

Epping Forest District Local Plan Examination

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

This document provides the Council's response to each of the Actions outlined within the Inspector's post Examination hearing Advice on 02 August 2019 ([ED98](#)). This includes indicating whether Main Modifications (MMs) have been proposed as a consequence and refers to any relevant supporting information. Reference numbers are provided for each MM so that the reader can refer to the Main Modifications Schedule (ED130) to see the detail of the MM proposed.

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
1.	To exclude/redraft MMs which would seek to confirm the five-year housing land supply in accordance with paragraph 74 of the 2019 Framework and to invoke paragraph 57 concerning viability.	<p>In response to the Inspector's advice, the Council is not proposing any MMs in respect of paragraph 74 of the NPPF 2019 and the demonstration of the five-year housing land supply through recently adopted plans and then through formal position statements.</p> <p>The Council has rescinded the MMs that it had proposed within Homework Note 12 (ED56) to provide clarification on its position regarding the proposed future application of paragraph 57 of the NPPF 2019 when determining planning applications.</p>	Homework Note 12 (ED56). However, the Council has rescinded the MMs identified in Homework Note 12. They therefore <u>do not</u> feature in the MM Schedule.
2.	To prepare MMs to identify the recent Garden Town infrastructure and viability documents as the up-to-date evidence to which applicants should refer.	An MM is proposed to address this action; refer to MM18.	<p>Harlow and Gilston Garden Town Infrastructure Delivery Plan, April 2019 (EB1418/ EB1418A).</p> <p>EFDC Consolidated and Updated Viability Evidence 2020 (ED116/ EB1117).</p>

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
3.	To update the Habitats Regulations Assessment modelling to take account of "tall vegetation".	The Council confirmed that this Action had been completed in its letter to the Inspector dated 11 October 2019 (ED100) paragraphs 33-34 and the results are contained in the Epping Forest District Local Plan 2021 Habitats Regulations Assessment (ED129A-B/ EB211A-B).	Council letter to the Inspector 'Response to the Inspector's Advice', 11 October 2019 (ED100). Epping Forest District Local Plan 2021 Habitats Regulations Assessment, June 2021 (ED129A-B/ EB211A-B).
4.	In locations where the HRA modelling shows either an increase in the dose of nitrogen/nitrogen oxide/ammonia, or a delay in the rate at which a pollutant would fall to an acceptable level, to analyse the location/habitat-specific effects.	An analysis has been provided within the Epping Forest District Local Plan 2021 Habitats Regulations Assessment (ED129A-B/ EB211A-B) and location/habitat specific mitigation measures identified. The Council's adopted Epping Forest Interim Air Pollution Mitigation Strategy (ED126/ EB212) includes location/habitat specific mitigation measures and how they will be delivered/secured.	Epping Forest District Local Plan 2021 Habitats Regulations Assessment, June 2021 (ED129A-B/ EB211A-B). Epping Forest Interim Air Pollution Mitigation Strategy, December 2020 (ED126/ EB212).
5.	To provide robust, habitat-specific evidence that any effects of development would not be adverse; or to seek to avoid the effects by altering (or potentially reducing) the pattern of growth proposed in the Plan.	The air quality and traffic modelling work undertaken by the Council has reflected the Inspector's advice on other matters which has resulted in the proposed removal of some development sites (see the Council's response to Action 9 for further details). In addition, an MM has been proposed to the South of Epping Masterplan Area in relation to the timing of development on this site linked to further air quality modelling and monitoring results.	Epping Forest District Local Plan 2021 Habitats Regulations Assessment, June 2021 (ED129A-B/ EB211A-B). Epping Forest Interim Air Pollution Mitigation Strategy (ED126/ EB212).

