

EPPING FOREST DISTRICT COUNCIL: Examination of the District Local Plan, 2011 – 2033.

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INSPECTOR’S MATTERS, ISSUES & QUESTIONS

This document sets out the 16 Matters and associated Issues and Questions (MIQs) which I have identified as being important to my determination of whether the submitted District Local Plan (the Plan) is legally compliant and sound.

The MIQs will form the basis of the forthcoming hearing sessions, but the purpose of any statements submitted in advance should be to focus, and potentially reduce, the number of issues for discussion.

Should the Council propose any changes to the Plan as a consequence of its response to my MIQs, these should be included in a schedule to be published before the hearing sessions commence.

MATTER 1: Legal Compliance

Issue 1: In preparing the Plan, has regard been had to national policies and advice; and to Neighbourhood Plans whether “made” or in preparation?

National Policy and Advice

1. Is it necessary to highlight at the outset any significant inconsistencies with either national policy or guidance? Are they robustly justified?

Neighbourhood Plans (NPs)

2. Are there any “made” NPs in the District? If so, has regard been had to them in preparing the Plan? Is there any specific conflict between any policies of the submitted Plan and any made NP?
3. Is it clear which of the Plan’s policies constitute “strategic policies” for the purpose of NP preparation and examination? Should this be set out in Policy D6 or otherwise clarified?

Issue 2: Is the Plan legally compliant in respect of how it accords with the Local Development Scheme (LDS) and the Statement of Community Involvement (SCI); and has the consultation carried out during its preparation been adequate?

1. Has the Plan been prepared in accordance with the adopted LDS, October 2017?
2. Has the Plan been prepared in accordance with the adopted SCI, 2013, particularly in respect of the following:

- a. How were local residents likely to be affected by proposed site allocations informed?
 - b. Was the Regulation 19 version of the Plan adequately publicised compared to previous draft versions? Representations indicate that there were no newspaper articles, fliers, public meetings etc.
 - c. Was the online version of the Regulation 19 Plan user-friendly? Did difficulties with document access unreasonably shorten the consultation period?
 - d. Was it reasonable for the Regulation 19 comment period to be held over the Christmas holidays?
 - e. Were hard copy versions of the Plan available at reasonable cost (£20)?
 - f. Does the absence of Appendix B of the Site Selection Report (and potentially other documents) at the Regulation 19 stage contravene the requirements of the SCI? If so, what are the implications of this for the test of legal compliance?
3. Did the Council's consultation process prior to inviting representations on the Regulation 19 version of the Plan offer interested parties the opportunity for meaningful engagement? In particular:
- g. How have the consultation responses made during the preparation of the Plan informed the submitted version, particularly in relation to the desire to protect open spaces and community facilities, and to increase local job and business growth?
 - h. Has the inclusion and exclusion of specific sites only at the Regulation 19 stage denied some interested parties this opportunity?
 - i. What action did the Council take to inform interested parties about significant changes to the Plan?

Issue 3: Has the Duty to Cooperate, as required by S33A of the Planning and Compulsory Purchase Act, been met?

1. The strategic cross-boundary issues addressed by the Co-operation for Sustainable Development Board are set out in Section 3 of the Duty to Cooperate Statement, December 201 (EB119). Has the Duty to Cooperate been met in respect of these matters and are there any significant omissions?
2. In respect of the Harlow and Gilston Garden Town, how have the Member and Officer Boards cooperated on matters such as transport, infrastructure and service provision, including education, to ensure that the Duty is met?
3. Does the decision of Epping Forest District Council and/or the other Local Authorities comprising the Housing Market Area (HMA) not to meet the Objectively Assessed Need for housing as found by the Strategic Housing Market Assessment July 2017 (EB407) represent a failure of the Duty to Cooperate? What cooperation took place to seek to meet this need within the HMA?

Issue 4: Has the Plan been informed by an adequate process of Sustainability Appraisal (SA)? Have the requirements of the SEA Directive and Regulations been met?

1. Is the SA comprehensive and satisfactory and has it sufficiently evaluated reasonable alternatives? In particular, I understand that a “dispersed” pattern of development was pursued as a result of the Community Choices consultation. Were alternative distributions considered through SA, such as a more concentrated pattern, or different dispersal patterns?
2. The SA Report of 2017 (EB204) indicates that the Plan will have either negative or minor negative effects in relation to the following SA objectives: biodiversity and green infrastructure; the historic environment; land and waste; and landscape. Have reasonable alternatives been considered to seek to avoid these effects and, if they are unavoidable, is the Plan justified?

Issue 5: Have the requirements of the Conservation of Habitats and Species Regulations 2017 been met?

1. Is the Council’s HRA process consistent with the *People Over Wind, Peter Sweetman v Coillte Teoranta Judgement*?
2. The Habitats Regulations Assessment of the Regulation 19 Local Plan (EB206 & 206A) identified that, without mitigation, the Plan would result in likely significant effects upon the Epping Forest SAC, either alone or in combination with other plans or projects, in respect of recreational pressure; urbanisation; and air quality.
 - a. Is it correct that no likely significant effects have been identified for the other relevant designated sites (Lee Valley SPA/Ramsar Site; or Wormley-Hoddesdonpark Woods SAC)?
 - b. Both Natural England and the Conservators of Epping Forest have raised concerns about how the “Baseline”, “Do Minimum” and “Do Something” scenarios have been compared in the HRA process to identify likely significant effects. What is the relevance of these terms and is the HRA methodology valid in this respect?
 - c. Does the HRA process for screening Plan policies in or out of the assessment remain valid in light of up to date and emerging evidence on visitor behaviour and traffic impact? For example, recent visitor survey information seems to indicate that the Zone of Influence for recreational pressure on Epping Forest SAC is larger than was thought when the Plan was submitted. Has this resulted in any policies and/or site allocations being wrongly screened out of the assessment? If so, what should be done?
 - d. For each likely significant effect identified for Epping Forest SAC, has an appropriate assessment been carried out to ascertain that its integrity will not be adversely affected?
 - e. In preparing any appropriate assessment, has avoidance of harm been considered before mitigation or compensation? If not, should it have been?
 - f. For the purpose of any appropriate assessment, is it justified to defer consideration of the implications of allocated sites to the planning

- application stage, as suggested by Policy DM2? For example, how will any new green spaces required be found and secured if not through the plan-making process (e.g. in a SANG Strategy)?
- g. For the purpose of any appropriate assessment, is it justified to rely upon the *forthcoming* Mitigation Strategy to conclude that the integrity of the relevant sites will not be adversely affected given that the effectiveness of the Strategy cannot yet be fully appreciated?
 - h. What is the scope of the forthcoming Mitigation Strategy and what type of mitigation is envisaged for each type of likely significant effect? How is this/could this be secured in the Plan? What progress has been made with the Mitigation Strategy and when will it be completed?
 - i. Might certain proposals within the Mitigation Strategy itself, such as those for Wake Arms Roundabout, themselves have potentially significant effects upon designated sites which require appropriate assessment? If so, how and when will this be done?
 - j. In the absence of a final Mitigation Strategy at this stage:
 - i. Is it necessary to modify the Plan to require development proposals to comply with its recommendations?
 - ii. Would this course of action be justified and effective, or is it essential for the Strategy to be completed before the Plan is adopted? Is it clear that the necessary mitigation could be implemented without threatening the delivery of the Plan's strategy?
 - iii. If it would be necessary, justified and effective to address the absence of the Mitigation Strategy through modifications to the Plan, what changes are needed? (In responding, the Council should have full regard to the representations of Natural England [19STAT0027] and the Conservators of Epping Forest [19STAT0035]).

Issue 6: Is the Plan legally compliant in terms of how it seeks to address climate change?

1. Does the Plan include policies designed to secure that the development and use of land in the District contributes to the mitigation of, and adaptation to, climate change as required by Section 19(1A) of the PCPA?

Issue 7: Is the Plan legally compliant in respect of superseded policies; mapping; and monitoring?

1. Does Appendix 2 need to explain which policies of the new Plan supersede which policies of the old plans? Could this be confusing and would it be sufficient to simply list the plans and policies to be superseded?
2. What does the "submission policies map" consist of? Is it just the single map of the whole district printed at 1:30,000 scale at A0 size, or does it include the A4 Maps within the Plan itself?
3. Is the geographic illustration of all relevant policies in the Plan shown on the submission policies map?

4. Whether or not the A4 maps in the Plan form part of the submission policies map, are the legends clear and comprehensive? Some of the legends include designations not shown on the maps and *vice versa*. For example, the legend for Map 2.2 includes Traveller allocations, but there are none on the map. By contrast, Map 2.2 includes diagonal green hatching and green and brown dots which are not on the legend. Should such inconsistencies be resolved throughout the plan?
5. Does the Plan include a Key Diagram as required by paragraph 157 of the NPPF?
6. Will the indicators in Appendix 3 enable the effectiveness of the Plan's policies to be monitored?

MATTER 2: Context, Vision & Objectives and Sustainable Development

Issue 1: Are the context, vision and objectives for the Plan accurate and comprehensive?

1. Does Figure 1.3 on page 7 accurately reflect the content of paragraph 1.36 in terms of the most common job types in the district? Figure 1.3 indicates that public administration, education and health industries employ the second largest number of people in the District, but this is not mentioned in paragraph 1.36.
2. Is Figure 1.5 on page 9 accurate in showing the period 2001 – 2013 on the x-axis rather than the period 2011 – 2033?
3. Do the vision and objectives adequately reflect the Plan's aims for air quality, green and blue infrastructure, protection of the landscape and biodiversity, and healthy living? Should specific reference be made to the aim of conserving or enhancing the historic environment, including archaeology?
4. Should the vision support the leisure and nature conservation aims of the Lee Valley Regional Park to fully reflect its statutory purpose? Does the supporting text in paragraphs 2.18-2.24 adequately reflect the strategic aims of the Park Authority's adopted vision? (Reps LVRPA).

