

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
Policy Omission	3 - N	4 Consistency with national policy The Local Plan includes reference to health and well-being matters, however, Public Health recommends that an over-arching health and well-being policy and/or a specific Health Impact Assessment (HIA) policy is included in the Local Plan. The threads of these matters are identifiable in places but not readily obvious and sufficiently explicit and clear. Instead a Plan user needs to read it all to find these. It is accordingly unclear as to how this specifically supports the NPPF 'Promoting Healthy Communities' sections. This matter was raised by ECC in its representation at the Regulation 18 Local Plan consultation stage.	Add an over-arching health and well-being policy and/or a specific Health Impact Assessment (HIA) policy to ensure conformity with the NPPF. ECC recommends collaborative working prior to Local Plan submission between ECC (Public Health) and EFDC to set the form of wording.
Overall – Place Shaping, Places, etc.	3 - N	3 – Effectiveness There is a recognised projected change in population demographics specifically in terms of older people within the Local Plan. However, there is no explicit reference as to how the planning process can support the wider health and well-being needs of the population (current and new). Healthcare infrastructure plays a role, however, the environment and design etc. have a very important influence in keeping populations healthy and this is not very apparent	Add a strategy and content into the Local Plan that articulates how to meet these requirements. ECC recommends collaborative working prior to Local Plan submission between ECC (Public Health) and EFDC to set the form of wording which needs to address how the planning process can support the wider health and well-being needs of the population (current and new). A reference to the Essex Design Guide would assist in this regard which covers this topic.

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		within the Local Plan. It currently does not make explicit reference to the requirements of the NPPF on supporting healthy communities or the social role of the plan making process to support this and it is unclear to Public Health on how this role will be fulfilled.	
General Comment: SUDS (Chapter 4 – all water related policies / paragraph 4.97	3 - N	3 - Effectiveness The Essex SuDS Design Guide should be added as key evidence for all water related policies. This was raised by ECC in its representation at the previous Regulation 18 Local Plan consultation. This relates to ECC as Lead Local Flood Authority.	Add reference(s) to Essex SuDS Design Guide in Local Plan Policies DM 15 – DM 19. Alternatively, this could go into the key evidence section at the start of this Local Plan topic(on page 98).
General Comment: flood risk evidence base / paragraph 4.97	3 - N	3 - Effectiveness The Environment Agency Risk of Flooding from Surface Water Maps (RoFSW) should be added as a key part of the evidence base.	Add reference to the Environment Agency Risk of Flooding from Surface Water Maps (RoFSW) in the key evidence section at the start of this Local Plan topic (on page 98).
Paragraph 1.38	3 - N	3 - Effectiveness This paragraph points out that travel to work is most commonly by car/van, a situation that needs to be addressed through policy considerations and actions such as those in the DfT report ‘Smarter Choices’ (examining and advocating ‘soft’ sustainable transport policy	ECC recommends that a specific response is required in terms of addressing commuting, such as employment land provision / economic strategy; sustainable travel measures. This could potentially be addressed by allocating additional employment provision for the Harlow strategic sites, within Policy SP 4 and SP 5. ECC also recommended adding a

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		measures) rolled out across the existing population, and greater promotion of travel planning etc.	reference in this paragraph to effective implementation through approaches explored through DfT's 'Smarter Choices'. See: https://www.gov.uk/government/publications/smarter-choices-main-report-about-changing-the-way-we-travel
Paragraph 1.44 12 th bullet point	3 - N	3 - Effectiveness Addressing transport needs of current and future populations – there is a need to change behaviour to positively influence perceptions with regard to the need to travel, and travel modes, towards more active/sustainable travel.	ECC (Highways) recommends that a specific response is required in terms of delivering the step change towards sustainable travel. This could be addressed by measures such as the planned sustainable transport corridors. These need to be demonstrably deliverable. ECC recommends changing the emphasis of this paragraph so that its focus addresses changing travel behaviour and sustainable transport. To address this, ECC proposes collaborative working with EFDC prior to Local Plan submission to agree an appropriate form of wording.
Chapter 2: Strategic Context and Policies			
Paragraph 2.27 (Vision and Objectives) – part C	3 - N	3 - Effectiveness The consideration of health expressed through the Local Plan objectives is around walking and cycling opportunities and mention is made of access to green space and leisure (without reference to health opportunities) under infrastructure and movement. ECC (Public	ECC recommends that content is added to the Local Plan objectives (paragraph 2.27 part C) to ensure meeting NPPF health / well-being requirements around the Local Plan strategy for improving health and well-being. This will need collaborative working prior to Local Plan submission between ECC (Public Health) and EFDC to set the form of wording and this

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		<p>Health) supports this, however - as per the points made by ECC previously (as above) on supporting the NPPF - these objectives do not appear to fulfil the requirements of the NPPF on supporting healthy communities or the social role of the plan making process to support this and it is unclear (to ECC Public Health) how this role will be fulfilled. Examples of positive local formal and informal green space assets and the considerable recreational opportunities afforded include access to: Epping Forest; Lee Valley Regional Park; North Weald; nearby country parks; the rights of way network and ancient footpaths; and the health benefits offered by these.</p> <p>In a related vein, ECC (Public Health) recommends that 'healthy living' is included in the vision for EFDC to 2033. This could be in the form of 'a need for developments to support healthy living through their design, providing opportunities for physical activity, access to quality open spaces and employment opportunities.'</p>	<p>needs to address how the planning process can support the wider health and well-being needs of the population (current and new).</p> <p>Amend vision to include the following: <u>'a need for developments to support healthy living through their design, providing opportunities for physical activity, access to quality open spaces and employment opportunities.'</u></p>
Paragraph 2.29	3 - N	3 - Effectiveness The MOUs do not yet include an agreed / signed MOU for employment distribution. The	Progress Employment Distribution MOU urgently, in partnership with the other FEMA LPAs and reflect in Local Plan and associated strategies prior to Local

