

Our Ref: LS/9969
(Please reply to Banbury office)

....Redacted....

22 September 2021

MM Consultation 2021
Planning Policy
Epping Forest District Council Civic Offices
323 High Street
Epping
Essex CM16 4BZ

Dear Sirs

**TOWN AND COUNTRY PLANNING ACT 1990
CONSULTATION ON MAIN MODIFICATIONS, TO THE EPPING FOREST DISTRICT LOCAL PLAN
SUBMISSION VERSION (2017)**

1. The letter forms part of the representations to the Main Modifications and should be read as such.

Introduction

MM78 Policy P 1 New part after Part L as follows

2. This note sets out a detailed response to MM78 Policy P1 New part after Part L as follows, which states:

“Any application for planning permission made subsequent to the endorsed Strategic Masterplan should be accompanied by an assessment of potential air quality impacts demonstrating compliance with J. above, Policy DM2 and Policy DM22 and the Council’s adopted Air Pollution Mitigation Strategy. Such an assessment must take into account the results of monitoring in 2024/2025 which is to be undertaken in accordance with the Council’s adopted Air Pollution Mitigation Strategy. Accordingly, no application for permission should be determined prior to such monitoring results being available.”

3. This new proposed supporting text to policy DM2 delays development on the EPP.R1 and EPP.R2 sites until post 2025, once air quality monitoring has been undertaken in accordance with the Epping Forest Interim Air Pollution Mitigation Strategy (IAPMS) December 2020The current published IAPMS is labelled ‘Interim’ and was produced to help clear a backlog of planning applications.

enquiries@framptons-planning.com
www.framptons-planning.com

Oriel House, 42 North Bar, Banbury,
Oxfordshire, OX16 0TH
T: 01295 672310 F: 01295 275606

Aylesford House, 72 Clarendon Street,
Leamington Spa, Warwickshire, CV32 4PE
T: 01926 831144

Oxford – Area Office, 4 Staplehurst Office Centre,
Weston on the Green, Bicester, Oxfordshire, OX25 3QU
T: 01295 672310

4. The IAPMS (ED126/212) does not appear to have been formally consulted on as part of the EIP process, although in December 2020 the Interim document was approved by Members at Committee and is intended by the Council that it is Adopted after the Local Plan has been Adopted. The IAPMS was uploaded onto the Evidence Documents webpage on 15th July 2021 as Document Reference ED126 (in addition to also comprising Document Reference EB212).
5. The purpose of the IAPMS is set out in paragraph 1.3 which states that;

'This Strategy has been developed to provide a strategic approach to mitigating the effects of development on the integrity of the Epping Forest SC in relation to atmospheric pollution. It has been developed to support the implementation of policies contained within the emerging Local Plan and specifically policies DM2 and DM22. In doing so it reflects the evidence base (the evidence) developed to support the HRA process. This Strategy will therefore support the conclusion of the Local Plan HRA process and facilitate the determination of individual planning applications which have the potential to have an adverse effect on the integrity of the Epping Forest SC in relation to atmospheric pollution without mitigation'.

6. There are no references within the IAPMS to the SEMPA needing to be subject to delayed delivery on its own separate from other allocated strategic sites. Indeed page 29 of the IAPMS refers to several strategic sites being identified as needing financial contributions to be secured towards the provision of monitoring and comparative assessments, yet none of these sites have been required to delay site delivery. The Garden Communities will contribute £232 per dwelling, North Weald and Bassett Masterplan Area, and the SEMPA will contribute £641 per dwelling, and windfall sites and the Waltham Abbey Masterplan Area will contribute £335 per dwelling. So if the impact of the SEMPA is equal to impact at North Weald and Bassett Masterplan Area when considering financial contributions then the Local Plan policy needs to be aligned to consider these sites on a similar basis.
7. Section 6 of the IAPMS deals with Monitoring and Review. This specifies that a continuous air quality monitoring unit will be provided and that:

"... The same sites and methodology as that undertaken for the air quality monitoring undertaken over the period May 2018 – February 2019 will be used to ensure consistency in the data used and its analysis for comparative purposes. The next period of on-site monitoring will be undertaken for a period of 9 months and will commence in May 2024 [until February 2025]. This approach is in accordance with Policy D8 of the emerging Local Plan.