Issue 2: Is Policy SP1 concerning the presumption in favour of sustainable development necessary and consistent with national policy?

1. Does Policy SP1 add anything to, or seek to depart in any way, from national policy in paragraphs 11-16 of the NPPF? If not, is this policy necessary? If it is necessary, is it consistent with national policy?

MATTER 3: The Quantitative Requirements for Development

Issue 1: Is the housing requirement for the plan period 2011-2033 appropriately defined having regard to the composition of the Housing Market Area (HMA); and the Objectively Assessed Need (OAN) for housing within the HMA?

HMA

1. Is the HMA comprising Epping Forest, East Herts, Harlow and Uttlesford Councils justified? Should the HMA include Broxbourne Borough? How has the influence of neighbouring London Boroughs been taken into account?

OAN for Housing and the Housing Requirement

For the period 2011-2033, the Strategic Housing Market Assessment July 2017 (EB407) found the OAN for the HMA as a whole to be 51,700 additional homes. The OAN for Epping Forest was found to be 12,573 new homes, amounting to 572 per annum.

2. Does the SHMA July 2017 identify the *full* OAN for housing for the HMA and for Epping Forest specifically?
 - a. Was the standard methodology recommended by the Planning Practice Guidance (PPG) followed? Are any departures, particularly in relation to how migration and market signals were taken into account, clearly explained and justified?
 - b. Has consideration been given to the high level of housing need in the neighbouring London Boroughs emerging through the London Plan? If not, are the figures justified?
3. What is the relevance of the OAN figure of 13,278 for Epping Forest DC referred to in paragraph 6.8 of the Sustainability Appraisal (EB204)?
4. Is it justified for the HMA as a whole, and for Epping Forest DC specifically, to plan for less than the OAN as established by the SHMA 2017, at 51,100 and 11,400 homes respectively?
 - a. Has the alternative of delivering the OAN been tested through Sustainability Appraisal? If not, is the SA process deficient?
 - b. Will the Plan in fact provide more housing than the OAN of 12,573 as found by the SHMA 2017 (13,152 indicated in Appendix 5)? If so, is it justified to set the requirement below this?

Issue 2: Does the Plan include an appropriate target for accommodation for Gypsies & Travellers and Travelling Showpeople District?

1. Paragraph 2.46 indicates a need for 64 Gypsy & Traveller pitches and one Travelling Showpeople yard over the Plan period 2011-2033. Is this the full objectively assessed need as supported by evidence and does the Plan meet it? Should the requirement for the whole plan period (i.e. 64 pitches and 1 yard) be set out in Policy SP2(D) in the same way that it is for general housing in SP2(A)?

2. Paragraph 2.46 explains that the figures above do not include an allowance for those who need to live in a caravan but who do not meet the definition of Gypsies & Travellers in the Planning Policy for Traveller Sites (PPTS). How will the needs of other persons defined by Section 124 of the Housing and Planning Act be met?

Issue 3: Is the Functional Economic Market Area (FEMA) upon which the Plan is based appropriately defined; and are the requirements for job growth and employment land set out in the Plan justified?

1. Has the FEMA, comprising Epping Forest, East Herts, Harlow and Uttlesford Councils been defined by reference to the advice in the PPG? Is it justified?
2. Have the conclusions of the Employment Needs Assessment (EB610) in respect of job change/growth and employment floorspace requirements for the FEMA as a whole and for Epping Forest specifically been arrived at by following the methodology recommended in the PPG? Are any departures clearly explained and justified? In particular, has the Assessment utilised an appropriate forecasting model? Was it justified to moderate the baseline utilised by the East of England Forecasting Model 2016? Has this resulted in the Plan proposing a level of job growth below that needed to balance the labour market? (Reps 19LAD0058)
3. Will the identified job growth/floorspace requirements across the FEMA as a whole, and in Epping Forest District specifically, be met? In particular:
 - a. Does the Plan seek to provide 10,800 jobs over the period 2011-2033 as indicated in paragraph 2.51?
 - b. Where is the evidence that 2,900 jobs have already been provided during the period 2011-2016, leaving 7,900 to be provided over the period 2016-2033?
 - c. Table 2.5 on page 30 appears to cover the period 2011-2033, but the land requirements only cover the period 2016-33. Why is this? Will sufficient land be provided for the full 10,800 new jobs required over the whole Plan period?
 - d. Is it justified to rely upon the regeneration of existing sites to deliver approximately half of the future accommodation needs (paragraph 2.50)? Is there evidence to demonstrate that this will be effective?
 - e. Should Table 2.5 be amended to clarify that 14Ha of land is needed for industrial uses rather than offices?
 - f. Should Policy SP2 set out how many new jobs are to be provided over the Plan period as well as how much land?

Issue 4: Is the Plan justified, effective and consistent with national policy in respect of the approach to meeting identified needs for retail development?

4. Paragraph 3.53 of the Plan indicates that there is a net need for 39,700sqm of retail floorspace and that approximately 40% of that need will be met in Harlow. However, the Plan does not make any specific site allocations for the remaining 60%, or approximately 23,820sqm. In relation to this matter:

- a. To which period does the identified need for 39,700sqm of net additional floorspace relate?
- b. Is there evidence to demonstrate that 40% of this need will be met in Harlow during the relevant period?
- c. Why does the Plan not identify specific sites for the remaining 23,820sqm of necessary floorspace? Is this consistent with national policy in paragraph 23 of the NPPF?
- d. Is any departure from national policy in this respect justified and how will the Plan ensure that this need is met?

MATTER 4: The Spatial Strategy/Distribution of Development

Issue 1: Does the distribution of development in the Plan place too much reliance upon the Garden Community Sites around Harlow at the expense of testing the capacity of the other settlements in the District?

1. How was the amount of housing proposed in the three Garden Town sites allocated in Policy SP5 determined (3,900 dwellings in total)?
2. Could a higher level have been accommodated and would this have reduced the impact of growth proposed elsewhere in the district?
3. Conversely, will the level of growth proposed elsewhere in the district be sufficient to support the vitality and viability of individual settlements over the Plan period?

Issue 2: Beyond the Harlow area, is the distribution of development in the Plan justified having regard to the defined settlement hierarchy?

1. What are the key factors which informed the distribution of development in the Plan beyond the Harlow area?
2. How was the settlement hierarchy set out in Table 5.1 page 114 defined, and is it justified? Has the settlement hierarchy informed the distribution of development and if not, what is its purpose?
3. Is the settlement hierarchy justified in respect of how employment opportunities were taken into account e.g. in Nazeing?
4. Is it justified for North Weald Bassett (NWB) as a Large Village to be allocated more development than the Towns of Loughton, Waltham Abbey and Ongar? More generally, would the proposed growth of NWB be disproportionate, particularly when development at nearby Thornwood and Hastingwood is taken into account?
5. Is the relatively limited growth at Buckhurst Hill and Theydon Bois as Large Villages justified by comparison to that proposed at Nazeing and Thornwood as Small Villages?

Issue 3: Is the distribution of employment land in the Plan justified in light of the distribution of housing?

1. In light of the housing growth proposed around Harlow, does the Plan's proposal to locate the majority of employment land at North Weald Bassett and Waltham Abbey risk creating unsustainable travel to work patterns? How will this be avoided? (Reps Harlow DC).

Issue 4: Is the distribution of development justified in respect of the need for, and approach to, Green Belt release?

1. Paragraph 14 of the NPPF generally requires that a Local Plan should meet the objectively assessed development needs of the area. However, it also confirms (via footnote 9) that Green Belt is one of the constraints which indicates that development should be restricted. How has this tension been resolved in favour of the conclusion that there are exceptional circumstances to justify the alteration of Green Belt boundaries? In particular:
 - a. How do the specific development needs of the District weigh against the importance given to Green Belt protection?
 - b. What would be the consequences of not releasing Green Belt land to help meet development needs?
 - c. Have alternatives to Green Belt release been fully considered:
 - i. Has full use been made of previously developed land? Has a Brownfield Land Register been published and how has it been taken into account?
 - ii. Has the density of development been maximised, on brownfield and greenfield allocations?
 - iii. Could vacant homes be brought back into use? Have approximately 1000 properties in the Epping Area been empty for more than 6 months?
 - iv. Has the potential for windfall development during the Plan period been underestimated?
 - v. Could any other authority within the HMA have accommodated some of the District's housing need on non-Green Belt land?
2. Are the changes proposed to the Green Belt boundary informed by a robust assessment of the contribution made by individual sites to the purposes of the Green Belt (EB74A-B; and EB705A-B)? How were the findings of the Green Belt Review weighed in the balance with other planning considerations in the site selection process?
3. Is the scale of Green Belt release proposed at NWB, Thornwood and Waltham Abbey justified and proportionate to the size of the existing built up areas?
4. How have anomalies in the Green Belt boundary been identified and does the need to correct them amount to the exceptional circumstances necessary to alter the boundaries? Should sites with planning permission for residential development in the Green Belt (such as land north of Ivy Chimneys Road,

Epping) be removed from the Green Belt? (See Repls 19LAD0022 re. land north of Ivy Chimneys Road, Epping).

5. Having regard to paragraph 85 of the NPPF, and to the potential for an increased level of housing need in the District to be identified in the future, how has the Council satisfied itself that Green Belt boundaries will not need to be altered at the end of the Plan period? Is it necessary to identify areas of safeguarded land between the urban area and the Green Belt?

Issue 5: Is the distribution of development justified in respect of the approach to flood risk; and to protecting water quality?