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		sustainability of, and reducing the need to travel for, Harlow and Gilston Garden Town may be affected by distribution of EFDC employment sites, which only include one small allocation in vicinity of Harlow (at Latton Priory). It was not possible for ECC to make this point at Regulation 18 consultation stage since employment land / economic requirements evidence and proposed site allocations in response were not prepared at that time. However, ECC has made this case through ongoing Duty to Co-operate working meetings.	Plan submission. Add reference to this in paragraph 3.44.
Paragraph 2.31	3 – N	3 - Effectiveness The Local Plan recognises the strategic economic role of Harlow. There needs to be consideration of whether the establishment of Public Health England and the Enterprise Zone employment growth would be sufficient to ensure that all the wider Harlow strategic sites can be sustainable within the wider Garden Town growth context, thus encouraging shorter, more sustainable travel to work opportunities. It was not possible for ECC to make this point at Regulation 18 consultation stage since employment land / economic requirements evidence and proposed site allocations in	Work on the economic / employment land strategy (including that for the Garden Town) and approach to new employment land provision needs to be progressed through collaborative working between the LPAs and County Councils under Duty to Co-operate principles. EFDC needs to be satisfied that the economic / employment evidence base and transport modelling are responded to effectively through adequate spatial employment land provision for Harlow collectively, including the Harlow strategic sites. This may lead to a need for revisions to Policies SP 4 and SP 5. ECC recommends collaborative working on this with neighbouring LPAs and County Councils prior to Local Plan submission

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		response were not prepared at that time. However, ECC has made this case through ongoing Duty to Co-operate working meetings.	and the examination to identify how this could be addressed and to reflect transport modelling evidence.
Paragraph 2.72	3 – N	3 - Effectiveness In line with the point made above, this paragraph refers to ‘significant employment opportunities already exist at Harlow ... and further small-scale employment uses will also be provided with the Garden Town Communities to promote sustainable growth of Harlow and reduce out-commuting.’ Consideration is needed of whether small-scale employment development would be sufficient to promote sustainable growth around Harlow – and if Harlow DC is able to provide sufficient jobs within their area, and the two major schemes - Public Health England and the Harlow Enterprise Zone) are enough to support economic needs of 16,000 additional homes.	It is recommended that collaborative work (between the Garden Town LPAs and County Councils) on the economic / employment land strategy and location of new employment land provision needs to be progressed revised (working through the Duty to Co-operate). This may require additional employment land provision for the Harlow strategic sites – meaning revisions to Policies SP 4 and SP 5. ECC recommends collaborative working on this prior to Local Plan submission - to enable preparation for the subsequent examination - in order to identify how this could be addressed and to reflect transport modelling evidence.
Paragraph 2.82	3 - N	3 - Effectiveness ‘National planning policy states that... new or changing places should ... encourage ease of movement’ – NPPF states that ‘Plans ... should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable modes can be maximised’ (paragraph 34); and	Revise paragraph 2.82 to include the following words ‘encourage ease of movement <u>by active/sustainable modes</u> ’.

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		<p>'Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment ...' (paragraph 37). Suggest that 'encourage ease of movement' be amended to 'encourage ease of movement by active/sustainable modes'.</p>	
Policy SP 3, part A (iv)	3 - N	<p>3 - Effectiveness This refers to a need to 'ensure a robust range of employment opportunities with a variety of jobs within easy commuting distance of homes. However the term 'easy commuting distance' makes no reference to the need for this to be by sustainable / active modes in preference to single occupancy car use.</p>	<p>Revise Policy SP 3 part A (iv) to state the need to '<u>ensure a robust range of employment opportunities with a variety of jobs within easy commuting distance of homes is to be by sustainable / active modes in preference to single occupancy car use</u>'. ECC recommends collaborative working prior to Local Plan submission between ECC (Highways Authority) and EFDC on precise wording.</p>
Policy SP3 Place Shaping A (xiii)	3 - N	<p>3 - Effectiveness This refers to a need to 'provide for sustainable movement and access ...' On this, ECC (Highways) suggests amending to 'provide for <i>and actively promote</i> sustainable movement and access ...'</p>	<p>Revise wording of Policy SP 3 Place Shaping A (xiii) so that it states to 'provide for <i>and actively promote</i> sustainable movement and access ...'.</p>
Paragraph 2.107	3 - N	<p>3 - Effectiveness This paragraph suggests a new / changed approach towards the Garden Town. It states that 'Harlow and Gilston Garden Town</p>	<p>ECC recommends reverting to previous approach and wording to ensure that a cohesive approach to Garden Town growth is achieved. This requires rewording to Policies SP 4 and SP 5, so that all</p>

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		comprises four new Garden Town Communities', but it actually ' comprises the whole of Harlow together with the adjoining strategic sites, comprising four new Garden Town Communities ...'.	references are to a single Garden Community, i.e. Harlow and Gilston Garden Town, instead of 4 individual Garden Communities.
Paragraph 2.111 – also paragraphs 2.112 & 2.113 & 2.117	3 - N	3 - Effectiveness This states that the new Garden Town strategic sites will be offering 'locally accessible work' – in the absence of any substantial new employment allocations being proposed in the Local Plan on those sites located on the edges of Harlow, it would appear that the majority of the work opportunities to serve these are assumed to be within Harlow District Council's area.	It is recommended that collaborative work (between the Garden Town LPAs and County Councils) on the economic / employment land strategy and location of new employment land provision needs to be progressed revised (working through the Duty to Co-operate). This may require additional employment land provision for the Harlow strategic sites – meaning revisions to Policies SP 4 and SP 5. ECC recommends collaborative working on this prior to Local Plan submission - to enable preparation for the subsequent examination in order to identify how this could be addressed and to reflect transport modelling evidence.
Paragraph 2.117	3 - N	3 - Effectiveness This states 'The provision of sustainable transport options together with a significant modal shift from car to non-car use ... are central to the successful growth of the Garden Town. The Councils share an ambition to enhance established transport corridors and to create new travel corridors' – the emphasis in	It is recommended that collaborative work (between the Garden Town LPAs and County Councils) on the economic / employment land strategy and location of new employment land provision needs to be progressed and if necessary revised (working through the Duty to Co-operate). This may require additional employment land provision for the Harlow strategic sites – meaning revisions to Policies SP 4