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
		<p>The reduction in the levels of growth have been taken into account in the preparation of an Interim Air Pollution Mitigation Strategy which includes measures to address the impacts of growth to ensure that any adverse effects can be appropriately managed and mitigated for. The implementation of this Strategy means that any adverse effects will be avoided.</p> <p>Therefore, whilst the quantum of development has been reduced, the pattern of growth proposed in the Local Plan does not need to be amended. The Interim Air Pollution Mitigation Strategy has been used to inform the 2021 Habitats Regulations Assessment, which supports this conclusion. Natural England, as the statutory body, together with the Conservators of Epping Forest have been engaged in the development of the approaches to developing the evidence base and the Mitigation Strategy.</p> <p>The Inspector raised supplementary questions with the Council on 16 June 2021. These concern how the Local Plan will ensure there are no adverse effects on the Epping Forest Special Area of Conservation (SAC) before the proposed introduction of a Clean Air Zone (CAZ) from 2025 if monitoring demonstrates that it is required. The Inspector's questions and the Council's responses are outlined in ED127.</p>	<p>Response to Inspector's Action 5 & Inspector's supplementary questions, July 2021 (ED127).</p>

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
6.	<p>To provide clear evidence that the necessary Suitable Alternative Natural Greenspace (SANG) can be delivered over the Plan period; include proposals for SANG required in the first five years within the Plan itself; and to prepare any MMs needed to ensure that all site specific Strategic Access Management and Monitoring Measures (SAMM) or SANG requirements are reflected in the Plan.</p>	<p>The Epping Forest District Council Green Infrastructure Strategy presented to Cabinet 20 April 2021 includes, at Part 3, how and where SANG will be delivered over the Plan period. In addition, infrastructure improvement projects have been identified which will form part of the Epping Forest SAC avoidance and mitigation measures. The Green Infrastructure Strategy informed the 2021 Habitats Regulations Assessment and necessary modifications are proposed to the Local Plan.</p> <p>See Main Modifications as follows:</p> <ul style="list-style-type: none"> • MM21 (Policy SP5); • MM24 (supporting text to SP7); • MM25 (Policy SP7); • MM44 (supporting text to DM1); • MM46 (supporting text to DM2); • MM47 (Policy DM2); • MM52 (supporting text to DM6); • MM53 (Policy DM6); • MM78 (Policy P1); • MM80 (Policy P2); • MM82 (Policy P3); • MM83 (supporting text to Policy P4); • MM85 (Policy P5); • MM87 (Policy P6); • MM89 (Policy P7); 	<p>Epping Forest District Council Green Infrastructure Strategy presented to Cabinet April 2021 (ED124A-G/EB159A-G).</p>

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
		<ul style="list-style-type: none"> • MM90 (Policy P8); • MM91 (supporting text to Policy P9); • MM93 (supporting text to Policy P10); • MM96 (Policy P11); • MM97 (supporting text to Policy P12); • MM98 (Policy P12); • MM99 (supporting text to Policy P13); and • Removal of requirements from the Local Plan Part 2 for a range of sites, which are no longer required following the proposed changes to Policies DM2, DM22 and the Places Policies. See MMs: MM118, MM119, MM120, MM121, MM122, MM123, MM125, MM130, MM131, MM132, MM133, MM135, MM136, MM137, MM138, MM139, MM140, MM141, MM142, MM148, MM149, MM150, MM162, MM163, MM164, MM172, MM173, MM175, MM177, MM178, MM180, MM181, MM182, MM192, MM193, MM194. 	
7.	To draft MMs to ensure that Policies DM2 and DM22 reflect the updated position on air quality and recreational pressure.	<p>MMs are proposed as follows to reflect the updated position on air quality and recreational pressure:</p> <ul style="list-style-type: none"> • MM46 (supporting text to DM2); • MM47 (Policy DM2); • MM74 (supporting text to DM22) and • MM75 (Policy DM22). <p>A number of consequential MMs are required across the Local Plan, to ensure consistency with the MMs proposed to Policies DM2 and DM22. These are:</p>	N/A