Flood Risk

1. Notwithstanding that the Plan requires all residential development on allocated sites to take place within Flood Zone 1, has the potential impact of climate change been allowed for in the site allocation process? Should the relevant policies in the Plan require all residential development to take place in Flood Zone 1, allowing for climate change? Should this requirement relate only to the housing and ancillary development itself, and permit associated development such as amenity open space to be provided in higher risk zones?
2. The following allocations include some land within or adjacent to Flood Zones 2/3: **SP5.2** (Water Lane Area); **SP5.3** (East of Harlow); **NWB.R3** (in North Weald Bassett); **NAZE.R1 & R4** (in Nazeing); and **LOU.R11** (in Loughton).
 - a. Do the above allocations pass the Sequential Test required by paragraph 100 of the NPPF?
 - b. Does the Strategic Flood Risk Assessment (Site Assessments) March 2018 (EB913) constitute a Level 2 Strategic Flood Risk Assessment? Has it considered site specific flood risk characteristics, including climate change?
 - c. Are the above allocations required to pass the Exception test and, if so, do they?
3. Document EB913 identifies several employment allocations in flood risk areas or which have watercourses running through them. Do these sites pass the Sequential Test and, if necessary, the Exception Test required by paragraph 100 of the NPPF?

Water Quality and Wastewater Treatment

4. Is the level of growth and the distribution of development in the Plan justified in the absence of a specific strategic assessment to demonstrate that there is sufficient capacity in the water supply network and waste water treatment network to support it without detriment to the water environment? The Environment Agency has suggested that a Water Cycle Study could have been prepared, but that other evidence, including consultation with relevant service providers, could be sufficient. What is the evidence to demonstrate that the Plan is sound in this regard? Is the Council carrying out the three

actions suggested by the Environment Agency in its representations on Policy DM18?

5. Thames Water has identified that significant infrastructure upgrades will be required to the Abbess Roding Sewage Treatment Works (STW), the Epping STW, the North Weald STW, the Stanford Rivers STW and the Thornwood STW in order to support planned growth. Furthermore, the impact of cumulative development in nearby Council areas upon the Deephams STW and the Rye Meads STW will need to be kept under review. Capacity at the Theydon Bois STW and the Willingdale STW might also need to be reviewed. What work is being undertaken in respect of these matters to ensure that the Plan's allocations are deliverable at the appropriate time?

Issue 6: Is the distribution of development justified in respect of its effect upon transport and other infrastructure in the District? Will the Plan be effective in securing the infrastructure necessary to support proposed growth?

Transport

1. Have the transport impacts of the Plan as a whole been tested? Has all necessary mitigation been identified and is there confidence that it can be delivered in time to support the proposed growth? Are there any remaining uncertainties or shortcomings?
2. Is planned growth dependent upon a "step-change" towards sustainable travel? What does this mean and how will the Plan facilitate it? What has been done to assess the need for increased public transport and how will this be provided? How will success be monitored?

Other Infrastructure

5. Does the Infrastructure Delivery Plan and Schedule (EB1101A & B) demonstrate that the development in the Plan can be served by adequate infrastructure at the appropriate time? Are there any significant omissions or funding gaps?

MATTER 5: Site Selection Methodology and the Viability of Site Allocations

Site Selection

Issue 1: Have the Plan's housing allocations been chosen on the basis of a robust assessment process?

1. The Council should provide a summary of the process by which the Plan's housing allocations were selected. In particular:
 - a. How was the initial pool of sites for assessment identified?
 - b. How was the Site Selection Methodology (SSM) utilised in the Site Selection Report 2018 (EB805) established and is it robust?

- c. What is the relationship between the SSM and the sequential approach to site selection set out in Policy SP2(A)?
 - d. What was the role of the Sustainability Appraisal in selecting between the various sites?
 - e. Was any other evidence taken into account in the site selection process? In particular, how has the historic environment been taken into account? Have Historic Impact Assessments been undertaken as recommended by Historic England and, if not, is this necessary?
2. How were the conclusions reached about individual sites checked for accuracy and consistency? Were sites visited or were they assessed through a desk-top process? What has been done to check the assessments in specific cases where their accuracy has been challenged e.g. Site SR-0596? (Reps 19LAD0012).
 3. As raised in Matter 1, Issue 2, some sites which were proposed for allocation in the Regulation 18 version of the Plan are not proposed in the Regulation 19/submitted version and vice versa. Is this due to changes in the site selection process, or something else? Are the different conclusions reached about the relevant sites fully explained and justified?
 4. Having regard to Question 1c above, is the sequential approach to site allocation set out in Policy SP2(A) justified, particularly in respect of the value placed upon open spaces within settlements? How was the adequacy of remaining open space within a settlement measured (Policy SP2(A)(iv))?
 5. Now that the site selection process is complete for the purpose of making allocations in the Plan, is it necessary to include the sequential approach within Policy SP2(A)?
 6. Is it justified to allocate station car parks (**EPP.R3; LOU.R1, LOU.R2; BUCK.R2; THYB.R2**) and other car parks (**EPP.R6, EPP.R7**) for housing? Can adequate parking for both commuters and residents be provided; and how will short-term disruption to commuter parking during the construction phase be addressed?

Issue 2: Have the Plan's allocations for Gypsies & Travellers and Travelling Showpeople been chosen on the basis of a robust assessment process?

1. The Council should provide a summary of the process by which the Plan's allocations for Gypsies & Travellers and Travelling Showpeople were selected. In particular:
 - a. How was the initial pool of sites for assessment identified?
 - b. How was the Traveller Site Selection Methodology (TSSM) utilised in the Site Selection Report 2018 (EB805) established and is it robust? Is it consistent with national policy in the Planning Policy for Traveller Sites?
 - c. What is the relationship between the TSSM and the sequential approach to site selection set out in Policy SP2(D)?

- d. What was the role of the Sustainability Appraisal in selecting between the various sites?
 - e. Was any other evidence/factors taken into account in the site selection process?
2. Is the sequential approach to delivering accommodation for Gypsies & Travellers and Travelling Showpeople justified in respect of the following issues in particular:
- a. How have the benefits of seeking to regularise existing unauthorised sites and sites with temporary permission been weighed against the potential harms, including to the countryside and Green Belt? Will this lead to the concentration of Traveller sites in certain areas, such as Roydon?
 - b. Is it justified to prioritise the provision of new sites in the countryside and Green Belt over making provision as part of the development of other allocated sites?

Issue 3: Have the Plan's new employment allocations been chosen on the basis of a robust assessment process?

- 1. How were the five new employment site allocations chosen from the alternatives indicated to be suitable in the Employment Land Supply Assessment?

Viability

Issue 4: At the broad strategic level, are the Plan's allocations financially viable?

- 1. Having regard to paragraph 173 of the NPPF, are the Plan's allocations for housing (including for Travellers) and employment financially viable, having regard to the normal cost of development and mitigation; and all relevant policy costs, including for affordable housing, space standards, building requirements, design and potential infrastructure contributions?

MATTER 6: Housing Supply, including Sources of Supply; the Housing Trajectory; and the Five Year Supply.

Issue 1: Will the Plan provide a land supply sufficient to deliver the housing requirement of at least 11,400 dwellings over the Plan period?

- 1. Table 2.3 on page 29 sets out the different components of the housing land supply for the period 2011-2033. Is data on housing completions and extant planning permissions now available up to 31 March 2018? If so, should the table be updated to reflect this? Should the table indicate how much housing is expected to be provided through allocations outside the Garden Communities? Should it be made clear whether the total housing supply for the Plan period will be above or below the requirement?
- 2. Policy SP2(c) indicates that additional housing could be delivered through Neighbourhood Plans and on rural exception sites in accordance with Policy

H3. Is it possible to quantify this contribution and should it be reflected in Table 2.3?

3. Is the expected windfall allowance of 35 dwellings per annum for 11 years (385 in total) justified? Representations suggest that the figure might be either higher or lower.
4. In determining the contribution of allocated sites to the housing land supply, how have site densities been worked out? Is there any general risk that the capacity of sites has been over-estimated?

Issue 2: Will the Plan ensure that there is a reasonable prospect of a five-year land supply being achieved upon adoption and throughout the lifetime of the Plan as required by paragraph 47 of the NPPF?

1. What is the five-year supply requirement upon adoption of the Plan having particular regard to the following:
 - a. With a requirement to provide 11,400 dwellings over the 22 year Plan period 2011-33, the annualised housing requirement would be 518 dwellings. What is the shortfall in delivery since the start of the Plan period (up to 31 March 2018 if appropriate); and how and over what period is it intended to make up for this? Is it justified not to seek to recover the shortfall within the first five-year period after the Plan is adopted?
 - b. What buffer should be included in the five-year supply requirement (moved forward from later in the Plan period) to ensure choice and competition in the market for land? Is the relevant buffer justified? The Housing Trajectory in Appendix 5 indicates that 5% has been added to the annualised requirement for every remaining year of the Plan period. Why is this?
2. On the basis of the answer to Question 1, will there be a five-year housing land supply upon adoption of the Plan? What evidence is there to support this? Can the Council produce a spreadsheet to show how individual sites are expected to contribute to delivery in each year? In particular:
 - a. If the Plan is not adopted until mid-late 2019, is it realistic to expect allocated sites to start delivering in 2018/19 and 2019/20?
 - b. Is it realistic to rely upon sites requiring the adoption of a Strategic Masterplan, including the Garden Town Sites, for the five year supply?

Issue 3: Does the Plan meet the requirements of paragraph 10 of the Planning Policy for Traveller Sites (PPTS) in respect of delivery?

1. Is the plan consistent with paragraph 10 part a) of the PPTS? What is the five year requirement for the delivery of Traveller sites and will this be achieved upon adoption?

MATTER 7: Place-Shaping & General Masterplan Approach

Issue 1: Is the application of Policy SP3 to all allocated sites justified; and is it otherwise effective and consistent with national policy?

1. This policy begins with Part H. Should it begin with Part A?
2. Is this policy intended to apply to all allocated sites regardless of size? If so, should it be explained that not all will be expected, or able, to comply with all of the criteria? Should the policy also apply to windfall sites?
3. Are the densities required by Part I(ii) and (iii) justified having regard to the likely effect upon the character of the relevant areas? Is it clear to which areas of the District Part I(iii) and (iv) relate? Are "areas outside town and large village centres" in Part I(iii) different to "other areas of the District" in Part I(iv)?
4. Should the criteria include specific reference to the need to conserve or enhance the historic environment?
5. Part H(v) requires development to promote healthy and active lifestyles. Does the Plan as a whole respond sufficiently to the requirements of Section 8 of the NPPF on "promoting healthy communities" by facilitating social interaction and creating healthy, inclusive communities? Is a specific overarching policy on health and well-being required? (Reps ECC).