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		<p>the 2nd sentence should be on sustainable transport/travel corridors. It also states that ‘Provision of access to employment opportunities via non-car modes is critical ...’ – this emphasises the need to ensure that there are sufficient employment opportunities within close proximity to the Garden Town Communities to achieve modal shift. It also states that ‘The Councils aspire to see 60% of journeys to and from the Garden Town Communities to be made by non-car modes.’ This implies that it just applies to the four Garden Town Communities, but there is also the need for an overall step-change in travel for the whole Harlow and Gilston Garden Town, and reduction in need to travel, reduction in journey length, etc.</p>	<p>and SP 5. ECC recommends collaborative working on this prior to Local Plan submission - to enable preparation for the subsequent examination in order to identify how this could be addressed and to reflect transport modelling evidence.</p>
Policy SP 4	3 – N	<p>3 – Effectiveness The Local Plan relies heavily on a step change in terms of sustainable travel and this is not fully addressed in the Local Plan. It is not evident to ECC that sufficient weight has been given to the need to provide sufficient employment for the Garden Town (and there is no signed MoU for this). Also ECC is not satisfied that studies and</p>	<p>Revise content / supporting measures / strategies / actions for Policies SP 4 and SP 5 Review to ensure a sustainable travel step change. This may require a more cohesive approach towards Garden Town planning and delivery, working with partners. ECC recommends collaborative working with EFDC prior to Local Plan submission on the form that this could usefully be dealt with in wording and associated</p>

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		strategies carried out for future employment provision fully reflect this step change. The Garden Town will not be able to accommodate the overall planned levels of growth proposed sustainably unless more trips can be internalised and made accessible through sustainable modes. Further joint working on cross-boundary employment provision tied with an analysis of the transport implications is required.	actions. This work will need to build on ongoing joint working between the LPAs and County Councils to ensure that the intended outcomes stated here can be realised effectively.
Policy SP 4 B	3 – N	3 Effectiveness As with the point made previously, this states that ‘Development within the Garden Town Communities will be ... of sufficient scale ... to incorporate ... employment ... to enable residents has concerns as to whether the level of employment proposed at (‘small-scale’), or in close proximity to these sites will be of sufficient scale to meet this policy objective.	The economic / employment land strategy and location of new employment land provision need to be reviewed through collaborative working (reflecting Duty to Co-operate). This will require additional employment land provision for the Harlow strategic sites – meaning possible revisions to Policies SP 4 and SP 5. ECC recommends collaborative working on this (with Garden Town LPAs, scheme promoters and County Councils) prior to Local Plan submission, to identify how this could be addressed and to reflect transport modelling evidence.
Policy SP 4 C (xii)	3 - N	3 - Effectiveness ECC (Highways) recommends amending this as follows: ‘to create a step change in modal shift through providing for, encouraging and actively promoting more sustainable travel patterns;’	Revise wording of Policy SP 4 C (xii) as follows: ‘to create a step change in modal shift through providing for, encouraging and actively promoting more sustainable travel patterns;’

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		ECC reinforces this by adding that the reference (in Local Plan paragraph 2.117) that 'The Councils aspire to see 60% of journeys to and from the Garden Town Communities to be made by non-car modes' is acknowledged by these Councils to be a challenging (but necessary) target. Accordingly, ECC needs to seek to ensure that the policy wording is as clear and positive as possible in the interests of delivering the best possible prospects of success in achieving this objective.	
Policy SP 4 C (xiii)	3 - N	<p>3 - Effectiveness ECC (Highways) recommends amending this to include 'reducing single occupancy car use', as this would also help to reduce congestion, and help to improve air quality and reduce emissions.</p> <p>ECC reinforces this by adding that the reference (in Local Plan paragraph 2.117) that 'The Councils aspire to see 60% of journeys to and from the Garden Town Communities to be made by non-car modes' is acknowledged by these Councils to be a challenging (but necessary) target. Accordingly, ECC needs to seek to ensure that the policy wording is as clear and positive as possible in the interests of delivering</p>	Revise wording of Policy SP 4 C (xiii) this to include ' reducing single occupancy car use ', as this would also help to reduce congestion, and help to improve air quality and reduce emissions.

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		the best possible prospects of success in achieving this objective.	
Policy SP 4 / SP 5	3 - N	3 - Effectiveness ECC (Highways) recommends adding to Policy SP5.3, which covers East Harlow, that as part of the delivery of this site, and other sites around Harlow, the provision of M11 J7a and associated infrastructure (in particular the east-west sustainable transport corridor) are prerequisites to all of these coming forward. This could possibly be dealt with through a single overarching statement.	Revise wording of Policy SP5.3 to state that as part of the delivery of this site, and other sites around Harlow, the provision of M11 J7a and associated infrastructure (in particular the east-west sustainable transport corridor) are prerequisites to all of these coming forward. This could possibly be dealt with through a single overarching statement. ECC recommends joint working with EFDC prior to Local Plan submission to agree a form of wording.
Paragraphs 2.125; 2.128; 2.129	3 - N	3 – Effectiveness The Local Plan should not refer to a specific size of school in terms of forms of entry. Two form entry (2fe) primary schools are the ECC (as Education authority) preferred size but the final admission number will need to be set and reviewed in light of the precise numbers produced by these developments. The Local Plan should instead refer to a 2.1 hectare education site (D1), which will accommodate appropriate Primary School and Early Years and Childcare facilities. Without such flexibility the Local Plan is unsound. This relates to ECCs role as Local Education Authority.	Revise wording of Paragraphs 2.125; 2.128; 2.129 to refer to a 2.1 hectare education site (D1), which will accommodate appropriate Primary School and Early Years and Childcare facilities. Delete reference to numbers of forms of entry for school size.

