

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.

Policy P2 (page 117) “Amend Part I as follows: “

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) you consider necessary to make the **further 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.

Amendment

Air Pollution

“I. The development of the allocated sites within Loughton have the potential to produce air pollution that could impact upon air quality in the District, including the Epping Forest. All development proposals will need to demonstrate that they are in accordance with Policy DM2 and Policy DM22 and should have regard to the Council’s adopted Air Pollution Mitigation Strategy for the Epping Forest (APMS), **once such a strategy has been brought into full effect.** This includes, where necessary, the provision of financial contributions for the purposes of implementing air pollution mitigation initiatives and undertaking air quality monitoring and any necessary future air quality assessments., **Until the APMS has been 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 Interim APMS, 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.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **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.**

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

Yes

No

Signature:

....Redacted....

Date

01/12/22