sex. Same-sex couples can also have a civil partnership. Civil partners must not be treated less favorably than married couples.
- j) Lower income communities: Communities with individuals living in a household with a) an income below 60% of the median household income in the year, b) high crime and violence rates, and c) an inadequate school system.

3.30 Local authorities are required by legislation to undertake an Equality Impact Assessment (EqIA) when reviewing or developing new policies and strategies. Each of the documents set out above will have a bespoke EqIA completed, which will consider their impact on groups with protected characteristics.

- 3.31 The approach undertaken in the EqlA will draw on guidance for the appraisal of equality impacts produced by the Equality and Human Rights Commission (EHRC).
- 3.32 Place and Design and Strategic Area Regeneration are working with the Strategy and Change team to review the Council's current EqlA process and revise the EqlA template/form. The aims and objectives of this review are:
- Testing accessibility of the tool with Digital colleagues to ensure best practice;
 - Agreeing and testing a draft template on upcoming SPDs and Regeneration projects;
 - Ensuring we have up-to-date data to aid completion of the EqlA (linking to the Intelligence Hub on the intranet); and
 - Sighting Portfolio Leads on completion of EqlA and building this into the sign-off process for scrutiny/Cabinet reports to avoid a tick-box approach.

4. Forthcoming Planning Policy Documents

Local Plan 2 (LP2)

- 4.1 LP2 is a Site Allocations document. It complements the spatial vision and planning policies set out in LP1 by allocating specific sites for redevelopment to meet the Borough's needs and setting clear expectations around design quality.
- 4.2 A draft LP2 document (Regulation 18) was consulted on between September 2020 and December 2020. A pre-submission (Regulation 19) version of this document was consulted on between November 2021 and January 2022. Given the time that has passed, and the new and updated evidence prepared to support LP1 as part of the Examination of that document, an additional Regulation 19 consultation on LP2 will held.
- 4.3 This further round of statutory public consultation (known as "Preferred Submission Version" or Regulation 19 consultation) on LP2 is planned for Summer/Autumn 2024. This will be treated as a continuation of the previous consultation and comments made on both consultations will be submitted together to the Secretary of State for Examination of LP2 in late 2024/25.

Supplementary Planning Documents

- 4.4 Supplementary Planning Documents (SPDs) give further explanation of Local Plan policies where this is needed. A draft SPD is issued for public consultation before it is finalised and adopted. The preparation of SPDs is a more streamlined process than for Local Plans. SPDs are not subject to independent examination. The suite of six SPDs the Council is preparing covers a range of themes that apply borough wide and area specifically. The SPDs are being prepared with a focus on usability in order to promote and help enact planning for good, inclusive growth of exemplar design quality.

Programme for 2024-2027

<i>LP2 Programme</i>						
Document	Initial Consultation (Regulation 18)	Draft Plan - Preferred Options (Regulation 18)	Draft Local Plan – Publication Version (Regulation 19)	Submission to Planning Inspectorate (Regulation 22)	Examination (Regulations 23-25)	Adoption (Regulation 26)
Waltham Forest Local Plan Site Allocations Document (LP2)	Early Engagement (Pre-production stage) - Spring 2020 Consultation on Draft Site Allocations Document (Regulation 18) - Summer/Autumn 2020		Consultation – Summer/Autumn 2024 Submission to SoS – Autumn/Winter 2024	2024/2025	2025	2025

<i>SPD Programme</i>			
Document	Informal Consultation	Statutory/Formal Consultation	Cabinet and Adoption
Green Spaces and Places SPD	Summer 2023	Winter 2024/25	2025
Industrial Intensification SPD	Summer 2023	Winter 2024/25	2025
Developer Contributions SPD	Summer 2023	Winter 2024/25	2025
Exemplar Design SPD	Summer 2023	Winter 2024/25	2025
Retrofit, Residential Extensions and Alterations SPD	Summer 2023	Autumn 2024	Autumn/Winter 2024
Leyton Mills SPD	Summer 2023	March 2024	June 2024