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
Policy SP 5	3 - N	3 Effectiveness Section (xvi) – Future surface water run-off from the site (and development) into Pincey Brook needs to be restricted to no more than existing rates. It must also be ensured that any increased volumes of water discharging into the Pincey Brook are mitigated against. This relates to ECCs role as Lead Local Flood Authority.	Add text as follows: <ul style="list-style-type: none"> xvi) Measures to ensure the protection of the functional flood plain and restriction of surface water run-off from the site into Pincey Brook to no more than existing rates <u>and where possible existing volumes. In order to mitigate any increased volumes, discharge rates should either be limited to the 1 in 1 greenfield rate or long term storage.</u>
Policy SP 5	3 - N	3 Effectiveness The Latton Priory development is to be located immediately south of Harlow. Concerns have been expressed (by ECC Highways) through the Plan-making process (through ongoing Duty to co-operate working groups meetings) on this proposal. ECC pointed out transport network concerns (as a result of transport modelling work) relating to this development at Regulation 18 consultation stage. The ECC comments pointed to the need to ensure effective delivery of an overall, integrated package of transport / sustainable transport interventions to ensure mitigation of impacts and to provide a broader range of benefits for the town's future. In particular, this proposal is still considered to be of insufficient size to enable it to support delivery	Review available evidence, including site assessment findings, conclusions and development parameters (together with Garden Town LPAs, scheme promoters and County Councils). This is advised in response to the need to ensure deliverability of key sustainable transport measures (north-south sustainable transport corridor especially) and / or consider appropriate alternative means of corridor scheme delivery as appropriate. Review wording of Policies SP 4 and SP 5, if necessary, in response, to ensure that this development is of sufficient scale to deliver the level of funding required to deliver the sustainable transport corridors. ECC (Highways Authority) recommends joint working with EFDC prior to Local Plan submission to identify, through appropriate evidence, the parameters required to meet financial

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		of the high quality sustainable transport corridor envisaged as part of the overall strategy for the Garden Town. In addition the Local Plan does not show a direct link towards M11 J7. The combination of this is that it raises the issue of a need to review (the parameters and effectiveness of) this allocation in the way proposed due to impacts on Southern Way and associated routes.	viability tests.
Policy SP 5	3 - N	3 - Effectiveness Land for education use must be listed as a separate and distinct land use i.e. class D1. In the absence of the specific areas required being allocated as D1, land owners will anticipate higher land values which will impact on viability and complicate the equalisation alluded to in SP 4 (xviii) (page 41).	Revise wording of Policy SP 5 so that land for education use is listed as a separate and distinct land use, i.e. class D1. Add references to use class D1 in the policy.
Policy SP 5B	3 - N	3 – Effectiveness ECC is not satisfied that there is sufficient evidence to support a case that there is adequate attractive employment within easy active/sustainable travel distance (of these proposed strategic developments) to ensure that the new Garden Town Communities will have their local employment needs met sustainably. This relates to ECC’s role as Highways	It is recommended that collaborative work (between the Garden Town LPAs and County Councils) on the economic / employment land strategy and location of new employment land provision needs to be progressed and if necessary revised (working through the Duty to Co-operate). This may require additional employment land provision for the Harlow strategic sites – meaning revisions to Policies SP 4 and SP 5. ECC recommends collaborative working

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		authority.	on this prior to Local Plan submission - to enable preparation for the subsequent examination in order to identify how this could be addressed and to reflect transport modelling evidence.
Policy SP 5 (various parts)	3 - N	3 – Effectiveness These policies incorrectly refer specifically to ‘2 forms of entry schools’ rather than 2.1 hectare sites. Unlike in relation to secondary education elsewhere in the policy, no mention is made of the need for financial contributions towards education. This suggests that it would be acceptable for the developer to deliver the schools, which may be conflict with European Union competition/procurement (OJEU) rules. The policy also needs to make it clear that education land and the environment around new schools must meet the criteria set out in <u>ECC’s Developers’ Guide to Infrastructure Contributions</u> . Without the certainty that the policy will deliver suitable pieces of education land that can be used flexibly to mitigate the impact of the development, the Plan would be unsound. This relates to ECC’s role as Education Authority.	Revise wording of Policy SP 5 to delete reference to ‘2 forms of entry schools’, and instead state ‘ <u>2.1 hectare education sites, with Early Years and Childcare provision</u> ’. Add reference to need for financial contributions for education. The policy also needs to make it clear that education land and the environment around new schools must meet the criteria set out in <u>ECC’s Developers’ Guide to Infrastructure Contributions</u> .
Policy SP 5G (ix)	3 - N	3 – Effectiveness This needs to also refer to contributions towards	Revise wording of Policy SP 5G (ix) to also refer to contributions towards sustainable travel corridors

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		sustainable travel corridors and their ongoing maintenance/upkeep.	and their ongoing maintenance/upkeep. ECC (Highways) recommends joint working with EFDC prior to Local Plan submission (in readiness for the subsequent examination) to agree an appropriate form of wording.
Policy SP 5H paragraphs (vii) & (viii)	3 – N	3 – Effectiveness The comments made regarding Paragraphs 2.125 / 2.128 / 2.129 (page 42) and Policy SP5 (page 43) apply (regarding education provision). These paragraphs also need to make it clear that delivery will be planned in tandem with the housing allocations on Harlow’s side of the boundary. The interdependencies between the two will require a statement of common ground between the two districts and ECC. In the case of secondary education, it may be more appropriate to locate the school on Harlow’s side of the boundary. However, there is insufficient evidence for ECC to express a preference at this point (in its role as Education authority).	Revise wording of Policy SP 5H paragraphs (vii) & (viii) to make it clear that delivery of education provision will be planned in tandem with the housing allocations on Harlow’s side of the boundary. ECC recommends joint working with EFDC prior to Local Plan submission to agree a form of wording.
Policy SP 5H (xi) & (xiv)	3 - N	3 - Effectiveness Highway and transport improvements: these also need to state a need for contributions towards on- and off-site sustainable direct linkages to key attractors within the Garden Town, and their ongoing maintenance/ upkeep,	Revise wording of Policy SP 5H (xi) & (xiv) to state a need for contributions towards on- and off-site sustainable direct linkages to key attractors within the Garden Town, and their ongoing maintenance/ upkeep, eg east-west sustainable transport corridor, including to employment sites, town centre and

