

Name:

THEYDON BOIS PARISH COUNCIL

Representation form: Consultation on the Main Modifications to the emerging Local Plan

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 and clearly print your name at the top of this form.

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: **MM74 - Supporting text to Policy DM 22 - New Paragraphs following 4.163**
- Concerns raised in relation to Paragraph 4.163 and following: Air Pollution Mitigation Strategy (APMS)

MM No: **MM75 - Supporting text to Policy DM 22 - Amend Part B and C** - Concerns raised in relation to a potential 'Clean Air Zone' - Air Pollution Mitigation Strategy

with a cross reference to:

MM No: **MM46 - Supporting text to Policy DM 2, including New Paragraphs 4.23 and 'Footnote 1', in relation to the provision of a Clean Air Zone ('CAZ') - Footnote 1**

MM No: **MM47 - Supporting text to Policy DM 2, including amendments to Part A, B, C & remove Parts D and E** (Specific Reference to B (i) and B1 - 'Air Pollution Mitigation Strategy')

Supporting document reference

Epping Forest Interim Air Pollution Mitigation Strategy, December 2020 (ED126/EB212)

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.

MM74 and MM75 - Amendments to Policy DM 22

If any further Hearing Sessions are scheduled with respect to the Modifications proposed to **MM74** or **MM75 (Policy DM 22)**, or in relation to the '**Epping Forest Interim Air Pollution Mitigation Strategy, December 2020' (ED126/EB212)**, the Parish Council would like to be offered the opportunity to register to attend, and to make representation, as appropriate.

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.

Whilst the Parish Council is fully supportive of the concept of protecting and preserving the biodiversity and integrity of the Epping Forest Special Area of Conservation ('EFSAC'), we are concerned that the Supplementary Planning Document, now lodged within the Evidence Base, entitled the '**Epping Forest Interim Air Pollution Strategy, December 2020' (ED126/EB212)**, was not made subject to Public Consultation before its adoption, since its implementation is intended to underpin the effectiveness of **Policy DM 22**.

Across the southern part of Epping Forest District, there was a lot of speculation subsequently forthcoming, both on social media and within council meetings at parish level (and further during the campaigning for the District Council Elections in May 2021), after this document had been put before Epping Forest District Council's Cabinet, then called-in to their Full Council in January 2021.

There was a certain amount of disquiet that the original decision to adopt the Strategy was to have been implemented by the Planning Portfolio Holder, subsequent to the approval of the Cabinet. The formation of a 'Portfolio Holder's Advisory Group', a suggestion put forward shortly before EFDC's Full Council meeting, did not appear to directly address the issues centred around whether the '**Interim Air Pollution Mitigation Strategy, December 2020**' would be effective without a 'Clean Air Zone', or whether it would *only* be effective with it.

The main issue, however, for many residents, and local councillors, still remains the lack of public consultation on the proposed implementation of this Strategy, and it is unclear as to whether a 'Final' Version of this Supplementary Planning Document will be placed in the public domain for further consultation, and if so, when. Or, is the issue of the Main Modifications intended to fulfil this purpose?

Therefore, should this be the only opportunity for our Parish Council to comment, we would like to do so now.

As was apparent from the main body of the text of the '**Interim Air Pollution Mitigation Strategy**', particularly from Section 5.2 and 5.22 onwards, that the mainstay of the Strategy appears to rely on the introduction of a 'Clean Air Zone' ('CAZ'), primarily around the area of the Wake Arms Roundabout, but which would also be likely to affect roads leading to it. This roundabout is the main interchange of the road network serving, and linking, the settlements of Epping, Theydon Bois, Debden and Loughton, Chingford and Woodford (within Redbridge), and Waltham Abbey. It is also a key junction for those wishing to access the M25 when travelling from the north, south and east of the District.

The concerns would be threefold. First, that any traffic wishing to divert away from the CAZ, en-route from Epping to Loughton, or vice versa, would be re-channelled through Bell Common (via the traffic junction, which is an Air Quality Management Area), along the Theydon Road and Piercing Hill, to the busy road junction of the B172 and Coppice Row, past the Village Green, along Loughton Lane and onwards. Areas of the Epping Forest SAC, and the Deer Sanctuary (being Epping Forest Buffer Land), also lie adjacent to these main access roads within the parish of Theydon Bois, where increased pollution levels could be experienced as a result.

Even though the Parish lies within the closest 'Zone of Influence', with a significant area of Forest land to the west of the settlement, there would appear to be little opportunity to contribute comments directly to EFDC, even though our parish could be affected by the measures now proposed.

This then raises the second concern, that the implementation of a CAZ may simply divert the problem of such air pollution to roads adjacent to other areas of Epping Forest within the District, and also through more densely populated residential areas.

Finally, if a Clean Air Zone is *not* implemented in 2025, and a modal shift to electric vehicles is delayed further by economic circumstances outside the control of Epping Forest District

Council, the additional measures set out in the ‘**Interim Air Pollution Mitigation Strategy**’ would not seem sufficient, in themselves, to adequately address the main objectives of **Policy DM 22**. If the provisions of this policy do not prove effective, a key element of the New Local Plan may not be compliant with the Habitats Regulation Assessment.

In conclusion, we would ask that more consideration is given to public consultation on the possible implementation of a Clean Air Zone, and that Epping Forest District Council incorporates, within its ‘**Air Pollution Mitigation Strategy**’, a structure and process for active consultation with, and participation by, local Parish and Town Councils, where their boundaries are likely to fall within the perimeters of a Clean Air Zone, or where the local road infrastructure could foreseeably be affected by this measure.

We all have an interest in wishing to ensure the longevity of the Epping Forest SAC, the wonderful and historic natural environs that it provides, and in reducing Air Pollution generally throughout the District, for the well-being of all existing and future residents.

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 an MM or supporting document?

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Yes

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No

Signature:

Theydon Bois Parish Council

23rd September 2021