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
		<ul style="list-style-type: none"> • MM50 (supporting text to DM5); • MM51 (Policy DM5); • MM52 (supporting text to DM6); • MM53 (Policy DM6); • MM112 (Policy D8) ; • An identical MM inserting a new requirement into each of the Places Policies: MM78 (Policy P1), MM80 (Policy P2), MM82 (Policy P3), MM84 (Policy P4), MM85 (Policy P5), MM87 (Policy P6), MM89 (Policy P7), MM90 (Policy P8), MM92 (Policy P9), MM94 (Policy P10), MM96 (Policy P11), MM98 (Policy P12), MM100 (Policy P13), MM102 (Policy P14) and MM104 (Policy P15); and • Removal of requirements from the Local Plan Part 2 for a range of sites, which are no longer required following the proposed changes to Policies DM2, DM22 and the Places Policies. See MMs: MM118, MM119, MM120, MM121, MM122, MM123, MM125, MM130, MM131, MM132, MM133, MM135, MM136, MM137, MM138, MM139, MM140, MM141, MM142, MM148, MM149, MM150, MM162, MM163, MM164, MM172, MM173, MM175, MM177, MM178, MM180, MM181, MM182, MM192, MM193, MM194. 	
8.	To prepare MMs to set the Plan's affordable housing requirement of 2,851 dwellings for the period 2016-33 in policy.	See MM5 (Introduction and Setting the Scene) and MM15 (Policy SP2).	N/A

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)						
9.	<p>In light of my advice concerning the SAC and specific allocations (see below), to seek alternative sites to meet the housing requirement, firstly within the Council's preferred strategic growth options. If no such sites can be found, to explore amendments to the spatial strategy through the Sustainability Appraisal process.</p>	<p>Following publication of the Inspector's advice, the Council has undertaken a number of strands of work to determine the implications of the Inspector's advice on:</p> <ul style="list-style-type: none"> • Strand 1: specific site allocations contained within the Local Plan Submission Version (LPSV); • Strand 2: Epping Forest Special Area of Conservation (SAC); and • together what the two strands of work mean for the Council's ability to meet its housing requirement of a minimum of 11,400 new homes by 2033. <p>Strand 1: Amendments to and Deletions of Site Allocations Several of the Inspector's actions in her Interim Advice relate to the removal of residential site allocations from the LPSV or amendments to site allocations in terms of their site capacity or their likely delivery trajectory. The outcome of these actions is summarised in Table 1.</p> <p>Table 1: Outcomes of Inspector's Actions</p> <table border="1" data-bbox="748 995 2029 1337"> <thead> <tr> <th data-bbox="748 995 936 1059">Inspector's Action</th> <th data-bbox="936 995 1621 1059">Implication for housing delivery</th> <th data-bbox="1621 995 2029 1059">Main Modifications</th> </tr> </thead> <tbody> <tr> <td data-bbox="748 1059 936 1337">Action 10</td> <td data-bbox="936 1059 1621 1337">The Council has updated the supply figures used in the LPSV to reflect the position at 31 March 2020. This has resulted in the following site allocations being proposed for deletion from the LPSV since they have now been built out: CHIG.R1 (Land adjacent to The Paddock), CHIG.R2 (Woodview), CHIG.R3 (Land at Manor Road), EPP.R10 (Land to rear of High Street), LOU.R8 (Land West of High Road), LOU.R17 (Land to the rear of High Road), WAL.R7 (Pine Tree Nursery), STAP.R2 (Land</td> <td data-bbox="1621 1059 2029 1337">MM89 (CHIG.R1, CHIG.R2, CHIG.R3), MM78 (EPP.R10), MM80 (LOU.R8, LOU.R17), MM82 (WAL.R7), MM98 (STAP.R2, STAP.R3), MM100 (RUR.R2)*.</td> </tr> </tbody> </table>	Inspector's Action	Implication for housing delivery	Main Modifications	Action 10	The Council has updated the supply figures used in the LPSV to reflect the position at 31 March 2020. This has resulted in the following site allocations being proposed for deletion from the LPSV since they have now been built out: CHIG.R1 (Land adjacent to The Paddock), CHIG.R2 (Woodview), CHIG.R3 (Land at Manor Road), EPP.R10 (Land to rear of High Street), LOU.R8 (Land West of High Road), LOU.R17 (Land to the rear of High Road), WAL.R7 (Pine Tree Nursery), STAP.R2 (Land	MM89 (CHIG.R1, CHIG.R2, CHIG.R3), MM78 (EPP.R10), MM80 (LOU.R8, LOU.R17), MM82 (WAL.R7), MM98 (STAP.R2, STAP.R3), MM100 (RUR.R2)*.	
Inspector's Action	Implication for housing delivery	Main Modifications							
Action 10	The Council has updated the supply figures used in the LPSV to reflect the position at 31 March 2020. This has resulted in the following site allocations being proposed for deletion from the LPSV since they have now been built out: CHIG.R1 (Land adjacent to The Paddock), CHIG.R2 (Woodview), CHIG.R3 (Land at Manor Road), EPP.R10 (Land to rear of High Street), LOU.R8 (Land West of High Road), LOU.R17 (Land to the rear of High Road), WAL.R7 (Pine Tree Nursery), STAP.R2 (Land	MM89 (CHIG.R1, CHIG.R2, CHIG.R3), MM78 (EPP.R10), MM80 (LOU.R8, LOU.R17), MM82 (WAL.R7), MM98 (STAP.R2, STAP.R3), MM100 (RUR.R2)*.							