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		eg east-west sustainable transport corridor, including to employment sites, town centre and Town rail station, and high quality, attractive, direct bus services to encourage a step-change in modal shift.	Harlow Town rail station, and high quality, attractive, direct bus services to encourage step-change in modal shift. ECC (Highways) recommends joint working with EFDC prior to Local Plan submission to agree a form of wording.
Policy SP 5.3	3 - N	3 - Effectiveness Policy SP 5.3 states “The delivery of works to widen the B183 Gilden Way, a left turn slip road from M11 Junction 7A link road approach to the East Harlow northern access road ahead of development commencing;” ECC is unaware of where the provision of a ‘left turn slip road’ has come from. This stated measure is too specific and not a solution currently being proposed. This detailed matter will need to be determined at detailed design / planning application stage in terms of what the more specific layouts and accesses will be. This relates to ECC’s role as Highways authority.	Delete the reference to “ The delivery of works to widen the B183 Gilden Way, a left turn slip road from M11 Junction 7A link road approach to the East Harlow northern access road ahead of development commencing; ” and replace with ‘ <u>suitable accesses will need to be agreed with the highway authority</u> ’.
Map 2.2 (Latton Priory)	3 - N	3 – Effectiveness The Masterplan area shows no highway connection across to B1393 Epping Road. Access via only Rye Hill Road would encourage use of a less suitable route to access B1393 (via Rye Hill Road, single track, passing places), and/or result in additional pressure on Southern	Amend map 2.2 accordingly to include additional access point(s) for this development. ECC (Highways) recommends joint working with EFDC prior to Local Plan submission to agree the appropriate form of this.

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		Way.	
Maps 2.2 / 2.3 / 2.4	3 - N	3 – Effectiveness As with comments against Policy SP 5 (page 42) these maps need to either show suitable school sites as D1 allocations or make it clear that the orange hatching includes areas of D1 class land and are not purely for residential use as currently indicated.	Amend maps 2.2, 2.3 & 2.4 to either show suitable school sites as D1 allocations or make it clear that the orange hatching includes areas of D1 class land and are not purely for residential use as currently indicated.
Policy SP 6	3 - N	3 – Effectiveness A number of (existing) school sites currently remain proposed as part of the Green Belt, thereby adding planning risk to any future expansion proposals necessary to support the Local Plan. This includes the need for flexibility in the Local Plan and the required ability to be able to respond effectively to changes in circumstances (without changing the Local Plan itself). ECC (as Education authority) has raised this point at the Regulation 18 consultation stage. As set out below in the representation on Policy DM4, ECC considers that revisions to Green Belt boundaries could deal with this and in this context, ECC notes that in preparing the Local Plan, a Green Belt review has been carried out (2016). Alternatively, a Local Policy providing for such exceptions could be	Revise Green Belt boundaries to exclude these sites from the Green Belt. This would require corresponding revisions to Map 2.5 (Green Belt Boundary Alterations). Alternatively, include a new Local Plan policy provision to allow for future development flexibility for education sites within the Green Belt. In either case, ECC recommends joint working with EFDC prior to Local Plan submission to agree the boundary changes or a form of wording of this (which could utilise best practise policy wording from other adopted Local Plans).

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		incorporated.	
Chapter 3: Housing, Economic and Transport Policies			
Paragraph 3.46 (and Policy E 1)	3 - N	3 - Effectiveness Paragraph 3.46 on page 64 suggests that if an employment site is not to be retained for employment use anymore that the site should be effectively marketed for a minimum of 6 months. ECC has concerns that this is too short a period of time given the significant residential value of land in the district. As a result, ECC considers that the current proposed approach is unlikely to prove effective in protecting employment sites from residential re-use proposals. The suggestion accordingly is that this should be increased in line with other districts to a minimum of 12 months, if not 2 years - if possible. This policy should also be complemented with the requirement for further evidence to demonstrate that the suggested site would no longer be viable for employment uses. This relates to ECC's Economic Growth function.	Review the available evidence and revise wording of Paragraph 3.46 (and Policy E 1) in response as appropriate to refer to an extended duration requirement for marketing vacant employment sites. This is likely to require a broader, collaborative review of the policy approach to (and practise on) employment sites protection. ECC recommends joint working with EFDC prior to Local Plan submission to agree an approach and form of wording.
Policy T 1	3 - N	3 - Effectiveness ECC would seek to have a reference(s) included to safer routes to schools and establishing an attractive pedestrian environment around schools to encourage walking and cycling and	Add references in wording of Policy T 1 to safer routes to schools and establishing an attractive pedestrian environment around schools to encourage walking and cycling and reduce school run traffic to promote the sustainable / active travel

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		reduce school run traffic included in this policy.	agendas.
Paragraph 3.88	3 - N	3 Effectiveness ECC (Highways) wishes to emphasise that there is still outstanding work to be done on the potential for improvements from Epping through to the M25 in particular and deliverability of some of the sustainable measures in the area of EFDC outside of the Garden Town. This affects the Epping Forest area in particular. ECC is aware this particular piece of work is ongoing. This will be affected by housing growth proposals for Epping and Loughton specifically.	Add a reference to Paragraph 3.88 to state a sustained and explicit commitment (within the Local Plan) to see this important work through to a satisfactory and clear conclusion. This work needs to be progressed substantially prior to Local Plan submission stage (in order to provide findings on necessary transport improvements and to avoid / mitigate adverse impacts on the Epping Forest SAC and its environmental quality / amenity).
Chapter 4: Development Management Policies			
Paragraph 4.69	N/A	3 - Effectiveness This paragraph references the NPPF however omits the locality specific design guidance as set out in the recently updated Essex Design Guide. It would strengthen the preamble to the policy by referring to existing design guidance.	Refer to the Essex Design Guide in paragraph 4.69.
Policy DM 4	3 - N	3 - Effectiveness There is a number of schools in the Green Belt within Epping Forest District. ECC notes that a Green Belt review has been carried out for the preparation of this Local Plan. Accordingly, school sites should be removed from the Green Belt, which Local Plan preparation process	Revise Green Belt boundaries, in response, to exclude these sites from the Green Belt. Alternatively include a new Local Plan policy provision to allow for future development flexibility for education sites within the Green Belt. ECC (as Education authority) recommends joint working with EFDC prior to Local Plan submission to agree a form of wording (which