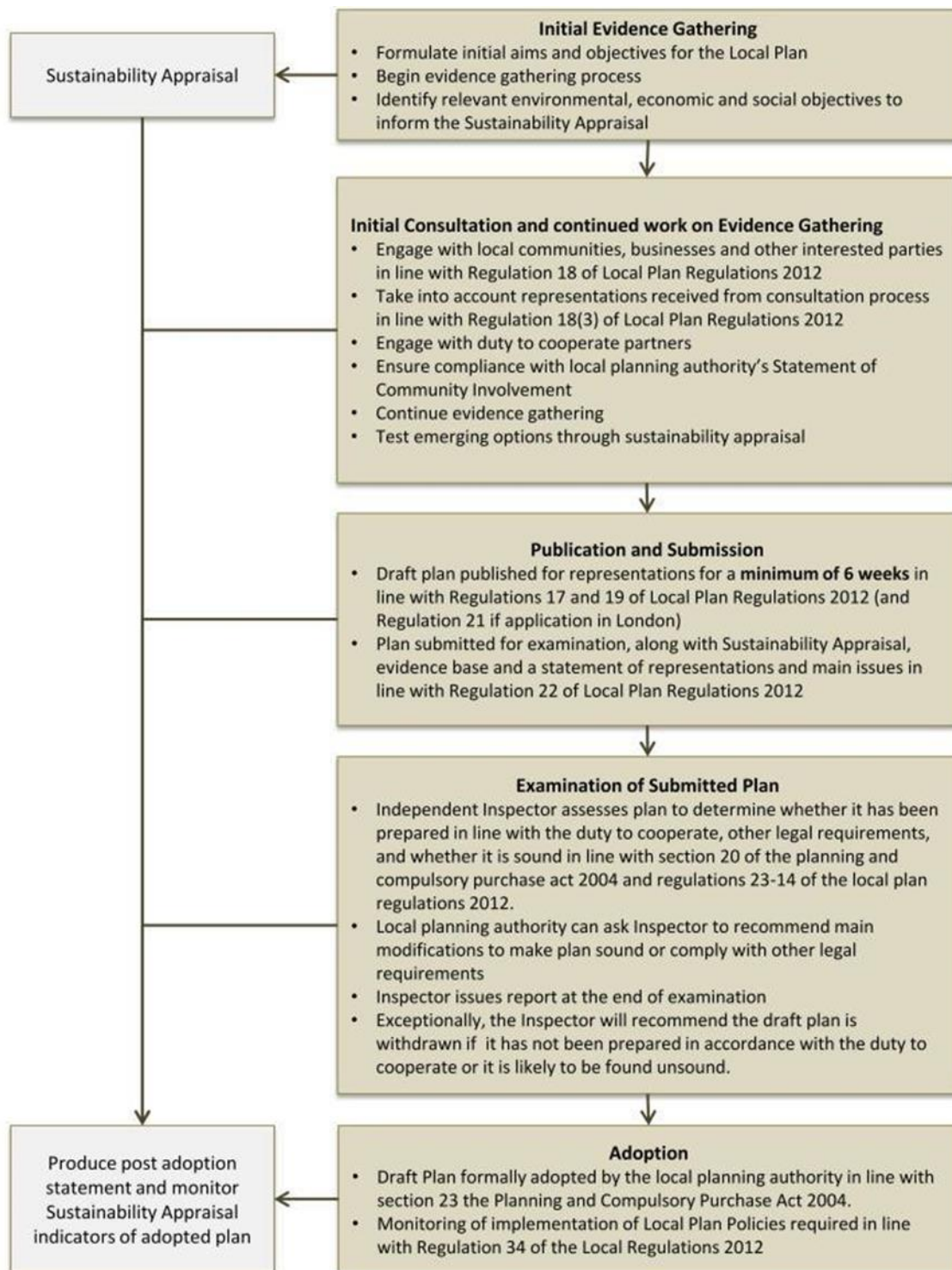
The Plan Making Process

Local Plans

- 5.1 The key stages for the production of a Development Plan Document (DPD) involves the following stages:
1. Evidence gathering
 2. Preparation of the DPD and consultation (TCPA Regulation 18)
 3. Publication of the DPD and consultation (TCPA Regulation 19)
 4. Submission of the DPD to the Secretary of State for examination (TCPA Regulation 22)
 5. Receipt of the Inspector's Report (TCPA Regulation 25)
 6. Adoption of the DPD (TCPA Regulation 26).
- 5.2 A detailed description of the process is set out below. The Statement of Community Involvement (adopted 2018) sets out how the Council intends to involve the community and relevant stakeholders in plan preparation.

