

Part A – Your Details

1. Are you making this representation as? (Please tick as appropriate)

a) Resident or Member of the General Public ☐ or

b) Statutory Consultee, Local Authority or Town and Parish Council ☐ or

c) Landowner ☐ or

d) Agent ☐

Other organisation (please specify)

Loughton Residents Association

2. Personal Details

3. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>	<input type="text"/>
First Name	<input type="text" value="David"/>	<input type="text"/>
Last Name	<input type="text" value="Linnell"/>	<input type="text"/>
Job Title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Loughton Residents Association"/>	<input type="text"/>
Address Line 1	<input type="text" value="....Redacted...."/>	<input type="text"/>
Line 2	<input type="text" value="....Redacted...."/>	<input type="text"/>
Line 3	<input type="text" value="....Redacted...."/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text" value="....Redacted...."/>	<input type="text"/>
Telephone Number	<input type="text" value="....Redacted...."/>	<input type="text"/>
E-mail Address	<input type="text" value="....Redacted...."/>	<input type="text"/>

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.

Supporting document reference

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 <input type="text"/> | No <input type="text" value="x"/> |
| b) Sound | Yes <input type="text"/> | No <input type="text" value="x"/> |

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.

Taken as a whole, we still consider the MMs fail to put the Local Plan into a state of compliance with the general law, and the Holohan judgment (Case C-461/17 *Holohan and others v An Bord Pleanála*).

We submit that you, as Inspector, cannot accept the Interim Air Quality Management Strategy because there is no evidence the listed set of actions within the strategy will bring about the mitigation of pollution on the Special Area of Conservation beyond any scientific doubt, nor is there any certainty the mitigation measures can be carried out. In any event the measures should be implemented before any further development takes place that results in additional air pollution and damage to the forest.

We consider this to be so important that it may vitiate the whole Local Plan; therefore we ask you to reconvene the EiP, in order that the chance of success with the Interim Strategy may be assessed in the light of the latest scientific thinking, the progress since 2020 or otherwise of decarbonisation, and further threats to tree and vegetation species.

(Continue on a separate sheet if necessary)

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 wording is insufficient; suggest instead:

“Development that would be likely to have an adverse effect on the integrity of the SAC, either alone or in combination with other development, plans or projects, will not be consented unless it can be clearly demonstrated beyond all reasonable scientific doubt that adequate measures are secured and delivered prior to their occupation, to ensure there will be no harm to the integrity of the protected sites.

For the Epping Forest SAC, the need for a strategic approach has been identified and such measures will therefore be expected to include those identified in the Mitigation Strategies adopted by the Council relating to air pollution and recreational pressure, which will be reviewed and updated in October of each year in the Plan period. There may need to be additional requirements depending on the location of each application site in relation to the SAC and routes through it, and the intended site use.

For the avoidance of doubt, the relevant strategies for the Epping Forest SAC, which have been adopted by the Council as a material consideration in the determination of planning and other relevant development related applications, are as follows:.....[and continue as now]

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.

(Continue on a separate sheet if necessary)

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

☐

Yes

☒

No

Signature:

....Redacted....

Date

20/09/21