The results of the online monitoring will be used to assess progress towards the 'predicted' air quality conditions as set out in the current evidence base...On the basis of the most up-to-date modelling outputs the Council will undertake an assessment as to whether the Local Plan should be updated in relation to the level and location of development across the District in consultation with Natural England as the statutory body responsible for the oversight of internationally designated sites (paragraphs 6.2-6.3).

8. In effect, this Monitoring and Review as set out in the IAPMS triggers the same effect as a Local Plan Review as it would review - in the light of updated Air Quality - revisions to **the level and location of Development across the District**. The rationale for linking Local Plan

Policy for allocated strategic site delivery to the IAPMS which has prepared without proper scrutiny and is queried and is not supported. Linking the delay of development on a strategic site allocation based upon a document that is not part of the Development Plan is untenable.

9. The EPP.R1 and EPP.R2 sites (the SEMPA sites) are the only sites which are caught by this proposed delay in delivery and proposed requirement for this further assessment. The policy wording makes the delivery of the SEMPA reliant on the Council doing the monitoring/survey work in 2024/5, which is a flawed approach and makes the Plan unsound. Linking the delivery of the site to the IAPMS requirement for air quality monitoring survey work which is outside of the control of the landowner and site promoters is a potential significant deliverability issue. There is no reference or recommendation for delaying development specifically on the SEMPA within the IAPMS and this approach is strongly objected to as a mitigation strategy that is unnecessary, unjustified and not sound. The Inspector's Letter post Hearings dated 2 August 2019 Ref ED98 referred to providing robust habitat-specific evidence, or seeking to avoid the effects of atmospheric pollution altering or reducing the pattern of growth proposed in the Plan (Action 5) which has been done. Further, the Inspector advises in para 45 *that 'I anticipate a reduction in the number of dwellings proposed and / or a delay in the projected timing of their delivery'*. The associated Action 19 directs a site capacity review for EPP.R1 and R2 and the number of dwellings proposed was halved. The restrictive part of the policy preventing development from coming forward on the SEMPA site is unnecessary as mitigation on this site from air quality, and site capacity and constraints issues have been addressed.
10. There is concern that, the proposed policy wording in polices DM2 (proposed MM47 paragraph B1) and DM22 (proposed MM74, new paragraph 4.163) and MM75 (amendment to part c), potentially enables unallocated sites to come forward as speculative development in advance of the EPP.R1 and EPP.R2 sites. This scenario is contrary to the plan-led system for planning development on appropriately assessed sites and the SEMPA site has undergone appropriate scrutiny in terms of air quality sufficient to warrant site allocation. Allowing speculative development to come forward and potentially take up the Air Quality capacity considered in relation to the SEMPA site allocation would undermine the entire plan led approach and makes the Local Plan unsound. We strongly urge that the restrictive policy wording requiring additional air quality monitoring to be undertaken in 2024/2025 in relation to any planning application on the SEMPA site be removed.
11. We have reviewed the supporting documents to try and understand the rationale to this change in policy wording and have set out comments below on the supporting documents:

ED127 'EFDC response to the Inspector's Post Hearing Action 5 & supplementary questions of June 2021, July 2021 (ED127)

12. Having reviewed ED127 'EFDC response to the Inspector's Post Hearing Action 5 & supplementary questions of June 2021, July 2021, this attempts to provide an explanation as to why this restriction has been put in place, page 1 paragraph 5 states: *"In addition, a Main Modification (MM) has been proposed to the South of Epping Masterplan Area in relation to the timing of development on this site linked to further air quality modelling and monitoring results."*

13. It is noted that Page 3 paragraph 4 (under point 1.), which is a response to the Inspector's question states:

"1. How much development is expected to come forward until the proposed/potential introduction of the CAZ from 2025? (Can this be taken from the trajectory?)