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
		to the rear of Mountford and Bishops Brow), STAP.R3 (Land at The Drive) and RUR.R2 (Norton Heath Riding Centre).	
		Action 16 In discussions with the site promoters, the Council has updated the housing trajectory for East of Harlow.	MM115.
		Action 18 Following further discussions with Transport for London (TfL), the Council has agreed with TfL to delete site allocations EPP.R3 (Epping London Underground Car Park), LOU.R1 (Loughton London Underground Car Park) and LOU.R2 (Debden London Underground Car Park) from the LPSV.	MM78 (EPP.R3), MM80 (LOU.R1, LOU.R2)*.
		Action 19 Following further discussions with the site promoters for EPP.R1 and EPP.R2 (South Epping Masterplan Area), the Council proposes to reduce the capacity at South Epping to 450 homes. The housing trajectory for the two sites has also been amended to show the delivery of homes commencing from 2028 onwards.	MM78*.
		Action 22 In response to the Inspector's advice, the Council proposes to delete LOU.R5 (Jessel Green) from the LPSV.	MM80*.
		Action 23 In relation to LOU.R14 (Land at Alderton Hill), the Council proposes to reduce the capacity of the site to reflect the amended site area.	MM80*.
		Action 26 In response to the Inspector's advice, the Council proposes to delete CHIG.R6 (Limes Farm) from the LPSV.	MM89*.

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence		Key reference documents (if applicable)									
		Action 27	Following the receipt of further heritage information from the site promoter for CHIG.R7 (Chigwell Convent), the Council has determined that the site should be removed from the LPSV.	MM89*.									
		Action 28	In response to the Inspector's advice, the Council proposes to delete ROYD.R3 (Land at Epping Road) from the LPSV.	MM92*.									
		<p>* Plus, consequential MMs to Places (P) Policies and Policy SP2 in terms of no. of sites, quantum of homes, and amendments to Part 2 of the Local Plan.</p>											
		<p>In addition to the Actions identified by the Inspector, the Council proposes MMs to the capacities of other residential site allocations contained in the LPSV. These amendments are summarised in Table 2.</p>											
		<p>Table 2: Additional Site Capacity Changes</p>											
		<table border="1"> <thead> <tr> <th data-bbox="745 979 913 1043">Site</th> <th data-bbox="913 979 1621 1043">Implication for housing requirement</th> <th data-bbox="1621 979 1951 1043">Documents with further evidence</th> </tr> </thead> <tbody> <tr> <td data-bbox="745 1043 913 1171">CHIG.R11 (Land at Hainault Road)</td> <td data-bbox="913 1043 1621 1171">The Council proposes to increase the capacity of the site from 7 to 11 homes in response to matters raised during the Hearing Sessions.</td> <td data-bbox="1621 1043 1951 1171">MM89*.</td> </tr> <tr> <td data-bbox="745 1171 913 1321">EPP.R5 (Epping Sports Centre)</td> <td data-bbox="913 1171 1621 1321">The Council proposes to reduce the capacity of the site from 43 to 42 homes to reflect the amended site area.</td> <td data-bbox="1621 1171 1951 1321">MM78*.</td> </tr> </tbody> </table>			Site	Implication for housing requirement	Documents with further evidence	CHIG.R11 (Land at Hainault Road)	The Council proposes to increase the capacity of the site from 7 to 11 homes in response to matters raised during the Hearing Sessions.	MM89*.	EPP.R5 (Epping Sports Centre)	The Council proposes to reduce the capacity of the site from 43 to 42 homes to reflect the amended site area.	MM78*.
Site	Implication for housing requirement	Documents with further evidence											
CHIG.R11 (Land at Hainault Road)	The Council proposes to increase the capacity of the site from 7 to 11 homes in response to matters raised during the Hearing Sessions.	MM89*.											
EPP.R5 (Epping Sports Centre)	The Council proposes to reduce the capacity of the site from 43 to 42 homes to reflect the amended site area.	MM78*.											