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		allows. This is in the interests of ensuring that the education infrastructure necessary to support the Local Plan (and any other) growth can be delivered, in response to changing / growing needs for education. Alternatively, a Local Plan Policy providing for such exceptions could be incorporated.	could utilise best practise policy wording from other adopted Local Plans).
Policy DM 9 / Paragraph 4.70	3 - N	3 - Effectiveness This paragraph (4.70) discusses healthy places but this consideration is then not mentioned in the associated policy. Accordingly ECC (Public Health) seeks a change so that health is also mentioned in Policy DM 9.	Add wording to Policy DM 9 to reflect wording of Paragraph 4.70, so that the policy also refers to healthy places.
Policy DM 15	3 - N	4 – Consistency with national policy Part C of policy is not clearly in line with National Policy. Part C of DM 15 is not clear and suggests that a Flood Risk Assessment should only be submitted for sites in Flood Zone 2 and 3. In line with Footnote 20 of the NPPF Flood Risk Assessments should also be submitted in these instances: <small>20 A site-specific flood risk assessment is required for proposals of 1 hectare or greater in Flood Zone 1; all proposals for new development (including minor development and change of use) in Flood Zones 2 and 3, or in an area within Flood</small>	Include changes to Policy DM 15 as outlined in Footnote 20 of the NPPF. Make reference that any major development should be supported by a site-specific drainage strategy.

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		<p>Zone 1 which has critical drainage problems (as notified to the local planning authority by the Environment Agency); and where proposed development or a change of use to a more vulnerable class may be subject to other sources of flooding.</p> <p>Part E of the policy - It is also the expectation of ECC as LLFA that any development that is considered 'major' is supported by a site-specific Drainage strategy.</p>	
Policy DM 16	3 - N	<p>3 - Effectiveness Part D (iv) suggests that for all development where the greenfield runoff rate cannot be achieved justification must be provided to demonstrate that the run-off rate has been reduced as much as possible. No indicator of what would justify a particular reason not to limit discharge rates to greenfield has been given. There is a concern that this would allow developers to avoid their responsibility.</p> <p>Part D (i) and (ii) These sections talk about requirements when discharging into a sewer. These requirements should also be when sites are discharging to a watercourse</p>	<p>Provide more detail in Policy DM 16 as to what would constitute a reason not to restrict to greenfield runoff rate and demonstrate that an increased run-off rate would not substantially increase flood risk.</p> <p>Incorporate revised wording as follows:</p> <p><u>'In order for a run-off rate to be considered impracticable it would be necessary to demonstrate that there are specific site constraints or that discharge rates set at greenfield run-off rate would render the whole development financially unviable. Evidence in the form of a viability assessment should be provided to support this. It should be demonstrated that an increased run-off rate would not substantially increase flood risk.'</u></p> <p>Part D (i) and (ii):</p>

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
			<p>(i) all major development proposals will be required to reduce surface water flows to the 1 in 1 greenfield run-off rate and provide storage for all events up to and including the 1 in 100 year critical storm event including an allowance for climate change, and include at least one source control SuDS measure, resulting in a net improvement in water quantity and quality discharging <i>from the site</i>;</p> <p>(ii) all brownfield development proposals should aim to achieve the 1 in 1 greenfield run-off rate and, at a minimum, achieve a 50 per cent reduction in existing site run-off rates for all events, including an allowance for climate change, SuDS measures resulting in a net improvement in water quantity and quality discharging <i>from the site</i>;</p>
Chapter 5: The Places			
Policy P 1D (Epping)	3 - N	3 - Effectiveness The policy text currently fails to list contributions to increase the number of secondary school places (at Epping St John's school).	Add reference to Policy P 1D to require developer contributions in order to increase the number of secondary school places (at Epping St John's school).
Policy P 1D (iii) (Epping)	3 - N	3 - Effectiveness ECC recommends that this also includes a reference to ' <i>new and improved pedestrian/cycle links to key attractors</i> '.	Revise wording of Policy P 1D (iii) so that it also includes a reference to ' <i>new and improved pedestrian/cycle links to key attractors</i> '.
Policy P 1K	3 - N	3 - Effectiveness	Add a reference to Policy P 1K to allocate a 2.1

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
(Epping)		The need for a new primary school is correctly listed as a policy / masterplan requirement but the policy fails to allocate a 2.1 hectare (minimum) piece of suitable land to accommodate this (as set out in ECC's Developers' Guide to Infrastructure Contributions). The relocation of Ivy Chimneys primary school, as suggested here, has not been investigated and would require a larger site (than 2.1 ha) to accommodate both the existing pupils and the additional numbers generated by the planned growth. This relates to the ECC role as Education authority.	hectare (minimum) piece of suitable land to accommodate this (as set out in ECC's Developers' Guide to Infrastructure Contributions). Increase larger size of site allocation for relocated Ivy Chimneys primary school. ECC recommends joint working with EFDC prior to Local Plan submission to establish and agree the appropriate size of site needed to meet requirements of the ECC Developers' Guide to Infrastructure Contributions.
Policy P 1K (vi) (Epping)	3 - N	3 - Effectiveness ECC recommends that this also includes a reference to ' <i>and improvements to the local walk/cycle network to encourage and promote more sustainable travel.</i> '	Revise wording of Policy P 1K (vi) to include a reference to ' <i>and improvements to the local walk/cycle network to encourage and promote more sustainable travel.</i> '
Map 5.1 (Epping)	3 - N	3 - Effectiveness This map needs to either show a suitable school site as a separate D1 use class site allocation or make it clear that the orange hatching includes 2.1 hectares of D1 class land and that it is not purely for residential use as currently indicated.	Revise Map 5.1 to reflect site allocation to either show a suitable school site as a separate D1 use class site allocation or make it clear that the orange hatching includes 2.1 hectares of D1 class land and that it is not purely for residential use as currently indicated.
Policy P 2E (i) (Loughton)	3 - N	3 - Effectiveness This criterion needs to read 'expansion of	Revise Policy P 2E (i) to read ' <i>expansion of primary and secondary schools</i> ' (rather than just