Supplementary Planning Documents

- 5.3 The key stages for the production of Supplementary Planning Documents involves the following stages:
- Evidence gathering
 - Preparation of the draft SPD
 - Informal consultation
 - Formal consultation (TCPA Regulation 12)
 - Adoption of SPD (TCPA Regulation 14).
- 5.4 The Local Plan making process is set out in detail below.



6 Changes to the Planning Policy Framework

- 6.1 There have been changes to the national and regional planning policy landscape in late 2023. The LPA will be cognisant of these as we develop our DPD, and supplementary supporting documents.

National Planning Policy Framework (2023)

- 6.2 Since the adoption of the 2023 LDS, there have been changes to the National Planning Policy Framework (NPPF). The NPPF was revised in December 2023 with a focus on housing delivery, character and 'beauty', and energy efficiency. The key change is Local Planning Authorities have a statutory duty to prepare and update local plans for their area. The government has provided further details on its expectations for plan making in Planning Practice Guidance and Ministerial Statement. The Secretary of State has extended powers to intervene in plan making where progress is unsatisfactory.
- 6.3 Key changes for plan making arising from the latest NPPF (2023) include the following:
- It is noted that the new NPPF says in paragraph 61 states the outcome of the standard method in national planning guidance is an "advisory starting point" in plan making for establishing the housing requirements for an area. This means that some local authorities can deliver more homes than this figure suggests, while others will be able to deliver fewer homes where they can substantiate exceptional circumstances for using an alternative method to assess housing need, including the particular demographic characteristics of their area. As a London Borough, Waltham Forest uses the London Plan housing targets as a baseline for assessing housing need.
 - The Government has stated that it prefers to support the gentle densification of urban areas instead of developing on Green Belt land. The new NPPF advises in paragraph 145 that there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated and that if LPAs choose to review and alter Green Belt boundaries (where exceptional circumstances are fully evidenced and justified) then any proposals for changes should be made only through the plan-making process.
 - Chapter 11 of the NPPF concerns making effective use of land, and achieving appropriate densities of development. In a dilution of the consultation

proposal, the new version states in paragraph 130 that in applying these rules to existing urban areas, it should be recognised that significant uplifts in the average density of residential development may be inappropriate if the resulting buildings would be "wholly out of character with the existing area".

- Additionally, a new insertion to paragraph 22 sets out that where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.
- Paragraph 76 of the new NPPF removes the requirement for those LPAs which have put in place an up-to-date local plan to update annually their five-year supply of land. This change protects them from the presumption in favour of sustainable development. It also removes the 5% and 10% buffers that could be applied to an LPA's housing land supply, and puts in place a transitional arrangement to ensure that decision making on live applications is not affected. Any LPAs which are at an advanced stage of plan making with a policy map and proposed allocations towards meeting housing need only have to demonstrate a four-year housing land supply (as opposed to five years) for a period of two years for decision making purposes.

*Local Plan 1 reflected the NPPF 2021 requirement to demonstrate a five-year housing supply. Local Plan 2 is intrinsically linked to the evidenced housing need in LP1 and will therefore demonstrate the ability to meet a five-year housing supply. It is acknowledged however, that moving forward after the Regulation 19 version of LP2 has been submitted, the Council has the right to demonstrate a four year housing supply in line with NPPF Paragraph 226 for a period of two years until December 2025.

- Where a neighbourhood plan has been put in place which allocates at least one housing site, that area will be protected from speculative development for five years (an increase from two), in accordance with paragraph 14.
- The updated NPPF introduces in paragraph 73 an exception site policy for community-led housing development, and provides that local authorities should seek opportunities to support small sites to come forward for community-led housing, self-build and custom build housing.
- Paragraph 63 encourages the delivery of older people's housing, including retirement housing, housing-with-care and care homes, as well as student housing, by requiring these to be specifically considered in establishing need.

