

Name:

**Part B – Your representation on the further Main Modifications and/or supporting documents**

If you wish to make more than one representation, please complete a separate [Part B form](#) for each representation and clearly print your name at the top of this form.

4. Which **further Main Modification and/or supporting document** does your representation relate to? (Representations are only invited on further Main Modifications within the Schedule. These are denoted by red text. The reference number can be found in the first column in red i.e. **MM2**, **MM11** and each Supporting Document has a reference number beginning with ED).

Any representation on a supporting document should clearly state (in question 6) which paragraphs of the document it relates to and, as far as possible, your comments should be linked to specific further Main

MM no.

Supporting document reference

5. Do you consider this **further Main Modification and/or supporting document**:  
(Please refer to the Guidance notes for an explanation of terms)

- a) Is Legally compliant      Yes       No
- b) Sound      Yes       No

If no, then which of the soundness test(s) does it fail

Positively prepared       Effective   
Justified       Consistent with national policy

6. Please give details of why you consider the **further Main Modification and/or supporting document** is not legally compliant or is unsound. Please be as precise and concise as possible. If your response exceeds 300 words please also provide an executive summary of no more than 300 words. If you wish to support the legal compliance, soundness of the Local Plan or compliance with the duty to co-operate, please also use this box to set out your comments.

**New Paragraphs following split Paragraph 4.20: (pages 73/74)**

The new section on Air Pollution makes reference to, and relies upon, a document which does not exist – “the Council’s adopted Air Pollution Mitigation Strategy for the Epping Forest”. Until such a document is produced and brought into effect, the new Part is ineffective.

The Council has not yet produced an Air Pollution Mitigation Strategy for the Epping Forest (APMS) for Epping Forest, only an “Interim Air Pollution Mitigation Strategy (IAPMS)”, which does not contain any measures currently capable of being applied, and gives no indication of when such measures might be effected. Nor does it have suitable targets against which progress will be assessed, or a “Monitoring Framework”.

The new Part therefore highly misleading. There is no published timetable for the development of an APMS. Some of the proposal in the IAPMS (such as a Clean Air Zone) cannot be introduced by the Council without the agreement of other bodies (which may not be forthcoming), and their introduction will involve public consultation which, unless it is a sham, also must allow for the possibility of particular measures not being introduced.

In the period before an APMS is developed and becomes effective, the Council has a duty to avoid approving any development which will harm Epping Forest,. We think that the new Local Plan needs to be specific on this matter. At present, when considering a new development, the Council cannot reasonably be satisfied that its mitigation measures will be brought into full force before damage to the Forest is caused by the commencement of work and subsequent occupation. Nor, in the absence of detailed, costed proposals, can it be satisfied that any particular sums paid by developers towards mitigation will be adequate for that purpose.

7. Please set out what change(s) (Continue on a separate sheet if necessary) **ther Main Modification and/or supporting document** legally compliant or sound, having regard to the test you have identified in the question above (Positively prepared/Justified/Effective/Consistent with national policy) where this relates to soundness. You will need to say why this change will make the Submission Version of the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise and concise as possible. If your response exceeds 300 words please also provide an executive summary of no more than 300 words.

#### **Amendments (in blue)**

“x.xx Air Pollution Mitigation Strategy (APMS) for the Epping Forest – The **Council will develop an APMS which will** includes a number of specific measures and how they would be delivered to ensure that there would be no adverse effect on the integrity of the Epping Forest SAC in relation to atmospheric pollution. This reflects the findings of the HRA 2022 that new development within the District has the potential to increase pollutants of concern within the Epping Forest SAC, primarily arising from emissions of nitrogen dioxide and ammonia from additional vehicles using roads in close proximity to it. The APMS **will take has taken** account of the need for development proposals to be assessed both alone and in combination with other plans and projects and therefore provides a strategic approach to the identification and delivery of mitigation and monitoring measures. These measures **may** range from those which will help to limit the increase in the level of traffic using roads through the Epping Forest SAC and significantly increase the uptake of electric vehicles, through to the implementation of a ‘Clean Air Zone’ should the future monitoring demonstrate that it is required [INSERT FOOTNOTE 1 AS BELOW]. The APMS **will** also includes targets against which progress will be assessed together with a Monitoring Framework, which includes for future on-site monitoring. This Monitoring Framework is necessary to ensure that progress towards the achievement of these targets is assessed and informs any necessary changes that may need to be made to the targets and measures and identified in the APMS. **Until the APMS is developed and brought into full effect, the Council will not permit any development within 1km of Epping Forest unless it can be demonstrated that the development will not of itself create any adverse effect to the integrity of the Forest”**

#### **Justification**

At present the Council has not produced an APMS, only an IAPMS, which contains no provisions which have current effect, no targets and no Monitoring Framework. There is no published timetable for an APMS to be brought into effect (and indeed no external signs of any activity in this regard on the part of the Council). The Plan should therefore acknowledge that the APMS will not be in force when the Plan is approved, and make the necessary provision for the protection of Epping Forest in the meantime. We have suggested one way in which suitable protection might be achieved, and would be happy to consider other suitable solutions.

***After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

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8. Have you attached any documents with this representation which specifically relate to a further MM or supporting document?

Yes

No

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Signature:

....Redacted....

Date

01/12/22