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		primary and secondary schools' rather than just secondary schools.	secondary schools).
Policy P 2E (iii) (Loughton)	3 - N	3 - Effectiveness ECC recommend that this also includes a reference to ' <i>new and improved pedestrian /cycle links to key attractors</i> '.	Revise wording of Policy P 2E (iii) to include a reference to ' <i>new and improved pedestrian /cycle links to key attractors</i> '.
Policy P 3F (i) (Waltham Abbey)	3 - N	3 - Effectiveness Reference should not be made to 2 primary schools, as the replacement of temporary accommodation at Leverton school is also required. The policy also fails to mention the need to expand secondary school provision. As above, the policy should just refer to the need to expand primary and secondary schools, leaving the specific details (on number of FE) to the IDP. Mention is made under Policy P 3n para (v) but this is limited to the sites within the Waltham Forest North masterplan area.	Revise Policy P 3F (i) to delete reference to '2 primary schools'. Add reference to need to expand secondary school provision. The policy should just refer to the need to expand primary and secondary schools, leaving the specific details (on number of FE) to the IDP.
Policy P 3F (iii) (Waltham Abbey)	3 - N	3 - Effectiveness ECC recommends that this also includes a reference to ' <i>new and improved pedestrian /cycle links to key attractors</i> '.	Revise Policy P 3F (iii) to include a reference to ' <i>new and improved pedestrian /cycle links to key attractors</i> '.
Policy P 3G (Waltham Abbey)	3 - N	3 - Effectiveness ECC is not aware of any current proposals at this time for the potential relocation (and expansion) of the secondary school concerned.	As Education authority, ECC recommends the need to explore this proposal jointly and its evidential justification, deliverability and feasibility, prior to Local Plan submission. If these are not

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		The evidential basis and deliverability has not been provided.	demonstrable, delete this reference in Policy P 3G.
Policy P 4E (i) (Ongar)	3 - N	3 – Effectiveness In line with comments made above, this should also read ‘expansion of primary and secondary schools’ (to include secondary school expansion).	Revise Policy P 4E (i) so that this also reads ‘ <u>expansion of primary and secondary schools</u> ’ (to include secondary school expansion).
Policy P 4E (ii) (Ongar)	3 - N	3 – Effectiveness ECC recommends that this also includes a reference to ‘ <u>new and improved pedestrian /cycle links to key attractors</u> ’.	Revise Policy P 4E (ii) so that this also includes a reference to ‘ <u>new and improved pedestrian /cycle links to key attractors</u> ’.
Policy P 5 C (i) Buckhurst Hill	3 - N	3 – Effectiveness ECC recommends that this also includes ‘ <u>and improvements to the local walk/cycle network to encourage and promote more sustainable travel.</u> ’	Revise Policy P 5 C (i) so that this also includes ‘ <u>and improvements to the local walk/cycle network to encourage and promote more sustainable travel.</u> ’
Policy P 5C (page 139); Policy P 8C (page 152); Policy P 9C (page 155); Policy P 11D (page 161); Policy P 12E (page	3 – N	3 - Effectiveness These are all missing any reference to necessary education infrastructure. Add ‘expansion of primary and secondary schools’ to relevant infrastructure lists. This comment applies to all allocations, to ensure they contribute to mitigating cumulative impact.	Revise Policy P 5C; Policy P 8C; Policy P 9C; Policy P 11D; Policy P 12E; Policy P 13F and Policy P 14D to include references to necessary education infrastructure. Add ‘ <u>expansion of primary and secondary schools</u> ’ to relevant infrastructure lists.

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
164); Policy P 13F (page 173) and Policy P 14D (page 175)			
Policy P 6 F (North Weald Bassett)	3 – N	2 - Justification In respect of North Weald Bassett – ECC (as Highways authority) continues to be concerned with the potential transport (and sustainability) impacts of this allocation on Epping as there are no mitigations currently included that will make sustainable travel an attractive proposition, for which purpose a study has been suggested to assess the potential for sustainable transport linking with Epping.	Add reference for Policy P 6F in the Local Plan to a firm need for and commitment to exploring and concluding on the feasibility of sustainable travel alternatives to private road / car transport for this area. This work needs to be progressed to a satisfactory extent (at least a draft stage) by the time of Local Plan examination.
Policy P 6 (iii) (North Weald Bassett)	3 - N	3 - Effectiveness ECC recommends that this also includes ' <i>and improvements to the local walk/cycle network to encourage and promote more sustainable travel.</i>	Revise Policy P 6 (iii) so that this also includes ' <i>and improvements to the local walk/cycle network to encourage and promote more sustainable travel.</i>
Policy P 6F (North Weald Bassett) and Policy P 10D + Map 5.12	3 – N	3 Effectiveness This does not list the need for contributions to increase the number of secondary school places to serve this area The need for a new primary school is correctly listed but the policy fails to allocate, as D1 use, a	Revise Policy P 6F (North Weald Bassett) and Policy P 10D + Map 5.12 to add need for contributions to increase the number of secondary school places to serve this area. Add reference in policies to allocate, as D1 use, a 2.1 hectare piece of suitable land for education use. Map 5.12 needs to either show a