The Council's response is: *"The amount of development that has been modelled for the Interim Year (2024) has been informed by the Housing Trajectory (as set out in Appendix 5 to the proposed Main Modifications)."*

14. Page 4 (last paragraph) and 5 (first paragraph) the Council note that if following monitoring that the air quality targets within the EFSAC are not met the Council, in consultation with Natural England, will need to review the most appropriate course of action to address any underachievement, this could include further mitigation measures to be put in place and *"if necessary whether the granting of new consents must cease. That is the ultimate fallback to ensure protection of the EFSAC."*

It is not understood therefore why the SEMPA is being singled out by a delay in delivery, surely further mitigation or the ultimate fallback of 'no new consents' are the appropriate catch all for all sites.

15. In Page 5, the fourth paragraph, the Council attempts to explain why the restriction on the timing of development has been included (emphasis added):

*"The Council recognises that a different approach has been taken to the South of Epping Masterplan Area as per the Council's **response to Action 19** of the Inspector's post Examination hearing advice. This outlines a **delay on the delivery of any dwellings within the Masterplan Area until after the results of additional traffic modelling on roads within 200m of the Epping Forest SAC which will be undertaken in 2024/25 in accordance with the adopted Interim Air Pollution Mitigation Strategy.** The Council proposes that the timescales for delivery of the site is managed through a Main Modification to Policy P1. **This approach has not been adopted elsewhere having given consideration both to the proximity of sites to the EFSAC and to reflect the fact that there are other factors that need to be taken into account in terms of, for example, the quantum of development needed to support necessary infrastructure, and the opportunities provided at these other sites for greater modal shift.**"*

16. With regards to this explanation as to why a different approach has been taken for the SEMPA, we comment as follows:

- a. Action 19 of the 'Inspector's Advice After Hearings' (ED98) states:

*"To review the site capacity work for EPP.R1 and R2 (South Epping Masterplan Area) taking detailed account of constraints, and to consider the delivery of the bridge. It is likely that the number of dwellings proposed should be reduced **and/or** that the projected timing of delivery should be delayed."*(emphasis added), at no point in this Action or the supporting text does the Inspector relate to the timing of delivery to air quality. Furthermore, the capacity of the site has been significantly reduced in the proposed MM.

The supporting text for this change (paragraphs 42 to 45 in ED98) deals with site capacity issues and overcoming site constraints in relation to delivery, not in relation to air quality. With paragraph 45 stating:

*“Therefore the Council should review its capacity work, preferably in conjunction with the site promoters, with the above concerns in mind together with the need for SANG provision as outlined above. It should also set out clearly how the bridge is intended to be delivered and what contingencies will be in place of this does not happen. I am open to this allocation remaining in the Plan but, at this stage, I anticipate a reduction on the numbers of dwellings proposed **and/or** a delay in the projected timing of their delivery.” (emphasis added)*

The MMs reduced the quantum of development in response to this request and therefore there is no need for a further delay to delivery.

Having reviewed ED98 further, pages 3-7 deal with the ‘Habitats Regulation Assessment’ and ‘Housing: Requirement, Distribution & Delivery’ there is reference to “... or seek to avoid the effects by altering (or potentially reducing) the pattern of growth proposed in the Plan” (Action 5) and that the capacity of certain allocations might need to be reduced (paragraph 21 but there are no references to delays in delivery of the SEMPA.

- b. It is acknowledged the SEMPA site is in close proximity to EFSAC but other developments and proposed allocations will generate traffic on network through the EFSAC, therefore it is not a strong enough reason to treat the site differently;
- c. The ‘other factors’ are not clearly explained it is difficult to understand what is meant by these.

17. Page 5 under point 5 asks: **“3. Is the amount of development expected to come forward before the introduction of the CAZ a “maximum” amount? If it is, how will the Plan impose this limit?”**

18. Interestingly the Council’s response as to why the amount of development expected to come forward before the introduction of the CAZ is not a “maximum” amount provides many reasons (although not in relation to the SEMPA) as to why development should not be restricted/delayed on the SEMPA, for example the response states (emphasis added):

*“The quantum of development that has been modelled to 2024 is the maximum that is considered likely to come forward based on the evidence provided to inform the Housing Trajectory and has been used as a way of ‘sense-checking’ the air quality part of the way through the Plan period as a precautionary measure rather than the maximum that can be delivered for HRA purposes. **This is because it is the Local Plan in its entirety up to 2033 that is required to be assessed for HRA purposes.**”*

*“In considering the amount of development that can come forward it is **important to recognise that it is the Plan as a whole that is being assessed in terms of any adverse effect on the EFSAC rather than phases of development within it. The testing of an interim (2024) level of development was introduced in order for the Council to be able to monitor the***

effects of development on the Epping Forest Special Area of Conservation (EFSAC) to inform the five-year review of the Local Plan rather than to specifically provide a point at which no further development could come forward.”