Issue 2: Are the Plan's requirements for master-planning (as explained in paragraphs 2.89-2.102 and set out in Policies SP4, SP5 and certain Place policies) justified; and will they be effective in securing the timely delivery of comprehensively planned schemes?

1. Are the Plan's requirements for Strategic Masterplans, Concept Frameworks, Design Codes and Panel Review necessary and proportionate having regard to the resources available to developers and the Council alike? In particular:
 - a. Are the thresholds for requiring proposals to be informed by Panel Review of 50+ dwellings/5,000m commercial floorspace justified by the expected benefits?
 - b. Could the requirement for Strategic Masterplans to be adopted by the Council as Supplementary Planning Documents before planning applications can be determined delay the delivery of large sites (see paragraph 2.96)?
 - c. What is the intended status of the Concept Frameworks required by the Plan? How will they be "formally endorsed" by the Council?
 - d. What would happen in cases where landowners within Strategic Masterplan and Concept Framework areas cannot agree? Does this present a risk to the timely delivery of development?
2. Paragraph 2.94 explains that Strategic Masterplans will be produced by the landowners/promoters of the sites in partnership with the Council and relevant stakeholders. Is this process justified in cases where a Neighbourhood Plan is in preparation for the same area (see specifically

Chigwell Parish Council and Site CHIG.R6, the Limes Farm Masterplan Area)?
How will duplication and/or policy conflict be avoided?

MATTER 8: Garden Town Communities

Issue 1: What is the "Garden Town" concept as applied to proposed allocations SP5.1, SP5.2 and SP5.3 and is this significant for plan-making purposes?

1. Are the four Garden Town Communities (including Gilston in East Herts) intended to function together in some way, or are the allocations essentially separate entities? Does this matter?
2. If the communities are intended to function together, is this possible in light of their physical separation? Will the requirement for separate Strategic Masterplans be effective in achieving coherent schemes?
3. Does the Garden Town approach have specific implications for how infrastructure needs are identified and provided? Have Harlow and Epping Forest Councils worked together constructively in making decisions about where to provide health and education infrastructure, for example?

Issue 2: Are the Garden Town allocations deliverable in respect of their impact on transport infrastructure?

1. Are the requirements of Policy SP5 in relation to transport sufficient to mitigate the effects of the proposed development in all three communities upon existing Junction 7 of the M11 and to ensure that adequate financial contributions are made towards the provision of Junction 7a? Is it the case that the provision of Junction 7a and associated infrastructure is a prerequisite of development on these sites and, if so, is this sufficiently clear in the Plan?
2. More generally, are the highway and transport improvements sought by the policy expected in the form of physical works or financial contributions? Is this clear?
3. Essex County Council has indicated that the Latton Priory development could not deliver an essential north/south sustainable transport corridor. What difficulties does this present and can they be resolved?

Issue 3: Are the criteria in Policy SP4 justified, effective and consistent with national policy?

1. Will the criteria within Policy SP4(C) ensure that sufficient regard is had to the historic environment, including built heritage; townscape; archaeology; and designed landscapes, in planning generally for the Garden Town Communities? (Reps HE).

Issue 4: Are the site allocations (SP5.1, SP5.2 & SP5.3) in Policy SP5 sound and deliverable?

All sites

1. Should Policy SP5 and the relevant supporting text exclude reference to the size of schools to be provided for flexibility? Should a land area be specified instead? Should the policy make it clear that financial contributions could be sought towards school provision?
2. Will sufficient employment land be available in/near to the new Garden Town Communities to "*enable residents to meet the majority of their day to day needs*" within them and to "*maximise the use of sustainable transport modes*" as required by Policy SP4? Has consideration been given to providing more employment land (and less housing if necessary to achieve this) within the relevant allocations? (Reps Harlow and ECC).
3. What effect would the development of sites SP5.1, SP5.2 and SP5.3 have upon the purposes of the Green Belt? What would be the impact of Site SP5.2 (Water Lane Area) on the identity of Broadly Common and Old House Lane in Roydon Parish?
4. Do the maps of the Masterplan Areas require amendment to clarify that the "residential site allocations" are also expected to include land for schools and other services and infrastructure? (Reps ECC).

Site SP5.1: Latton Priory

5. Will Policy SP5(F) effectively preserve or enhance the setting of designated and non-designated heritage assets to the south of the site, including Latton Farmhouse; Latton Priory; two scheduled monuments; and two moated sites? (Reps HE).
6. Does the Masterplan Area shown on Map 2.2. provide sufficient points of access to achieve a sustainable connection route to the B1393 Epping Road? (Reps ECC).

Site SP5.2: Water Lane Area

7. Is this site deliverable in respect of the multiple land ownerships involved? In particular, are the owners of the nurseries in the northern part committed to the development?
8. Historic England states that this site includes part of the Nazeing and South Roydon Conservation Area and three Grade II Listed Buildings. Has regard been had to them in making this allocation and will Policy SP5(G) ensure they are preserved or enhanced? Will the setting of the numerous heritage assets in close proximity also be preserved or enhanced? (Reps HE).

Site SP5.3: East of Harlow

9. Map 2.1 shows that the Masterplan Area for this allocation crosses the boundary with Harlow. Have the Councils worked together to ensure complementary proposals for this area?
10. Are the requirements in Policy SP5(H) intended to apply to the whole Masterplan Area or only to the part within Epping Forest? Should this be clarified? In particular, is the "local centre" required by Part H(v) needed to support the whole area or just that in Epping Forest?
11. I understand that no firm decisions have been made about the preferred location for the new hospital campus or secondary school referred to in Part H(vi) and (viii) respectively. On this basis, is it justified to include these requirements in the Policy? What will happen to the land safeguarded for these purposes if ultimately it is not needed? Should this be clarified?
12. Should part H(xvi) concerning surface water run-off to Pincey Brook also require any increased volume of water discharging into the Brook to be mitigated? (See reps ECC).
13. Are the requirements of Part H(xii) concerning the highway works required too specific at this stage? Should this part be reworded to allow for detailed solutions to be determined at the planning application stage? (Reps ECC).

MATTER 9: District Open Land

(Strategic matters concerning the Green Belt are addressed under Matter 4).

Issue 1: Are the areas of District Open Land designated within the Plan justified and consistent with national policy?

1. Do the provisions of Policy SP6 concerning District Open Land (DOL) seek to do anything different to the policy on Local Green Space (LGS) in the NPPF (paragraphs 76-78)? If not, would it be clearer to use the LGS terminology?
2. If the DOL designation does not seek to depart from the LGS designation in national policy, does each site designated by the Plan (in NWB, Thornwood & Chigwell) meet the criteria in paragraphs 76-77 of the NPPF? Conversely, if the DOL designation seeks to do something different, are the designations justified with reference to the relevant criteria?

MATTER 10: Natural Environment, Landscape Character and Green & Blue Infrastructure

Issue 1: Is Policy SP7 justified, effective and consistent with national policy?

- No specific questions.

MATTER 11: Housing

Issue 1: Will Policy H1 be effective in securing an appropriate mix of housing?

1. Is Part A sufficiently specific in relation to the mix of housing required such that a potential developer would know how to react to the policy? Should it reflect up to date evidence on the actual mix required?
2. Does the policy, and the Plan generally, do enough to support the specific needs of older people?
3. Is Part D, which simply cross-refers to Policy H2, necessary? Could it be deleted for clarity/simplicity?
4. Does the policy require all new homes to meet the Optional Technical Standards M4(2) and/or M4(3) of the Building Regulations for accessible & adaptable dwellings and wheelchair user dwellings respectively? If so, is the need for these standards justified by evidence such as that suggested by the PPG? Should the policy allow for consideration of site specific factors which might render such standards unachievable or unviable?
5. In Part E, should the term "specialist accommodation" be defined? How will unmet need for specialist accommodation be identified? Is compliance with this part of the policy dependent upon development viability and the identification of a specific provider of the specialist accommodation?
6. Will the policy be effective in providing opportunities for self-build/custom housebuilding? Having regard to the duties set out in the Self-build and Custom Housebuilding Act 2015, should the Plan set out how many such homes it aims to deliver, and should it be stronger in terms of how the necessary land will be secured?

Issue 2: Will Policy H2 be effective in securing the delivery of sufficient affordable housing of an appropriate type and size? Are the requirements for affordable housing provision from market sites justified by reference to evidence of development viability?

1. Paragraph 3.9 states that 2,851 affordable homes are required over the period 2016-2033. How many is the Plan aiming to provide as a result of Policy H2? If the requirement for 2,851 would not be met, has consideration been given to increasing the total housing requirement to help deliver more? Should the number of affordable homes expected to be delivered over the Plan period be specified in the policy for monitoring purposes?
2. Harlow DC has expressed concern that the Plan is silent on the matter of addressing unmet need for affordable housing in Harlow. What is the detail of this concern and is it an issue for the Plan?
3. Is the Plan/this policy justified, effective and consistent with national policy in respect of the need for Starter Homes?

4. Is the requirement for sites accommodating 11 or more dwellings to provide 40% of the units as affordable justified by viability evidence? As the threshold for making provision will be lower than the current plan level of 15 or more dwellings, is there a risk that the viability of sites providing 11-15 dwellings will be undermined in the short term? Is there a case for staggering the requirement so that it does not come into force immediately? (Reps 19LAD0022).
5. Is it justified to apply the requirements for affordable housing to all types of housing, including that falling within Use Class C3?
6. Does the requirement in Part A concerning build standards duplicate the requirements of Policy H1, Part A(v)? If so, should it be deleted?
7. Is there duplication between Part A and Part C of the Policy in respect of the mix of affordable homes required? Should the policy be more specific about the actual mix expected, or clarify where up to date evidence on this matter can be found? Is Part C justified in generally requiring the mix of affordable homes to reflect the mix of market housing? Would this meet the specific needs of those requiring affordable housing? Would it produce unnecessarily large houses that would not be genuinely affordable?
8. Part E of the policy indicates that the appropriate tenure mix is set out in the Policy, but it is not. Does this require correction?