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		2.1 hectare piece of suitable land for this purpose (as set out in ECC's Developers' Guide to Infrastructure Contributions). Map 5.12 needs to either show a suitable school site as a separate D1 land allocation or make it clear that the orange hatching includes 2.1 hectares of D1 class land and that it is not purely for residential use as currently indicated. This relates to ECC's role as Education authority.	suitable school site as a separate D1 land allocation or make it clear that the orange hatching includes 2.1 hectares of D1 class land and that it is not purely for residential use as currently indicated.
Policy P 7C (Chigwell)	3 - N	3 Effectiveness The policy does not include the need for contributions to add primary school capacity. ECC also specifically identified and raised the need for replacement of existing temporary accommodation (by permanent accommodation) in this area as key to providing for the planned growth long term. This relates to ECC's role as Education authority.	Revise Policy P 7C to include reference to requiring additional primary school capacity, allowing for temporary accommodation replacement (in order to properly reflect ensuring adequate future education provision for locality).
Policy P 7C (ii) (Chigwell)	3 - N	3 Effectiveness ECC recommends this this also includes ' <i>and improvements to the local walk/cycle network to encourage and promote more sustainable travel.</i> '	Revise Policy P 7C (ii) so that this also includes ' <i>and improvements to the local walk/cycle network to encourage and promote more sustainable travel.</i> '
Policy P 8C (i) Theydon Bois	3 - N	3 Effectiveness ECC recommends this this also includes ' <i>and improvements to the local walk/cycle</i>	Revise Policy P 8C (i) so that this also includes ' <i>and improvements to the local walk/cycle network to encourage and promote more sustainable travel.</i> '

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
		<i>network to encourage and promote more sustainable travel.</i>	
Policy P 9 (i) Roydon	3 - N	3 Effectiveness ECC recommends this this also includes ' <i>and improvements to the local walk/cycle network to encourage and promote more sustainable travel.</i>	Revise Policy P 9C (i) so that this also includes ' <i>and improvements to the local walk/cycle network to encourage and promote more sustainable travel.</i>
Chapter 6: Infrastructure and Delivery			
Policy D 1	3 - N	3 - Effectiveness This policy partly reflects an ECC recommended model Infrastructure policy (developed as best practice) but differs in some adverse ways. ... The text as previously put forward by ECC at the Regulation 18 consultation stage stating that ' <i>Developers and land owners must work positively with the Council, neighbouring authorities and other infrastructure providers throughout the planning process to ensure that the cumulative impact of development is considered and then mitigated, at the appropriate time, in line with their published policies and guidance</i> ' has been removed, to the detriment of the policy's effectiveness.	Revise Policy D 1 to incorporate revised wording as recommended (ECC best practice policy assists in ensuring this meets infrastructure requirements fully). This needs to state that ' <i>Developers and land owners must work positively with the Council, neighbouring authorities and other infrastructure providers throughout the planning process to ensure that the cumulative impact of development is considered and then mitigated, at the appropriate time, in line with their published policies and guidance</i> '.
Paragraphs 6.24 – 6.30 (Health) and	3 - N	3 – Effectiveness ECC is very positive about the inclusion of the role of Public Health in the Local Plan. ECC	Refocus and reword Paragraphs 6.24 – 6.30 (Health) and Policy D 2 to remove the current focus dealing with health and HIA only on access to

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
Policy D 2		recommends that the HIA section in 6.30 and within Policy D2 mentions healthy environments. Health impacts are not solely based on access to healthcare infrastructure but the wider health impacts the development will have on health and wellbeing including issues such as employment, community cohesion, access to amenities etc. Limiting the HIA to healthcare infrastructure will not cover the aims of any HIA carried out. In addition, the Department of Health does not issue guidance on HIA - within Essex this is issued by Essex Planning Officers Association. It should also be considered as to who will be consulted on HIA- including guiding what is required, what the review process will be and provide advice and guidance on healthy environments generally. This has previously been a role of Public Health when based in the NHS. It is considered very important that this section is amended – ECC Public Health team would be happy to discuss this with EFDC planning team and advise accordingly.	healthcare infrastructure. Also delete reference to Department of Health guidance on HIA. ECC recommends refocusing and rewording the current HIA element of paragraphs 6.24 – 6.30 (Health) and Policy D 2 (ECC Public Health can assist) to also mention healthy environments. This needs to recognise that health impacts are not solely based on access to healthcare infrastructure but the wider health impacts the development will have on health and wellbeing including issues such as employment, community cohesion, access to amenities etc. ECC Public Health offers assistance on how this could usefully be revised. ECC proposes joint working with EFDC prior to Local Plan submission to agree an appropriate form of wording (in readiness) for the Planning Inspector’s consideration.
Appendices			
Appendix 3 (1 st set of Monitoring	3 - N	3 - Effectiveness Monitoring indicators ‘changes in travel to work patterns, flows and mode of transport’ - this	Add new indicator to Appendix 3 (1 st set of Monitoring Indicators) so that consideration is also given to the required overall step change in modal

APPENDIX 1 TO ECC CMA FP/028/12/17

ECC RESPONSE TO THE EPPING FOREST DISTRICT SUBMISSION DRAFT LOCAL PLAN 2017

Draft Plan Section, Paragraph, Policy or Map reference ³¹	Is the Draft Plan 1. Legally compliant Y/N 2. Complies with Duty to Cooperate Y/N 3. Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Change needed to make the Draft Plan sound / legally complaint
Indicators)		indicator is for Journeys to Work only. Accordingly, ECC advises that consideration is also given to the required overall step change in modal shift towards active/sustainable travel for all journeys, particularly within and related to the Garden Town Communities. See Policy SP 4 C (xii).	shift towards active/sustainable travel for all journeys, particularly within and related to the Garden Town Communities.
Appendix 3 (3 rd set of Monitoring Indicators)	3 - N	3 - Effectiveness Add further Monitoring Indicator: This will address the planned step change in modal shift/share demonstrating delivery of Policy SP 4 C (xii).	Add further Monitoring Indicator: This indicator needs to address the planned step change in modal shift/share demonstrating delivery of Policy SP 4 C (xii).