- The NPPF now uses the word 'beautiful' in relation to 'well-designed places', and in paragraph 140 requires greater 'visual clarity' on design requirements set out in planning conditions to provide certainty for developers. It also supports 'gentle density' through mansard roof development where appropriate, in paragraph 124(e).
- A new paragraph 164 has been added to give "significant weight" to the importance of energy efficiency through adaptation of buildings, including through the use of heat pumps and solar panels.

Levelling Up and Regeneration Act (2023)

6.4 On 26 October 2023, the Levelling-up and Regeneration Bill 2022-23 received Royal Assent and is now known as the Levelling-up and Regeneration Act 2023 (LURA 2023). The Act is wide ranging and makes changes to:

- Completion notices;
- Powers to decline to determine planning applications;
- Development progress reports;
- Consultation requirement for development affecting ancient woodland;
- Environmental Outcome Reports to replace Environmental Impact Assessments, Sustainability Appraisals and Strategic Environmental Assessments;
- Introduction of a new section 73B to the Town and Country Planning Act 1990 (TCPA 1990) to make "non-substantial changes" to planning permissions;
- The time limit for enforcing breaches of planning control in England to 10 years for enforcement of building operations and unauthorised change of use of a building to a Dwelling;
- Introduces a charge on development: IL to fund the provision of infrastructure in the charging authorities' area (this is intended to reduce the circumstances section 106 agreements are used);
- Introduction of a new locally led urban development corporation which will be for wider regeneration purposes and can be across multi-authority areas;
- Allow the acquiring authority can seek a direction in the CPO that compensation is to take no account of prospect future planning permissions – except for subdivisions of dwellings.

6.5 In regards to plan making, the following changes will take place by 30th June 2025:

- Development plan now expressly includes supplementary plans, minerals / waste plans and policy maps.

- Determination is to be in accordance with the development plan AND national development management policies unless material considerations strongly indicate otherwise.
- National policies trump development plans.
- All types of development plans and national development management policies must have regard to the need to mitigate and adapt to climate change.
- All development plans to have regard to local nature recovery strategies.
- Neighbourhood plans cannot prevent proposed housing development in the development plan.
- Design codes to be included in the development plan.
- Duty to cooperate repealed and introduction of new “alignment” test.
- Local planning authority to publish and comply with a 30-month local plan timetable and comply with new local plan procedure.
- Local planning authority to seek observations / advice on proposed local plan from the Secretary of State’s appointed person.
- Observations / advice and national development management policies must be regarded and published.

Impact on Waltham Forest LDS

- 6.6 Importantly, the impact of the Act on the preparation and adoption of the Waltham Forest Local Plan, especially LP2 will not be affected by the Act, as draft transitional arrangements for introducing the new-style plans, has 30th June 2025 as the cut-off for submitting plans under current guidance. LP2 is set to be submitted in 2024.
- 6.7 These national drivers for change must be considered in preparing the Local Plan.

7. Project Management, Risk Assessment and Monitoring Resources

- 7.1 Work on the LP2 and the suite of SPDs will continue to be undertaken by the Council's Place and Design Team. The work of the team covers Local Plan preparation, Infrastructure Planning, Community Infrastructure Levy, Section 106, Research & Monitoring, Assets of Community Value and support for

Neighbourhood Planning. Support is being provided by other Council teams including Area Regeneration and Development Management.

- 7.2 The Corporate Director for Regeneration, Planning and Delivery supported by the Assistant Director - Place and Design will have primary responsibility for the production of Development Plan Documents and Supplementary Planning Documents. Where necessary, project groups will be formed to carry out day-to-day work on individual documents. Other Directorate and Council staff resources, as well as external organisations, partners and stakeholders will be drawn upon to augment these project groups as referred to above.
- 7.3 Evidence based projects on topic related matters and sustainability appraisal/strategic environmental assessment work will be undertaken in house or with consultancy support, as necessary.
- 7.4 Contingency funding has been put in place to cover the likely additional costs of external resources (e.g. consultants), consultations, public examinations, etc, expected to be needed during their preparation. These will be kept under review through the Council's budget monitoring and performance management procedures.
- 7.5 The North London Waste Plan, which has its own governance arrangements through the Heads of Planning and the Members Planning Group of the partnership boroughs, will be directly overseen by the Corporate Director for Regeneration, Planning and Delivery.
- 7.6 Political overview will be through regular meetings of the Portfolio Holder. For each Development Plan Document (DPD), approval of draft documents at the early consultation stage (Preferred Options/draft plan) will be via the Portfolio Holder. Final versions of all DPDs and SPDs will be approved by the Council's Cabinet. At these stages, reports may be called for further consideration through the Council's Scrutiny Committees.
- 7.7 In preparing this Local Development Scheme a number of areas of risk have been identified together with a consideration of mitigating actions. These are listed in the table below.