“The inclusion of a phased release of a quantum of development would, in the Council’s view, undermine the point of having the IAPMS. This reflects the fact that the purpose of the IAPMS is to identify the mitigation measures required to mitigate the effects of Local Plan development to 2033.”

“Flexibility has been built into the emerging Local Plan to enable the Council to respond to changing circumstances/the findings of monitoring in its approach to protecting the Epping Forest Special Area of Conservation (EFSAC). As such it would not be appropriate for the emerging Local Plan policies to specify precise amounts of development that can come forward at particular periods of time based on any “milestones”. This is for a variety of reasons including:

- **potential changes in background air quality in due course** (this could worsen or improve as a result of COVID or improve if the take up of electric vehicles or modal shift happens faster than anticipated or if assumed traffic growth is lower in reality).
- **reflects the reality that not all development that is consented is implemented** (which is an accepted planning principle as evidenced by the need to include a “lapse rate” when assessing housing supply) and that **taking the “milestone” approach could potentially limited the ability of the Council to consent development which would not adversely affect the integrity of the EFSAC whilst helping to meet its other duties/requirements.**
- **that there are other mechanisms which can be brought to bear which do not require the phasing of development to be established within the emerging Local Plan including through Policy D8 and the Monitoring and Review Section of the IAPMS.”**

“The HRA 2021 and the IAPMS include targets against which the effectiveness of the range of mitigation measures can be monitored. The purpose of this is in order to track the actual change in pollutant concentrations against the projections in the modelling rather than leaving any assessment until the end of the Local Plan period. This reflects, in part, the fact that for HRA purposes not all of the mitigation measures can be directly modelled with reasonable scientific certainty (as acknowledged within both the HRA 2021 and the IAPMS). The on-site monitoring proposed to be undertaken in 2024/25 is therefore a key mechanism by which any potential adverse effect on the integrity of the EFSAC can be further assessed and the Plan updated should this be necessary. This approach also enables the combined effectiveness of the mitigation measures (i.e. both those that are capable of being modelled and those which cannot) to be better understood.”

“Considering the level of development at the 2024 ‘point in time’ gives the Council the opportunity to be able to examine the effects of development based on a known number of dwellings that have been completed across different parts of the District to then ascertain through on-site monitoring whether the predicted air quality improvements that have been forecast are or are not as anticipated. In addition, the air quality modelling is based on a range of assumptions which could be considered precautionary (as set out in paragraph 6.35 page 134 of the HRA 2021) and monitoring air quality at 2024 therefore allows those changes to be taken into account. In reality, strict phasing of development is not required because, if a greater number of dwellings were to be completed and occupied by 2024 than has been modelled, their effects on the EFSAC would be temporary due to the implementation of the CAZ, should the future monitoring demonstrate that it is required,

and to maximise certainty of no adverse effect on the EFSAC an update to the Local Plan could be undertaken in line with Policy D8 to ensure the quantum of overall development to 2033 does not exceed that allocated/modelled. It is therefore ultimately the total quantum of development allocated in the Local Plan to 2033 that is considered to be the maximum that can be developed without an adverse effect on the EFSAC, based on the current evidence (again recognising the precautionary approach that has been taken). For completeness, a summary of the range of required measures, when they will be delivered and by who is set out in Appendix 3 of the IAPMS and replicated below

“In reality some of those measures may have the same effect as the 10% conversion from petrol to ULEV by 2024 but cannot be modelled with sufficient scientific certainty for HRA purposes. Furthermore, as set out above, no account has been taken in the modelling of sites which have existing uses on them. This is an important point in that some sites (whether allocated or which come forward for development through the Prior Approval Route) when assessed on a site-specific level have demonstrated that the existing authorised use generates a greater proportion of AADT than that proposed. Therefore, it would be an oversimplification to apply a straight line correlation and apply a policy in the Plan that only a defined number of dwellings can be permitted up to 2024.”