Issue 3: Is Policy H3 clear and effective?

1. Is Part A sufficiently clear about which “smaller settlements” the policy relates to? Indeed by reference to Policy SP2(c) is it clear where housing development will not normally be granted? In particular, does Part C(i) of Policy SP2 intend that windfall proposals outside defined development boundaries will not normally be permitted? If so, should this be made explicit?
2. Part A(ii) refers to both the “existing settlement” and the “nearby settlement”. Should a single terminology be used?
3. Part A(ii) indicates that rural exception sites could be permitted in the Green Belt? Is this justified?
4. Part F of the Policy refers to viability appraisals submitted in accordance with Part D. Should this be Part E?

Issue 4: Is the size limit for non-allocated sites Traveller Sites imposed by Policy H4 justified? Is the Policy otherwise justified, effective and consistent with national policy?

1. Is Part C justified in imposing a 0.5Ha limit on the size of non-allocated sites? Would this be sufficient to accommodate the accommodation and equipment

often required by residents? Could the aims of the policy be achieved by removing the site size limit and retaining just the 5 pitch limit?

2. Part C cross-refers to Policy SP4. Is this correct?

MATTER 12: Employment

Issue 1: Are the requirements of Policy E1 justified, particularly in respect of financial contributions?

1. Is Policy E1 (and, in consequence, the employment sections of Policies SP2 and Policies P1-P15) intended to apply to employment sites for B Class uses? If so, is it justified to prevent the change of use of such sites to other employment generating uses outside the B classes? Would this be consistent with the requirements of paragraph 28 of the NPPF to support the diversification of rural businesses?
2. If it is justified to limit the definition of "employment uses" for the purpose of Policy E1 (and SP2 & P1-P15) to B-Class uses, should this be clarified in the policy wording?
3. Are the requirements of Part A(iii) concerning contributions to local employment training and small business growth programmes justified by reference to the tests in paragraph 204 of the NPPF? In particular, would they be justified in cases where an applicant had successfully demonstrated that there is no reasonable prospect of the site being used for employment purposes?

Issue 2: Will Policy E2 be effective in protecting the vitality and vitality of the District's identified centres? Does it support the role of retail warehousing, if appropriate?

1. Will the application of the nationally set threshold of 2,500sqm for requiring an impact assessment of out of centre proposals be effective in protecting the vitality and viability of town centres? Having regard to the scale of the District's defined centres, should this threshold be lowered?
2. Is it necessary to recognise the contribution made by retail warehousing areas to customer choice and local employment opportunities? Will the Plan support the continued operation of these businesses and, if necessary, their growth and development. See representation 19LAD0014 concerning Homebase in Loughton.

Issue 3: Will Policy E3 help to support the growth of the locally important glasshouse industry? Is the approach to this type of development consistent with that of surrounding authorities so that no disadvantage will result to operators in the District?

1. Is the approach of having a specific policy in the Plan concerning glasshouse development different from that employed by other nearby Planning Authorities facing similar issues? What cross-boundary working has taken

place in relation to this matter and is it subject to the Duty to Cooperate? Does the inclusion of such a policy have the potential to disadvantage growers in the locality?

2. Is the aim of the Lea Valley Food Task Force to create a production base by 2035 which exceeds 2014 production levels by at least 20% realistic? In particular:
 - a. Will Policy E3 enable an increase in production in the Plan area to contribute towards this target?
 - b. Is the Council pursuing any of the three growth scenarios suggested by the report of the Laurence Gould partnership, 2012; and will a criteria based policy (as opposed to a site allocations policy) secure sufficient land for future development?
 - c. What is the Council's response to the suggestion of the Lea Valley Growers' Association that land suitable for glasshouse development is being lost to residential development and that some glasshouse sites are becoming landlocked by such development (e.g. Abbey View Produce in Waltham Abbey)?
 - d. Conversely, should consideration be given to releasing some derelict glasshouse sites for housing? (Reps 19LAD0062).
3. How will proposals for glasshouse and associated development in the Green Belt be assessed?
4. Is it envisaged that glasshouse and associated development could take place within, or otherwise affect, the Lee Valley Regional Park? If so, does the policy offer sufficient environmental protection to the Park, particularly in respect of the potential effects of low carbon energy generation facilities and Combined Heat and Power facilities? Are modifications required to secure the necessary protection? (Reps LVRPA).
5. Is Part B(i) of the policy clear in respect of whether or not proposals to convert existing buildings to on-site accommodation for nursery workers must demonstrate that the lack of such accommodation is rendering the use unviable?

Issue 4: Is Policy E4 justified in terms of how it relates to tourism-related development in the Green Belt; and should it include specific provisions to support the expansion of the Lee Valley White Water Centre which lies outside the District?

1. The Lee Valley White Water Centre in Broxbourne District is seen as a potential catalyst for sport and other tourism-related activities in the District (para. 3.70). Does the Plan do enough to support its expansion and development? Specifically, the Lee Valley Regional Park Authority has suggested that an "opportunity area" for expansion should be identified in the Plan – but would this be outside the District boundary? Is the Council working with Broxbourne in relation to this matter and are modifications required to the Plan to reflect any necessary actions?

2. How will proposals for tourism development in the Green Belt be assessed under the Plan generally and this policy specifically? Is it intended that proposals which might comply with Policy E4 would need to demonstrate very special circumstances under Policy DM4? If so is this justified? Has consideration been given to whether sites for tourism development in the Green Belt should be allocated, or otherwise supported? (Reps 19LAD0033).

MATTER 13: Transport

Issue 1: Has regard been had to the Mayor of London's draft Transport Strategy and London Plan in proposing Policy T1; and are its provisions clear and effective?

1. Does this policy take account of the strategic transport objectives in the Mayor of London's draft Transport Strategy and London Plan? Would the policy support the objectives of these documents in respect of transportation and have any specific conflicts been identified? (Reps TfL).
2. Should Part A, perhaps A(ii) make reference to the desirability of promoting safer routes to school and to establishing an attractive pedestrian environment around schools to encourage travel by non-car modes? (Reps ECC).
3. Is it clear what scale/type of development will be required to submit a Transport Statement or Assessment in accordance with Part D?
4. Are different parts of this policy intended to apply to development of different types/scales? If not, why are Part C and Part F, which both concern the circumstances in which development will be permitted, separate? Should amendments be made for clarity?

Issue 2: Will Policy T2 be effective in protecting the land required for future transport schemes from development?

1. Is it necessary to list the particular schemes for which land is required to be safeguarded? Is the relevant land shown on the Policies Map?

MATTER 14: Infrastructure and Delivery

Issue 1: Will Policy D1 be effective in securing the infrastructure necessary to support development before it takes place?

1. Is Policy D1 clear that any infrastructure necessary to support a development must be provided up-front/in time to serve the development?
2. Should Part A and the relevant supporting text explain that infrastructure and services for which contributions etc. could be sought might be derived from made Neighbourhood Plans as well as from the Infrastructure Delivery Plan? (Reps Chigwell PC).

3. In Part B, how would a potential developer find out specifically which items of infrastructure might be required as part of their scheme? Is this clear?
4. In Part C, is it intended that all the clauses (i)-(iv) should apply for an exception to be considered on viability grounds? If Part C(i) did not apply, would this risk development proceeding that could not be supported by infrastructure? Would this be justified?

Issue 2: Are the requirements of Policy D2 concerning health Impact Assessments (HIA) justified, effective and consistent with national policy?

1. Is it clear in the policy wording and the supporting text that the purpose of HIA concerns wider health and well-being matters beyond health infrastructure?
2. Essex County Council has indicated that the Department of Health does not issue guidance on HIA. Do the references within the policy require updating? Is specific guidance on the matters to be covered required within the Plan itself?
3. What type of information is expected in a HIA and how will developments respond to their recommendations?
4. Is there value in requiring HIAs for allocated sites, or should the health impacts already have been assessed through the plan-making process?
5. Is the threshold for the production of an HIA at 50 dwellings proportionate?

Issue 3: Is Policy D3 justified in requiring developers to fund improvements to utilities infrastructure where capacity issues exist?

1. Is it correct that utility providers have a duty to provide services to new development? If so, is Part B justified?

Issue 4: Is Policy D4 effective?

1. For the purpose of Parts B and C, how will a developer know specifically whether and what community infrastructure is required as part of the scheme?
2. In relation to Part C, is it necessary to define strategic, larger and smaller developments, or is this clear elsewhere in the Plan?
3. What is the purpose of having separate criteria in parts G and H? Are they intended to apply to different types of development? Why is marketing required in Part H but not Part G?

Issue 5: Are Policies D5-D7 justified, effective and consistent with national policy?

- No specific questions.

MATTER 15: Places and Sites (Policies P1-P15)

Issue 1: Are Policies P1-P15 justified, effective and consistent with national policy in the following general areas:

1. Does Appendix 6: Site Specific Requirements, constitute policy or supporting text? If policy, is this clear? Is the wording within Part A of each policy P1-P15 sufficient to ensure that the site specific requirements contained in Appendix 6 can be enforced, or should Appendix 6 itself contain a policy? E).
2. Are all of the "Infrastructure Requirements" included within Policies P1-P15 intended to apply to every allocated site within each policy? Is this justified with reference to the tests in paragraph 204 of the NPPF?
3. Do the infrastructure requirements within Policies P1-P15 reflect the full need for primary and secondary school expansion? (Reps ECC).
4. Do the infrastructure requirements within Policies P1-P15 reflect the full need for improved pedestrian/cycle links? (Reps ECC).
5. Are the general requirements in relation to flood risk and air quality in each of policies P1-P15 necessary in light of the requirements of Policies DM15 and DM22 respectively?
6. Where the residential site allocations shown on the Maps are expected to accommodate other uses, such as schools and other services and facilities, should this be made clear on the Map Legends? In the case of schools specifically, is it necessary for the Maps to show a specific land allocation?
7. Where is Stapleford Airfield? Having regard to paragraph 33 of the NPPF, what is the role of this airfield and does it have any growth or other planning-related requirements which should be addressed in the Plan?