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence		Key reference documents (if applicable)
		NAZE.R2 (The Fencing Centre)	The Council proposes to reduce the capacity of the site from 29 to 25 homes in response to matters raised during the Hearing Sessions.	MM94*.
		WAL.R5 (Waltham Abbey Community Centre)	The Council proposes to reduce the capacity of the site from 67 to 53 homes to reflect the amended site area.	MM82*.
<p>* Plus, consequential MMs to Places (P) Policies and Policy SP2 in terms of no. of sites, quantum of homes and amendments to Part 2 of the Local Plan.</p> <p>The combined effect of these changes in relation to housing completions, commitments and allocated sites is outlined within MM11 (Table 2.3). This confirms that with the proposed MMs to the site allocations, the Council has sufficient sites to meet its housing requirement, including an appropriate buffer to provide for choice and flexibility in the market.</p> <p>Strand 2: Implications of the Revised Site Allocations for Epping Forest SAC In response to Inspector's Actions 3, 4 and 5, the Council has undertaken further work on the implications of the revised levels of proposed development on the integrity of Epping Forest SAC. This work has concluded that adverse impacts on Epping Forest SAC for both air quality and recreational pressure can be appropriately mitigated, subject to the implementation of an Air Pollution Mitigation Strategy, a Strategic Access Management & Monitoring Strategy, provision of Suitable Alternative Natural Greenspace (SANG) and the implementation of infrastructure enhancement projects (as set out within the Epping Forest District Council Green Infrastructure Strategy). Further details on the assessment undertaken and strategies proposed by the Council to manage the impacts are set out in:</p>				

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
		<ul style="list-style-type: none"> • Epping Forest District Local Plan 2021 Habitats Regulations Assessment (ED129A-B/ EB211A-B) • Epping Forest Interim Air Pollution Mitigation Strategy, December 2020 (ED126/ EB212) • Interim Approach to Managing Recreational Pressures on the Epping Forest Special Area of Conservation – agreed by Cabinet in October 2018 (EB134) • Epping Forest District Council Green Infrastructure Strategy - presented to Cabinet 20 April 2021 (ED124A-G/ EB159A-G). <p>Conclusion The additional work undertaken has concluded that taking account of amendments to or deletions of site allocations contained within the LPSV, the Council can meet its housing requirement without the need to allocate additional sites <i>and/or</i> implement an amended spatial strategy which will mitigate any adverse effects on the integrity of Epping Forest SAC. The Council therefore does not propose to remove any further sites to those already identified or allocate any additional sites in the Local Plan.</p>	
10.	To update the housing requirement and supply figures used in the Plan to reflect the position at 1 April 2019, including for the purpose of the five-year land supply calculation.	Reflecting that timescales have moved on, the MM reflects the position at 31 March 2020 rather than 01 April 2019. See MM11 (Supporting text to SP2).	N/A
11.	To ensure it is clear that the dwelling capacity estimates for Strategic Masterplan and Concept Framework areas are expressed as "minimum" figures (except for EPP.R1 & R2); and for all other allocations as "approximate" figures.	See MMs as follows: <ul style="list-style-type: none"> • MM20 (Supporting text to SP5); • MM21 (Policy SP5); • MM78 (Policy P1); • MM82 (Policy P3); • MM86 (Supporting text to Policy P6); and • MM87 (Policy P6). 	N/A