“Even with the traffic and air quality measures identified in the IAPMS to be introduced by 2024, there are specific locations in Epping Forest SAC where medium or large residual nitrogen doses are still forecast by 2024 (as documented in the HRA). As a result, to ensure that the delivery of mitigation measures over the plan period keeps pace with delivery of development, there are also specific habitat management interventions included in the IAPMS to improve resilience of the SAC, particularly regarding the production and implementation of Veteran Tree Management Plans for certain roadside trees in the SAC and the improvement of habitat management around sundew populations in the SAC. Some limited additional further growth prior to introduction of a CAZ, should the future monitoring demonstrate that it is required, could potentially be allowed provided additional mitigation was secured but each application would need to be scrutinised to determine whether it could be addressed without delivery of development outstripping the pace of delivery of necessary mitigation.”

19. In summary, these development of the SEMPA should not be treated differently and delivery should be not be delayed because:

- **the Local Plan in its entirety up to 2033 has been assessed for HRA purposes** and it is the Plan as a whole that has been assessed in terms of any adverse effect on the EFSAC rather than phases of development within it or an individual site within it.
- The testing of an interim (2024) level of development was introduced in order for the Council to be able to **monitor the effects of development on the Epping Forest Special Area of Conservation (EFSAC) to inform the five-year review of the Local Plan** rather than to specifically provide a point at which no further development could come forward.
- The inclusion of a phased release of a quantum of development or restricted delivery on one site would undermine the purpose of having the IAPMS.
- **Flexibility has been built into the emerging Local Plan** to enable the Council to respond to changing circumstances/the findings of monitoring in its approach to protecting EFSAC. As such it would not be appropriate for the Local Plan policies to specify precise amounts of development that can come forward at particular periods of time based on any “milestones” or restricted delivery on one site. This is for a

variety of reasons including: potential changes in background air quality in due course; reflects the reality that not all development that is consented is implemented; that there are other mechanisms which can be brought to bear which do not require the phasing of development to be established within the emerging Local Plan including through Policy D8 and the Monitoring and Review Section of the IAPMS.

- Restricted delivery on one site is not required because, if a greater number of dwellings were to be completed and occupied by 2024 than has been modelled, their effects on the EFSAC would be temporary due to the implementation of the CAZ, should the future monitoring demonstrate that it is required, and to maximise certainty of no adverse effect on the EFSAC an update to the Local Plan could be undertaken in line with Policy D8 to ensure the quantum of overall development to 2033 does not exceed that allocated/modelled. **It is therefore ultimately the total quantum of development allocated in the Local Plan to 2033 that is considered to be the maximum that can be developed without an adverse effect on the EFSAC, based on the current evidence (again recognising the precautionary approach that has been taken).**
- Finally, the ED127 response states that some limited additional further growth prior to introduction of a CAZ, should the future monitoring demonstrate that it is required, could potentially be allowed provided additional mitigation was secured but each application would need to be scrutinised to determine whether it could be addressed without delivery of development outstripping the pace of delivery of necessary mitigation.

Interim APMS (IAPMS)

20. Comments on the IAPMS are set out below:

21. Paragraph 2.1 confirmed that *“To support an understanding of the likely significant effects of the emerging Local Plan on the **Epping Forest SAC bespoke traffic and air quality modelling has been undertaken based on observed data and on-site monitoring.**”* (emphasis added). The paragraph refers to a link which contained the technical notes explaining the methodology undertaken and the results used to inform the development of this Strategy and the emerging HRA, however no link is inserted in the document.
22. Paragraph 2.2 confirmed a cumulative and predicted analysis was undertaken and states *“The predicted change in vehicle flows and mean maximum queue length and duration was modelled on a series of roads in close proximity to the Epping Forest SAC. **This took account of all expected growth over the plan period, including Local Plan development and extant planning permissions, background traffic growth arising from development in surrounding local authority areas (including extant planning permissions) and predicted background growth in traffic generally as derived by national traffic growth projections.**”* (emphasis added). Therefore, the subject site was included in part of the modelling for the strategy.
23. Paragraph 2.4 confirms that using the generated traffic scenarios, information on the vehicle fleet mix, average vehicle speeds and queue lengths (all of which influence the emissions profile), air quality specialists calculated expected concentrations, for oxides of nitrogen and ammonia as well as nitrogen deposition rates for the modelled links. Therefore, as stated above the site was assessed and predictions made so why is there a need to survey again as set out in the proposed MMs?