Issue 2: Are the Plan's policies for the specific places and sites within the District justified, effective and consistent with national policy; and are the specific site allocations they include justified and deliverable?

Policy P1: Epping

General Matters

1. Should Part K concerning the Strategic Masterplan for South Epping recognise the constraint presented by the National Grid High Voltage Electricity Overhead Line which crosses allocated sites EPP.R1, R3 and E1? (Reps N Grid).

2. Part K(iii) indicates that new primary school and early years provision could be achieved through the relocation of Ivy Chimneys Primary School. Is this justified, because Essex County Council contends that such a solution should not be investigated?
3. Should Part K(viii) require the conservation or enhancement of the relevant heritage assets in order to comply with legislation and national policy? Will this be possible? (Reps HE).
4. What is the "Proposed Secondary Frontage" shown on Map 5.2?

Site Specific Matters

5. **EPP.R1 & R2 (South Epping Masterplan Area):** Is this allocation justified in respect of the following matters:
 - a. Is the area a sustainable location for significant expansion considering its relationship to the existing town centre, particularly in respect of distance and topography? How will additional traffic be managed if it is necessary for new residents to use a car?
 - b. What are the implications of its location adjacent to the M25 for air quality and noise?
 - c. What effect will the development have upon the vitality and viability of the existing town centre?
 - d. Is safe access onto Ivy Chimneys Road possible?
 - e. Would the relatively small amount of employment land required within the neighbourhood centre have any particular value?
 - f. Is this development deliverable in respect of restrictive covenants?
 - g. Is it financially viable in light of the constraint presented by the Central Line dividing the masterplan area? Is a "bridge" over the railway the only possible means of achieving connectivity (Part (vi))?
 - h. Is it justified to require the development to be phased?
 - i. What effect would the development of this area have on the purposes of the Green Belt?
6. **EPP.R5 (Epping Sports Centre):** The development requirements in Appendix 6 include that the sports centre should not be closed, or the redevelopment of the site commenced, until a suitable replacement facility is delivered and operational. Does/should the Plan find a suitable alternative location for such a facility? If not, is the allocation justified and deliverable?
7. **EPP.R8 (Civic Offices):** Has account been taken of the fact that the Civic Offices are now Listed?
8. **EPP.R11 (Epping Library):** Is the loss of the library justified?

Policy P2: Loughton

General Matters

1. Can Junction 5 of the M11 accommodate the proposed level of development? Can any necessary mitigation be achieved? (Reps HE).
2. Should the Primary Shopping Areas and Primary Frontages in Loughton High Road (Map5.4) and Loughton Broadway (Map 5.5) include the Sainsbury's stores in order to reflect their contribution to the retail character of the area?

Site Specific Matters

3. **LOU.R1 & R2 (Underground Cap Park Sites):** Can the quantity of development proposed be achieved without excessively high-rise development? Could high rise development be accommodated here if necessary in compliance with Policy DM9? (Reps Loughton TC).
4. **LOU.R5 (Jessel Green Masterplan Area):** Is this allocation justified with particular reference to the value of the site as open space to the local community?
 - a. Was the open space integral to the design and layout of the original estate? If so, would its development now be harmful to the character and appearance of the area?
 - b. Would open space provision within Loughton remain acceptable with the development of this site? By what standard? Is appropriate alternative space available to existing residents who specifically use Jessel Green?
 - c. Is it justified to allocate the site before the outcome of the Town/Village Green application is known? If the application succeeds, what would be the implications for this allocation?
 - d. Is the Council as landowner committed to the delivery of this site?
 - e. How have consultation responses made during the preparation of the Plan been taken into account in making the decision to allocate this site?
5. What effect would the development of Site **LOU.E2** have on the purposes of the Green Belt?

Policy P3: Waltham Abbey

General Matters

1. Can the M25, particularly Junction 26, accommodate the level of growth proposed at Waltham Abbey? (Reps HE).
2. Is the relationship between Waltham Abbey and the Lee Valley Regional Park adequately reflected within Policy P3 and the accompanying allocations? Are any specific planning provisions required to support the improvement of visitor facilities in the River Lee Country Park (the Bittern Information Point), the Lee Valley Park Farms, or the Royal Gunpowder Mills Site? (Reps LVRPA).

3. Should the vision for Waltham Abbey offer more support for smaller industrial and commercial sites to provide local employment opportunities? Is this achievable through the Plan?
4. Is it justified to refer specifically to the expansion of two primary schools in Part F, or should the requirement be more flexible? (Reps ECC).
5. What is the justification for Part G concerning the relocation and expansion of a local secondary school? Essex County Council contends that this has no evidential basis

Site Specific Matters

6. **Waltham Abbey North Masterplan Area:** Is part N(vi) intended to preclude vehicular access from Parklands? If so, is this justified?
7. **WAL.R4 (Fire Station):** This site is adjacent to the Waltham Abbey Conservation Area which also contains numerous other designated heritage assets. Should the Development Requirements in Appendix 6 include a section on heritage similar to that included for Site R5? Should the heritage entry (for Sites R4 and R5) acknowledge that the Conservation Area is on the Heritage at Risk Register? (Reps HE).
8. **WAL.R5 (Community Centre):** Can sufficient car parking for the community centre and residential development proposed be accommodated without detriment to highway safety in Saxon Way, Norman Close and Tudor Way due to excessive on-street parking?
9. **WAL.E3 (Land at Woodgreen Road):** Should the Development Requirements in Appendix 6 reflect the location of the site adjacent to Upshire Conservation Area? (Reps HE).
10. **WAL.E6 (Galley Hill Road Industrial Estate):** Is it intended that this site should be allocated only for B2/B8 uses as suggested in paragraph 5.53, or for all the B Class uses as suggested in Part D of the policy? Would it be justified to allocate the site to include *sui generis* uses in view of the existing range of uses upon it?
11. What effect would the development of the following sites have on the purposes of the Green Belt: **WAL.E5-E6; WAL.R1-R3 & R6; and T1?**

Policy P4: Ongar

General Matters

1. Paragraph 5.63 indicates that the Plan makes ten residential allocations in Ongar, but only eight are included in the Policy. Does this require correction?

2. Should the Primary Shopping Area and Primary Frontage in the District Centre include the Sainsbury's store to reflect its contribution to the retail character of the area?
3. Will the local cemetery be full within 20-30 years? Is this a matter which the Plan should address?

Site Specific Matters

4. **ONG.R1 & R.2 (West Ongar Concept Framework Area):** Having regard to representations 19LAD0020 and 19LAD0070, is there any reason to be concerned that a Concept Framework for a comprehensive scheme cannot be achieved? Would the sites be deliverable as separate entities? Is it justified to require a single, shared vehicular access to serve both sites?
5. Do the proposals for Ongar take account of, and seek to address, capacity issues at the Health Centre? Is Site **ONG.R3 (South West of Fyfield Rd)** needed for this purpose? (Reps Ongar PC).
6. How is it proposed to address capacity issues on the Chelmsford Road approach of Four Wantz Roundabout at Junction 12 of the A414? Is site **ONG.R4 (North of Chelmsford Rd)** deliverable in respect of its impact upon this roundabout? (Reps Chelmsford CC and Ongar PC).
7. **ONG.R6 (Stanford Rivers Rd/Brentwood Rd):** Can vehicular access to this site be achieved without risk to highway safety? (Reps Ongar PC). Can development conserve the significance of Grade II listed Dyers & Marden Ash House as buildings marking the entrance to Ongar from the south?
8. What effect would the development of the following sites have on the purposes of the Green Belt: **ONG.R1 – R7?** In particular, would **R1 & R2** close an important gap between two separate parts of the settlement?

Policy P5: Buckhurst Hill

Site Specific Matters

1. **BUCK.R1 (Powell Rd):** Can the significance of locally listed 1 Powell Road be conserved or enhanced in light of the scale of the development proposed within its grounds? What effect would the development have upon the purposes of the Green Belt? Has the capacity of windfall sites been accurately estimated? Should the development requirements in Appendix 6 require a new defensible Green Belt boundary along the short northern boundary of the site as well as the eastern boundary? (Reps BHPC).
2. **BUCK.R2 (Queen Rd Car Park):** Can the required number of parking spaces for London Underground Customers be provided? Will the scheme be financially viable in light of the contributions required? Will it be viable to provide affordable housing in line with Policy H2 of the Plan? (Reps BHPC).

3. **BUCK.R3 (Lower Queens Rd Stores):** What is the nature of the existing development upon this site and is it genuinely available/developable in light of the existing uses, including residential? What arrangements are necessary to relocate current shopkeepers and residents and would this represent fair treatment? Is there any specific reason to consider that this allocation might not be financially viable? Should the development requirements in respect of design seek to avoid high-rise development?

Policy P6: North Weald Bassett (NWB)

General Matters

1. Highways England has commented that the level of growth proposed here is likely to have an impact upon Junction 7 of the M11. Is this proposed to be mitigated by the provision of Junction 7a, or is something more required?
2. Is improved/increased public transport provision necessary to accommodate the scale of development proposed here and in Thornwood? Should Part F make reference to the need to deliver this type of infrastructure? (NWB PC).