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
12.	To include a 20% buffer in the five-year supply; to set the level of housing required in each year of the Plan period in policy; and to clarify in policy how the five-year supply will be assessed.	<p>The Council confirms that a 20% buffer has been factored in its five-year supply (in accordance with paragraph 73(c) of the NPPF 2019). This will be monitored through the Annual Authority Monitoring Report and future iterations of the Council's Housing Implementation Strategy as appropriate. The Council considers that it is more suitable to include detail on the five-year supply in the Authority Monitoring Report and the Housing Implementation Strategy as opposed to the Plan itself because such figures will very quickly become out of date, for example, as a result of annual changes in completions and that government policy requirements might be subject to change.</p> <p>MMs are proposed to address the need to set the level of housing required in each year of the Plan period in policy; and to clarify in policy how the five-year supply will be assessed.</p> <p>In respect of setting the level of housing required in each year of the Plan period in policy see MMs as follows:</p> <ul style="list-style-type: none"> • MM14 (Supporting text to policy SP2); • MM15 (Policy SP2); and • MM115. <p>In respect of clarifying in policy how the five-year supply will be assessed see MM112 (Policy D8).</p>	N/A

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
13.	To add a transport-related clause to proposed review policy D8 to reflect the recommendations of the Transport Assessment Report 2019.	See MM112 (Policy D8).	N/A
14.	To redraw the Green Belt boundary of site SP5.1 (Latton Priory) to coincide with the boundary of the site allocation.	See MM21 (Policy SP5, Maps 2.1 and 2.2).	N/A
15.	To review the access proposed to serve site SP5.1 (Latton Priory) and either modify it or provide further justification for its route.	<p>The Local Plan Submission Version outlines an indicative access road from site allocation SP5.1 to adjoin the B1393 to the east.</p> <p>The Council in conjunction with Harlow and Gilston Garden Town (HGGT) and Harlow Council have reviewed the access and have determined that it should be modified to reflect access from both the west and the east of the site allocation.</p> <p>See MM21 (Policy SP5, Maps 2.1 and 2.2).</p>	Harlow and Gilston Garden Town Latton Priory Access Strategy Assessment Report, July 2020 (ED121A-C/ EB1420A-C).
16.	To review the position of site SP5.3 (East of Harlow) in the housing trajectory in light of current evidence of progress; and to provide more detailed information concerning the likely use of the land to justify the northward extent of the proposed new Green Belt boundary.	<p>The Council has reviewed the position of site SP5.3 (East of Harlow) in the housing trajectory and proposes MMs to reflect that delivery will be from 2025/26 onwards. This amended trajectory has been agreed with the site promoter. See MM114 (Appendix 5 - Housing, Employment and Traveller Trajectories).</p> <p>In respect of the second part of the Inspector's Action, the Council has proposed the release of Green Belt for the entire Masterplan</p>	Statement of Common Ground Addendum East of Harlow, September 2020 (ED122A-B).

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
		<p>Area to accommodate the proposed development. The extent of development across the Masterplan Area will be agreed during the masterplanning process. This will include agreement on the position of a build-to line to appropriately safeguard the settlement edge of Sheering. The Council proposes an MM so that this is reflected within Policy SP5: refer to MM21.</p>	
17.	<p>To prepare MMs to impose a height limit upon developments at the London Underground car park sites.</p>	<p>The Council and Transport for London (TfL) have engaged on sites LOU.R1 (Loughton London Underground car park) and LOU.R2 (Debden London Underground car park) following the Examination Hearings. Both parties have concluded that these sites are not deliverable in a policy-compliant manner and thus the Council sets out MMs as follows to remove these sites from the LPSV:</p> <ul style="list-style-type: none"> • MM15 (Policy SP2); • MM79 (Supporting text to Policy P2); • MM80 (Policy P2); • MM114 (Appendix 4 – Policy Designations); • MM127, MM128 and MM129 (Appendix 6 – Now Part 2 of the Plan). 	
18.	<p>To agree a Statement of Common Ground with Transport for London to give confidence that sites LOU.R1 and LOU.R2 are deliverable as proposed in the Plan; or to delete these allocations via a MM.</p>	<p>During liaison with TfL it was also determined that EPP.R3 (Epping London Underground car park) is not deliverable in a policy-compliant manner. The Council sets out MMs as follows to remove this site from the LPSV:</p> <ul style="list-style-type: none"> • MM15 (Policy SP2); • MM77 (Supporting text to Policy P1); • MM78 (Policy P1); 	