Risk Assessment Table

Risk/Description	Inherent Risk			Residual Risk	
	Likelihood	Impact	Mitigating Controls	Likelihood	Impact
1. Changes to the National Planning Policy Framework, planning system changes and other legislative changes - requiring additional work to be undertaken leading to delays and programme slippage.	Possible	Significant	Regular monitoring of national policy changes proposed. Changes to the planning system/new national policies to be applied at the earliest opportunity.	Possible	Moderate
2. Insufficient staff resources/staff turnover. Reduced capacity within the team as a result of staff leaving, recruitment difficulties, sickness etc could result in slippage.	Possible	Significant	Build more flexibility into the delivery timetable	Unlikely	Minor
3. Increased costs/Insufficient Budget - leading to key aspects of the programme compromised for this reason. This could lead to programme slippage. There could be additional costs if there is a legal challenge to the plan.	Possible	Major	Ensure the Local Plan and SPD programme are recognised as a key Council priority for corporate funding. Safeguard the Local Plan budget from cuts. Ensure regular monitoring of the Local Plan Budget with Finance Team to ensure that any pressures are identified early.	Unlikely	Minor
4. Political processes/changes arising from national/local elections, pre-election periods, and changed political priorities - leading to programme slippage,	Probable	Significant	Programme timetable adjusted to take into account the pre-election period associated with	Possible	Moderate

fundamental change in the approach and direction of the Local Plan and abortive work. This is particularly mindful of a General Election which will take place by January 2025 as well as continued diversion from EU policies and directives. The main influence of EU law on plan making in the UK relates to the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') and the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations').

5. Significant public opposition to the Local Plan (LP2)
- leading to unexpected higher volume of work in dealing with objections and therefore resulting in programme slippage.

		<p>the 2024 London Mayoral elections and the General Election.</p> <p>Regularly monitor any changes to the legislative context for plan making.</p> <p>Active member involvement (cross party approach) is proposed through the Local Plan Members Advisory Panel (LPMAG) at all stages of the Local Plan process.</p>		
Possible	Significant	<p>Front load public consultation work and build consensus through proactive consultation and engagement with stakeholders and the local community.</p> <p>An online consultation system is in place to manage the volume of comments/ representations and ensure faster processing time in recording, collating and analysing consultation</p>	Unlikely	Minor

6. Delays at the examination stage due to resourcing issues within PINS – leading to slippage of the adoption date.

		responses.		
Possible	Significant	<p>Ensure a Service Level Agreement with the Planning Inspectorate commits to agreed target dates for the completion of the examination and the delivery of the Inspector's report.</p> <p>Apply PAS Self-Assessment tools to check compliance with all requirements prior to submission for examination.</p>	Unlikely	Minor

Monitoring and Review

- 7.8 The Localism Act 2011, subsection 113, includes a requirement for local authorities to prepare a report, which should contain:
- information on the implementation of the Local Development Scheme; and
 - the extent to which the policies set out in the DPDs are being achieved.
- 7.9 In order to comply with the above requirement, monitoring reports are published when available on the Council's website.
- 7.10 This Local Development Scheme, available on the Council's website and is the first point of contact for information about Waltham Forest Council's timetable for progressing and producing DPDs. The Council will review and republish this

LDS as necessary. In addition, the key milestones, statutory documents, and supporting evidence for the Local Plan Full Review will also be regularly updated on the Council's website.

- 7.11 The Authority Monitoring Report will report on the specific monitoring of LP1 policies.