Site Specific Matters

3. Was the development of North Weald Golf Club on Rayley Lane considered as an alternative to sites allocated within the Masterplan Area? Why was it rejected? Why is site **R3**, about which there are many objections in the representations, considered preferable?
4. **Both Masterplan Areas:** Should Part L(vi) require the conservation or enhancement of the relevant heritage assets in order to accurately reflect the requirements of legislation and national policy? Should a similar criterion be added to Part O to ensure that the historic environment and individual heritage assets are considered through the preparation of the North Weald Airfield Masterplan? (Reps HE).
5. **NW Airfield Masterplan Area:** Please could the Council clarify the nature of this area. What is the current nature/use of this extensive site? What is proposed to be retained and what/where is new development proposed? Is this clearly expressed on Map 5.12 which shows the majority of the masterplan area as "white land"? Part O(iii) requires provision to be made for c.10Ha of employment land whereas paragraph 5.96 refers to 40,000Ha. Which is correct?
6. **NWB.R1 & NWB.T1:** Is Map 5.12 accurate in showing the same site area for these allocations? Similarly, does the map of the NWB Masterplan Area in Appendix 6 require amendment because it presently does not show a Traveller site allocation at all? Is clarification required about where the Traveller site is expected to be provided? If it is expected to be provided as part of NWB.R1 specifically, is this justified?

7. What effect would the development of the following sites have on the purposes of the Green Belt: **NWB.E3 & E4**; and **NWB.R1-R5 & T1**? Would a defensible boundary be achieved for **NWB.R1**?

Policy P7: Chigwell

General Matters

1. Paragraph 5.104 indicates that the Plan makes twelve residential allocations in Chigwell, but only eleven are included in the Policy. Does this require correction?
2. What is the significance of the "Community Hub" referred to by Chigwell Parish Council? Should Part C refer to this, or is it to be delivered in some other way? Should reference to the Hub be made in the vision on page 147?

Site Specific Matters

3. **CHIG.R6 (Limes Farm Masterplan Area)**: Do the requirements of Parts G-J adequately reflect the aims of the Chigwell Neighbourhood Plan in preparation? Is this allocation justified in respect of its impact on open space provision in the locality? Were smaller scale alternatives which might have avoided the loss of open space considered, and why were they rejected?
4. **CHIG.R7 (Chigwell Convent)**: Is this allocation justified in light of the proposal to designate it as a Local Green Space in the emerging Chigwell Neighbourhood Plan (NP)? How has the Council worked positively and proactively with the NP body to seek to address this potential conflict between the Plan and the NP as set out in the Planning Practice Guidance (Paragraph: 009 Reference ID: 41-009-20160211)? Is this allocation justified in respect of its effect upon the setting of heritage assets? (Reps Chigwell PC).
5. **CHIG.R8 (Fencepiece Rd) and R11 (Hainault Rd)**: Are the development requirements in Appendix 6 concerning access accurate? Do they reflect the conclusions of previous appeal decisions and the Highway Authority? (Reps 19LAD0046)?
6. What effect would the development of the following sites have on the purposes of the Green Belt: **CHIG.R1; R2; R4; and R5**? Has the supply of brownfield sites been exhausted, including the potential for conversion of larger dwellings?

Policy P8: Theydon Bois

Site Specific Matters

1. **THYB.R1 (Forest Drive)**:
 - a. Will the density of development be in keeping with that on Forest Drive and Dikes Avenue?
 - b. Should the Development Requirements in Appendix 6 refer to the need to enable access to the railway?

- c. Should they recognise the importance of existing trees and hedgerows to the north and west of the site and of the brook along the northern boundary? (Reps TBPC).
 - d. Is the requirement in Appendix 6 to integrate the “permissive path” within the development unduly prescriptive? Would it be sufficient to require a pedestrian route to be provided through the site?
 - e. What is the justification for requiring contributions to Controlled Parking Zones in the vicinity of the site?
2. **THYB.R3 (Coppice Row):** Should the Development Requirements in Appendix 6 reflect the need to conserve or enhance Grade II listed Baldocks? Should they refer to the prominent location of the site overlooking the Village Green, around which numerous heritage assets are dispersed? (Reps HE & TBPC).
 3. What effect would the development of **THYB.R1** have on the purposes of the Green Belt?

Policy P9: Roydon

General Matters

1. Does the vision for Roydon require amendment to clarify that the glasshouse industry is based in the wider Parish area rather than the village? Similarly, should it be clarified in paragraph 5.128 that allocations for Traveller accommodation are proposed in Roydon Parish?
2. Is the relationship between the settlement of Roydon and the Lee Valley Regional Park adequately reflected within Policy P9 and the accompanying allocations? Are any specific planning provisions required to support access into the Park from the station and, if so, will the Plan facilitate this?

Site Specific Matters

3. **ROYD.R1 (Old Coal Yard) & R2 (Kingsmead School):** Should the “Development Requirements” in Appendix 6 refer to the location of these sites within Groundwater Source Protection Zones 1 and 3 respectively and indicate the implications for construction works in order to avoid pollution of the public water supply? (Reps Affinity Water).
4. What effect would the development of the following sites have on the purposes of the Green Belt: **ROYD.R1; R2; R3; R4?**

Policy P10: Nazeing

General Matters

1. The Vision for Nazeing in paragraph 5.133 refers to the provision of a new community centre as a focal point. How will this be delivered if it is not a requirement for the Concept Framework Plan? What would be the effect of a new facility upon the centre at St Giles Church?

2. Is the relationship between the settlement of Nazeing and the Lee Valley Regional Park adequately reflected within Policy P9 and the accompanying allocations? Are any specific planning provisions required to support access into the Park and, if so, will the Plan facilitate this? In particular, is it a responsibility of the Plan to facilitate improvements to the Crooked Mile as a key route serving the River Lee Country Park? (Reps LVRPA).

Site Specific Matters

3. **Site NAZE.R1:** Is it correct to describe this site as "Land at Perry Hill" rather than "St. Leonards Road"?
4. **Sites NAZE.E6 (Millbrook Business Park) and E7 (Winston Farm):** These sites are adjacent to the Nazeing and South Roydon Conservation Area which contains numerous other designated heritage assets. Should the Site Descriptions in Appendix 6 reflect this? Should it be noted that the Conservation Area is on the Heritage at Risk register? (Reps HE).
5. Should a site at Sedge Green (identified in the Employment Land review 2017 as ELR-0099) be designated for employment use in Part C and on Map 5.16? Representation 19LAD0002 states that it is in storage rather than residential use.
6. What effect would the development of the following sites have on the purposes of the Green Belt: **NAZE.R1; R2; R3; R4; & E1**? Has regard been had to previously developed nursery sites in the Green Belt before greenfield sites in accordance with SP2? (Reps 19LAD0027). Would **NAZE.R2** have a defensible boundary relating to physical features? Is the estimated density justified and achievable?

Policy P11: Thornwood

General Matters

1. Paragraph 5.147 indicates that the Plan makes three residential allocations in Thornwood, but only two are included in the Policy. Does this require correction?
2. Is improved/increased public transport provision necessary to accommodate the scale of development proposed both here and in North Weald Bassett? Should Part D make reference to the need to deliver this type of infrastructure? (NWB PC).

Site Specific Matters

3. **THOR.R1 (Tudor House):** Is this allocation justified in respect of the potential for increased flooding in Brookfield?
4. Should "Marlow" on High Road Thornwood be designated as an existing employment site?

5. What effect would the development of the following sites have on the purposes of the Green Belt: **THOR.R1; R2; & E1?**

Policy P12: Coopersale, Fyfield, High Ongar, Lower Sheering, Moreton, Sheering and Stapleford Abbots

General Matters

1. Will sufficient school places be available to meet needs arising from the proposed development in Sheering and Lower Sheering? (Reps Hertfordshire CC).

Site Specific Matters

2. **LSHR.E1 (The Maltings):** This site lies within the Lower Sheering Conservation Area, which is on the Heritage at Risk register. It also contains two listed buildings and other buildings which have group value. Should the Site Description in Appendix 6 note this and require development to conserve and enhance the assets and their settings? (Reps HE).
3. **STAP.R1 (Oakfield Rd):**
- a. Would development of this site lead to the coalescence of Stapleford Abbots and Havering Atte Bower?
 - b. Would it be harmful in respect of encroachment into the countryside, having regard to its previous use as grazing land?
 - c. What work has been done to establish that safe access to the site can be achieved?
 - d. Does a gas pipeline cross the site? If so, has this constraint been taken into account in estimating its capacity and should this be noted in the development requirements in Appendix 6?
 - e. Why was this site considered to be unsuitable for development in the 2016 version of the Plan and what has changed? (Reps SAPC).
4. **LSHR.R1 (Lower Sheering):** Historic England has expressed concern about the effect of this development upon the setting of the Grade II* Listed Lodges at the south entrance to the park at Great Hyde Hall. Could the site be developed without harm to their significance? (Reps HE).
5. **MORE.T1 (Lakeview):** This site appears quite large relative to the size of the settlement. Is the allocation consistent with paragraph 14 of the Planning Policy for Traveller Sites which requires that the scale of Traveller sites should not dominate the settled community? Is it intended that this site should remain within the Green Belt?
6. What effect would the development of the following sites have on the purposes of the Green Belt: **FYF.R1; HONG.R1; STAP.R1 & R3; LSHR.R1; and SHR.R1, R2 & R3?**

Policies P13 – P 15: Rural Sites in the East, West and South of the District

1. **RUR.E11 (Quickbury Farm):** Is it justified to designate this site as an existing rural employment site or is it actually in agricultural use? (Reps 19LAD0024).
2. **RUR.T1 (Sons Nursery) & T2 (Ashview):** I understand that temporary planning permissions were granted on these sites in the Green Belt in light of the personal circumstances of the occupants. Is the allocation of these sites for permanent development justified in respect of the impact upon the Green Belt; and is it likely to be possible for future applicants to demonstrate that very special circumstances exist to outweigh the harm to the Green Belt and any other harm? (Reps Roydon PC).
3. What effect would the development of the following sites have on the purposes of the Green Belt: **RUR.R1** and **RUR.E19**? Are these the only Green Belt Releases proposed in the rural areas (Policies P13-P15)?