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
		<ul style="list-style-type: none"> • MM114 (Appendix 4 – Policy Designations); • MM116 and MM117 (Appendix 6 – Now Part 2 of the Plan). <p>To clarify, no MMs are proposed to remove other London Underground car park sites allocated in the Local Plan Submission Version i.e. THYB.R2 (Theydon Bois London Underground car park) and BUCK.R2 (Queens Road car park).</p> <p>In respect of the Inspector's Action 17 and reflecting on the two remaining London Underground car park sites allocated (THYB.R2- Theydon Bois London Underground car park and BUCK.R2 - Queens Road car park), the Council considers that the context of the TfL sites at Buckhurst Hill and Theydon Bois is very different from those at Loughton and Debden. The 5/6 storeys envisaged at Loughton or Debden would not be acceptable at Buckhurst Hill or Theydon Bois due to their proximity to existing residential dwellings. The Council considers it would be preferable to rely on existing design policies within the Local Plan to shape development in these locations, particularly given the lower number of dwellings proposed (41 at BUCK.R2 and 12 at THYB.R2). Therefore, no MMs are proposed to Policies P5 and P8 in this regard.</p>	
19.	To review the site capacity work for EPP.R1 and R2 (South Epping Masterplan Area) taking detailed account of constraints, and to	Council Officers have engaged positively and proactively with the site promoters of the South Epping Masterplan Area (SEMPA) in order to address the matters the Inspector raised. In March 2020, the promoters of EPP.R1 and EPP.R2 submitted a joint piece of work to	South Epping Masterplan Area Capacity Analysis (Sites EPP.R1 and EPP.R2), March 2020 (ED120/ EB1421).

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
	<p>consider the delivery of the bridge. It is likely that the number of dwellings proposed should be reduced and/or that the projected timing of delivery should be delayed.</p>	<p>the Council which related to the potential revised capacity of the SEMPA. The capacity study included an analysis on the matters raised by the Inspector.</p> <p>Based on the joint work undertaken by the site promoters as well as from specialist advice from Council officers on landscape and green infrastructure matters, the Council has concluded that a revised approximate capacity of 450 new dwellings across the SEMPA is deliverable in accordance with the Local Plan housing trajectory which estimates delivery of the site from 2028/29 onwards. This revised capacity takes account of the necessary infrastructure, including the provision of an on-site Suitable Alternative Natural Greenspace (SANG), a new primary school and improvements to walking and cycling infrastructure including upgrades to the existing footbridge which crosses the London Underground Central Line. The Council considers that the revised capacity for the Masterplan Area no longer necessitates the provision of a vehicular bridge over the trainline.</p> <p>The proposed approximate capacity of 450 new dwellings is predicated on the current assessment of constraints for plan-making purposes. However, the Council recognises that there may be the potential for the SEMPA to deliver an increased number of dwellings to the 450 proposed for allocation and this is reflected in the wording of Policy P1 which proposes an approximate number of new dwellings across the site. There is no change to the proposed</p>	

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
		<p>alteration to the Green Belt boundary which is proposed to correspond with the M25 at the southern edge of the SEMPA as the appropriate defensible boundary.</p> <p>Any increase in capacity beyond that identified in the Local Plan, would need to be justified through the submission of a robust Appropriate Assessment to demonstrate, amongst other things, that there would be no adverse impact on the integrity of the Epping Forest Special Area of Conservation (SAC). This would include a delay on the delivery of any dwellings until after the results of additional traffic modelling on roads within 200m of the Epping Forest SAC which will be undertaken in 2024/25 in accordance with the adopted Interim Air Pollution Mitigation Strategy. The Council proposes that the timescales for delivery of the site is managed through MMs to Policy P1. Other technical matters would also need to be addressed if any increase in capacity beyond that identified in the Local Plan was sought, including noise impact, air quality impact on human health and landscape sensitivity.</p> <p>See MMs as follows:</p> <ul style="list-style-type: none"> • MM77 (Supporting text to Policy P1); and • MM78 (Policy P1). 	
20.	To prepare MMs in relation to sites EPP.R4 (Land at St Johns Road) and EPP.R8 (Civic Offices).	See MM118 and MM122.	Homework Note 25 Matter 15, Issue 2, Question 7 (ED85)