24. Paragraph 3.5 states that ***“The outputs of modelling undertaken showed that growth in Epping Forest District up to 2033 (i.e. the end of the Local Plan period) is the primary source of additional ammonia and NOx emissions on the modelled road sections and all other plans and projects would appear to make a negligible contribution to the ‘in combination’ effect. This is thought to be because the average daily traffic flow on all the modelled sections of road is dominated by people who either live or work in Epping Forest District, particularly the settlements that surround the Epping Forest SAC, including Epping itself.”*** If the modelling gave outputs until 2033 it is not understood why there needs to be further assessment in 2024/25.
25. Paragraph 3.6 confirms that the evidence demonstrates that the effects of Local Plan development on air quality on the Forest will require mitigation measures to be implemented and paragraph 3.7 sets out that mitigation will be secured by the use of planning conditions and/or legal agreements to secure financial contributions for the implementation of off-site measures as part of the determination of planning and other development related applications; the development of strategic Masterplans; and strategic initiatives to be implemented by the Council and its partners.
26. Paragraph 3.8 states that the policy context against which planning and other development related applications will be assessed in relation to addressing atmospheric pollution is set out in Section 4 below. In particular policies DM2 and DM22 provide the Framework by which the effects on the Epping Forest SAC will be mitigated to such an extent that an adverse effect on site integrity can be avoided and states *“The measures relied upon to avoid adverse effects to the Epping Forest will be secured through the implementation of this Strategy, which identifies a number of measures that will be need to be delivered over the course of the Local Plan period. Appendix 3 to this strategy provides a summary of the measures that will be delivered, how they will be delivered, and when.”*
27. Paragraph 5.2 states that the evidence base modelled a number of scenarios which assessed future development growth in the District ‘in combination’ with other plans and projects (i.e. the Local Plan plus growth in surrounding authorities). A number of potential measures were initially considered, including the implementation of a Clean Air Zone encompassing the roads within close proximity to the Epping Forest SAC and the closure of roads to HGVs. In addition, consideration was given to what beneficial effects a shift from Large Goods Vehicles (LGVs) to Ultra Low Emission Vehicles (ULEVs or simply newer Euro standards) would have. Ultimately, two approaches were selected as being quantifiable in the air quality modelling and the most likely to be sufficiently effective in order to be able to reach a conclusion of no adverse effect on the integrity of the Epping Forest SAC. These were as follows: 1. The introduction of a Clean Air Zone; and 2. Increasing the percentage of the vehicle fleet that constitutes ULEVs to 12-15% by 2033, with a focus on the conversion of petrol cars (these being a major source of ammonia) to ULEVs (e.g. electric cars).
28. Paragraph 5.4 states that here are other measures which would also have a beneficial role in achieving an improvement in air quality within the Epping Forest SAC and beyond and states ***“Regular on site air quality and traffic monitoring are also key elements of this Strategy so that we can use data which is specific to the Epping Forest SAC to help us understand the effectiveness of the measures identified in this Strategy or if we need to look at other approaches. The approach to monitoring is set out in Section 6 of this Strategy. The outputs***

will be used to inform the requirement to regularly review the Local Plan and in particular the indicators set out in Policy D8 of the emerging Local Plan.”