MATTER 16: Development Management Policies (DM1 – DM22)

Issue 1: Are the Development Management Policies in the Plan justified, effective and consistent with national policy in respect of the specific matters set out below? Are there any other issues concerning their soundness?

Policy DM1: Habitat Protection & Improving Biodiversity

1. Has account been taken of the Lee Valley Biodiversity Action Plan during the preparation of the Plan? Does the Plan adequately reflect this document and should reference be made to it as Key Evidence in paragraph 4.8? (Reps LVRPA).
2. In Part A, is it justified to require all development to seek to deliver net biodiversity gain? Would this be possible for applications concerning minor alterations to existing buildings, or advertisements for example?

Policy DM2: Epping Forest SAC and the Lee Valley SPA

3. Will Policy DM1 and DM2 taken together provide adequate protection for the whole of Epping Forest, including the Parts outside the SAC? In seeking to protect the Forest via two separate policies, is there a risk that the approach could become disjointed?
4. Is it sufficiently clear, either in the Policy or supporting text, which/where developments are likely to have a significant effect?
 - a. In Part E, is the 400m radius for requiring developments to mitigate the effects of urbanisation justified in terms of the specific likely effect upon this particular designated site?

- b. Is it necessary in Part C to be more specific about the Zone of Influence for recreational pressure?
 - c. Are any specific provisions required in respect of the effects caused by air pollution?
 - d. Is it necessary to set any exclusion zone within which no development can occur?
5. In practice, how will the mitigation sought by Part D secured? If financial contributions are required, is this clear in the policy?

Policy DM3: Landscape Character, Ancient Landscapes & Geodiversity

6. Is the wording of the policy itself sufficiently detailed to be effective in protecting the landscape from significant harm? Should it, for example, incorporate some of the requirements of the supporting text (such as that in paragraph 4.31); and is it clear about what will be expected of developments on the edge of settlements? (Reps TBPC).

Policy DM4: Green Belt

7. This policy essentially repeats policy in the NPPF, but does not duplicate it entirely. Is it intended to do anything different? If not, would it avoid duplication/confusion to state that development will protect the purposes of the Green Belt in the manner required by national policy?
8. Are there any specific proposals to expand existing schools in the Green Belt? If so:
- a. Would the provisions of DM4 in respect of inappropriate development risk frustrating these plans?
 - b. Is it justified to expect such proposals to seek to demonstrate that very special circumstances exist to displace the presumption against inappropriate development or should some specific exception be made? Would such an exception be consistent with national policy?
 - c. Should existing school sites be excluded from the Green Belt?

Policy DM5: Green and Blue Infrastructure

9. Should Part A (i) require designs to have regard to improving the connectivity of habitats? (EA Reps).

Policy DM6: Designated and Undesignated Open Spaces

10. Having regard to paragraph 73 of the NPPF, has a robust assessment of the need for open space, sports and recreational facilities been carried out? Is it justified to base the requirements upon nationally adopted standards rather than local ones and should the appropriate standards be set out in Policy?
11. Which policy in the Plan deals with needs for built facilities for sport and recreation, rather than open space?

12. In Part A, is it intended that financial contributions could be sought towards open space provision? If so, is this clear?
13. In Part B, is it justified for either B(i) or B(ii) to apply rather than both? By what standard would it be decided that an open space was surplus to requirements?
14. Paragraph 4.52 refers to Local Green Spaces (LGS), but Policy SP6 refers to District Open Land. Should the terminology be consistent? Should this policy define the process by which LGS/DOL could be sought and if not, should paragraph 4.52 be deleted?

Policy DM7: Heritage Assets

15. In order to accurately reflect the relevant statutory obligations, should Part A of the Policy require development proposals to "...conserve **or** enhance the character **or** appearance and function of heritage assets..."? Should the requirements noted in the supporting text for the preparation of heritage statements (para. 4.60) and archaeological evaluations (para. 4.63) be written into the policy itself to ensure effectiveness? Should the Policy be retitled "*Historic Environment*"? (Reps HE).
16. I understand that the Heritage Asset Review suggested the establishment of "Areas of Townscape Merit". What would be the purpose of such a "designation"; why was it decided to omit them; and is the Plan sound in their absence? (Reps Loughton TC).
17. Should this Policy offer specific protection to "Protected Lanes"? (Reps TBPC).

Policy DM8: Heritage at Risk

- No specific questions.

Policy DM9: High Quality Design

18. Should this policy specifically require proposals to have regard to and respond to the historic environment where appropriate? (Reps HE).
19. For effectiveness, should paragraph 4.69 make reference to the Essex Design Guide? (Reps ECC).
20. Should Part A, perhaps A(v) require design measures to promote healthy communities as suggested by paragraph 4.70 of the supporting text? (Reps ECC).
21. Does this policy, and the plan generally, make sufficient provision for inclusive design and accessible environments in accordance with paragraphs 57, 58, 61 and 69 of the NPPF?

Policy DM10: Housing Design & Quality

22. Does Part A seek to introduce the optional Nationally Described Space Standard? Should this terminology be used? Is this justified by evidence relating to need, viability and whether a transitional period for implementation is required? In respect of viability, what cost has been ascribed to meeting this standard for assessment purposes?
23. To which external open space standards does Part A of the policy refer?
24. Would part E concerning the appearance of residential extensions fit better as part of Policy DM9? (Reps TBPC).

Policy DM11: Waste Recycling Facilities in New Development

- No specific questions.

Policy DM12: Subterranean Basement Development & Lightwells

25. Will Part B(ii) be effective in securing basement development of a subordinate scale in cases where the garden area is large relative to the size of the building? (Reps TBPC).
26. What is expected in a Basement Construction Management Statement as required by Part F in respect of the level of engineering detail sought, and when would it be appropriate to provide one? Should this be explained in the supporting text, perhaps in para. 4.85?
27. Does the Policy and supporting text provide adequate guidance to developers about the issues which might need to be addressed for proposals affecting the historic environment? Should it refer to the need to consider archaeology, the historic fabric of heritage assets and the effect of an altered layout etc? (Reps HE).

Policy DM13: Advertisements

28. Is the 'blanket' approach in part (v) concerning illuminated signs in residential areas justified? Should this part of the policy be expressed in terms of its apparent aim to protect residential amenity/living conditions?

DM14: Shopfronts and On-Street Dining

29. Should Part A(ii) refer to the conservation of "***historic materials and features***" rather than "*original*"? (Reps HE).

DM15: Managing and Reducing Flood Risk

30. Has regard been had to the Essex SuDS Design Guide and to the Environment Agency Risk of Flooding from Surface Water Maps in preparing

the Plan, in particular Policies DM15-19? Should these documents be added to the list of Key Evidence in the relevant supporting text? (Reps ECC).

31. In Part B, is it necessary for development on allocated sites to demonstrate that the Sequential Test has been passed or has this already been established through the plan-making process? Should the requirement for new development in Flood Zones 2 and 3 to pass the Sequential Test in fact apply only to "windfall" development? Is it necessary for development on both allocated sites and windfall sites to demonstrate that the Exception Test has been passed if necessary? Does the wording of Part B require clarification?
32. In requiring proposals within Flood Zones 2 and 3a to be informed by a site specific Flood Risk Assessment, is part C consistent with footnote 20 of the NPPF which requires this in a wider range of circumstances? (Reps ECC).

DM16: Sustainable Drainage Systems

33. What is meant by a "drainage hierarchy"? Are any of the methods in Part A permissible solutions, or is (ii) only permissible if (i) is not possible, and so on? Is this clear? Likewise, are the solutions in Part B only permissible if those in Part A are not possible?
34. Is Part D(i) intended to be applicable only to major greenfield sites? Likewise, is Part D(ii) only intended to apply to major greenfield developments? Is the term 'major' defined? Please note that the wording of Part D(ii) is not particularly clear towards the end of the paragraph. Are some words missing?
35. Should the provisions of part D(i) and (ii) apply when sites discharge to a watercourse as well as to a sewer? (Reps ECC).
36. Should the supporting text provide some indication of the circumstances in which it might be justified for a development to increase the run-off rate above greenfield levels (Part D(iv))? (Reps ECC).

DM17: Protecting and Enhancing Watercourses and Flood Defences

37. Should the supporting text explain that any reduction in the 8m buffer zone required for development adjacent to a main river or ordinary watercourse would require robust justification? Should it explain that the consent of the Environment Agency is required for any works within the byelaw distance of a main river (generally 8m)? (EA Reps).

DM18: On-Site Management and Reuse of Waste Water and Water Supply

38. Thames Water has indicated that Part B of the policy should be revised to reflect changes to the way that water and wastewater infrastructure is to be

delivered from April 2018. Briefly, what are the changes and are revisions to the policy wording necessary to ensure that it is effective?

39. Is it necessary to amend the wording of the second sentence in paragraph 4.131 for clarity?

DM19: Sustainable Water Use

40. Is it justified to refer to the Code for Sustainable Homes in paragraph 4.139?

DM20: Low Carbon and Renewable Energy

41. Should the supporting text make reference to the exemptions which apply to designated and non-designated heritage assets in respect of the need to comply with the energy efficiency requirements of the Building Regulations? (Reps HE).

42. Is Part D, which requires Strategic Masterplans to demonstrate how infrastructure for district heating could be incorporated, justified by reference to viability? For example, it has been suggested that a development of 950 dwellings such as proposed at South Epping would be too small to viably deliver a district heating scheme. (Reps 19LAD0056).

DM21: Local Environmental Impacts, Pollution and Land Contamination

43. Should Part E, or at least the supporting text, explain that proposals will need to demonstrate that modern construction techniques will be compatible with the preservation or enhancement of an affected heritage asset, including its historic fabric? (Reps HE).

DM22: Air Quality

44. Are any specific provisions required for proposals within the Bell Common Air Quality Management Area (AQMA)?

45. Is it necessary to designate any further AQMAs in order to protect the health of residents across the whole of the District away from the Epping Forest SAC? What would be the trigger and the process for designating further AQMAs?

Louise Phillips

INSPECTOR

November 2018.