Part B – Your representation on the 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

4. Which **Main Modification number and/or supporting document** does your representation relate to? (Each Main Modification within the Schedule has a reference number. This can be found in the first column i.e. MM1, MM2 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 Main Modifications. You should avoid lengthy comments on the supporting documents themselves.

MM no. 75 Supporting document reference ED98

5. Do you consider this **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 **Main Modification and/or supporting document** is not legally compliant or is unsound. Please be as precise as possible. 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.

Regarding Policy DM22, Air Quality:-

Air Pollution Mitigation Strategy:- This is in fact an *Interim* Strategy and is not legally compliant as the Strategy does not prove '***Beyond all reasonable scientific doubt'***- as Case Law dictates- that the quantum of proposed development will not impact detrimentally on the SAC due to increases in atmospheric pollution so caused. The proposed Strategy is unsound and ineffective and cannot be justified in terms of evidence or factual information, little of which is presented in the HRA or Interim Strategy. Instead, the Interim Strategy, lacks specificity, is largely aspirational and vague in its nature and has no measurable targets to reduce traffic or improve air quality around Epping Forest SAC, which is already in some

serious state of decline. An extract from the survey report by IDOM Merebrook for the City of London, published in September 2020 (Katherine Johnson – Environmental Engineer), stated that “Recent surveys revealed that 60% of the Forest is in unfavourable condition and is at uniquely high risk of adverse environmental impacts, with extremely high background air pollutant levels when compared to other protected sites in Southeast England”. The survey also revealed that “The continuing high levels of air pollution mean that the forest is highly vulnerable to additional threats such as the increase in traffic emissions associated with future development plans……”.

7. Please set out what change(s) you consider necessary to make the **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 as possible.

The Interim Air Pollution Mitigation Strategy, although approved by Council, needs to be reconsidered as, in its present form, it is 'not fit for purpose' and does not comply with the legal case law of 'Beyond all reasonable scientific doubt'. The SVLP does not give due accord to the **severe constraints** within Epping Forest District, which is 92% Green Belt and contains the nationally and internationally recognised Epping Forest SAC and SSI. The quantum of proposed development needs to be severely reduced to take account of the above constraints to development. The latest Government (ONS 2018) data for household projections in Epping Forest District show a reduction by more than one half in the proposed housing numbers, which were based on the, now out of date, ONS 2014 data. Brexit and Covid have played a part in this.

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

[ ] Yes [*] No

Signature: J Warren BSc PhD Date 23/09/2021