29. Therefore, the additional monitoring relates to the effectiveness of the strategy and the Local Plan review, and not a mechanism relating to the restriction on timing of releasing the SEMPA sites.
30. Paragraph 5.22 states that the air quality modelling that has been undertaken to support the development of this Strategy and to inform the Habitats Regulations Assessment for the emerging Local Plan and *“has demonstrated that, based on current information and assumptions, in order to avoid adverse effects to the integrity of the EFSAC a key mitigation measure will be the need to implement a Clean Air Zone (CAZ) in 2025”*
31. Paragraph 5.37 states that based on the current evidence a CAZ would need to be put in place in 2025. Prior to that date a significant amount of practical work needs to be undertaken which the Council will need to do in partnership with Essex County Council as the highway authority. Key activities that need to be undertaken in developing the CAZ are set out at Appendix 2. An indicative programme of delivery is provided at Appendix 3 which provides more detail on the indicative dates to support the implementation of the CAZ and its commencement, which is currently anticipated to be in September 2025. Therefore, the requirement for further monitoring also appears to relate to justifying the need for the CAZ, this is also confirmed in ED127.
32. Paragraph 6.1 confirms that the Council, as local planning authority, is legally required to undertake a review of its Local Plan every five years. Paragraph 6.2 states that in this regard, undertaking a planned approach to air quality monitoring to assess progress on improvements to air quality across the Epping Forest SAC is a necessary and key component of the Strategy as ultimately the success of all the mitigation measures collectively will be better understood through monitoring in order to assess the progress being made towards improving air quality. This will involve a number of elements as follows:
 - Provision of a continuous air quality monitoring unit.
 - Undertaking on-site passive monitoring of Ammonia and NO₂ (primarily through the use of diffusion tubes but also using Alpha Samplers on transects which the evidence has indicated are the subject of the greatest impacts from ammonia concentrations within the Epping Forest SAC. The same sites and methodology as that undertaken for the air quality monitoring undertaken over the period May 2018 – February 2019 will be used to ensure consistency in the data used and its analysis for comparative purposes. The next period of on-site monitoring will be undertaken for a period of 9 months and will commence in May 2024. This strategy states that date has been proposed as it will provide more up-to-date information to inform the final scheme design of the CAZ and give an early indication of the progress toward achieving the Strategy’s objectives. This approach is in accordance with Policy D8 of the emerging Local Plan. There is also a need to provide sufficient time for some development to come forward recognising that very little development has been consented across the District since 2018. The nine-month period will allow for an analysis of conditions with and without leaf cover and provides significant periods where traffic levels are not reduced as a result of school and public holidays. This monitoring will build on the outputs from the continuous air quality monitoring station.
 - The results of the on-site monitoring will be used to assess progress towards the ‘predicted’ air quality conditions as set out in the current evidence base

- Undertaking traffic monitoring using Automatic Traffic Counts and Automatic Number Plate Recognition will enable comparisons to be made at key parts of the road network in close proximity to the Epping Forest SAC which aligns with the air quality monitoring. This will provide a comparable basis for undertaking a review of progress and indicate whether there is a need to update the Local Plan in order to be able to continue to demonstrate that it will not have an adverse effect on the integrity of the Epping Forest SAC.
33. These paragraphs therefore again confirm that the additional monitoring relates to the Local Plan review, and does not relate to restricting the release of the allocated SEMPA sites. These paragraphs also make reference to monitoring in 2024.
34. In summary therefore the interim strategy states:
- The modelling took account of all expected growth over the plan period, including Local Plan development and extant planning permissions, Therefore, as stated above, the site was assessed and predictions made so why is there a need to undertake surveys and modelling again in 2025?
 - If the modelling gave outputs until 2033, it is not understood why there needs to be further assessment in 2024/25
 - The additional monitoring proposed in the AQMS relates to the effectiveness of the strategy and the Local Plan review, and the possibility of needing a CAZ and is not proposed as a mechanism to control the release of the SEMPA site.

Conclusions

35. Having reviewed the supporting documents, it is clear that there is no justified rationale for the SEMPA site being singled out for delayed delivery.
36. The proposed additional wording is not positively prepared and so is not sound and should be amended as follows:
“ Any application for planning permission made subsequent to the endorsed Strategic Masterplan should be accompanied by an assessment of potential air quality impacts demonstrating compliance with J. above, Policy DM2 and Policy DM22 and the Council’s adopted Air Pollution Mitigation Strategy. Such an assessment must take into account the results of monitoring in 2024/2025 which is to be undertaken in accordance with the Council’s adopted Air Pollution Mitigation Strategy. Accordingly no application for permission should be determined prior to such monitoring results being available.”

Yours faithfully

....Redacted.....

Louise Steele