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
21.	To clarify the risk posed by development to the Roding Valley Meadows SSSI as well as the nature of the mitigation required.	<p>The risk posed by development to the Roding Valley Meadows SSSI is addressed via Homework Note 34. Consequential MMs are proposed as follows:</p> <ul style="list-style-type: none"> • MM80 (Policy P2); • MM131 (LOU.R4 Borders Lane playing fields); and • MM135 (Land at former Epping Forest College site) <p>The proposed infrastructure enhancement project for the Roding Valley Recreation Ground in Part 4 of the Epping Forest District Council Green Infrastructure Strategy (ED124F/ EB159F) would also help to mitigate any potential impacts.</p>	<p>Homework Note 34 Matter 15, Issue 2 (ED103/ ED103A).</p> <p>Epping Forest District Council Green Infrastructure Strategy presented to Cabinet April 2021 (ED124A-G/ EB159A-G).</p>
22.	To delete proposed allocation LOU.R5 (Jessel Green) via a MM	<p>See the following MMs:</p> <ul style="list-style-type: none"> • MM16 (Supporting text to Policy SP3); • MM79 (Supporting text to Policy P2); • MM80 (Policy P2); • MM114 (Appendix 4 – Policy Designations); and • MM127 and MM146 (Appendix 6 – Now Part 2 of the Plan). 	N/A
23.	To prepare MMs in relation to sites LOU.R4 (Border Lane Playing Fields) and LOU.R14 (Land at Alderton Hill); and to investigate the need for Controlled Parking Zone contributions from site LOU.R16 (St. Thomas More RC Church).	<p>LOU.R4. The Council confirms that there is interrelationship between allocation site LOU.R4 (Borders Lane Playing Fields) and allocation site LOU.R9 (Land at Former Epping Forest College), in that both sites are Epping Forest College landholdings. However, from a Local Plan perspective there is no interrelationship between the two sites and the Council does not consider that it is necessary to require sports facilities to be provided on LOU.R4 to justify the allocation of LOU.R9. Sites LOU.R4 and LOU.R9 were assessed independently of</p>	N/A

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
		<p>each other through the site selection process and were selected for allocation in accordance with the site selection methodology.</p> <p>There is a restrictive covenant on site LOU.R4 which requires sports facilities/a wellness centre to be provided. The Council considers that the Local Plan policy is consistent with what is expressed in this covenant.</p> <p>Planning applications for site allocations LOU.R4 (Borders Lane Playing Fields) and LOU.R9 (Land at Former Epping Forest College) were allowed on Appeal on 15 June 2021 (References APP/J1535/W/20/3263876 and APP/J1535/W/20/3258787 respectively). In respect of LOU.R4 specifically, the Section 106 includes a clause to ensure that the sports facilities/wellness centre is delivered in a timely manner alongside the residential development.</p> <p>The Council proposes MMs to amend the residential allocation of LOU.R4 to a mixed use allocation reflecting the significant element of non-residential use proposed within the site. This is consistent with discussion at hearing sessions in relation to site EPP.R4. See:</p> <ul style="list-style-type: none"> • MM80 (Policy P2); and • MM127 (Appendix 6 – Now Part 2 of the Plan). <p>LOU.R14. See MMs as follows:</p> <ul style="list-style-type: none"> • MM79 (Supporting text to Policy P2); • MM80 (Policy P2); and 	

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
		<ul style="list-style-type: none"> • MM127 and MM140 (Appendix 6 – Now Part 2 of the Plan). <p>LOU.R16. No MMs are proposed. The Council in liaison with Essex County Council Highways and North Essex Parking Partnership (who are responsible for managing on-street parking in the District) considers that it is not necessary to require contributions towards a Controlled Parking Zone (CPZ) to justify the allocation of LOU.R16. This is consistent with the Council's approach, as set out in Part 2 of the Local Plan (formerly Appendix 6), to require contributions from site allocations that are within a 400m distance from a London Underground Station or within defined Town Centres. Neither of these parameters applies to LOU.R16.</p>	<p>Homework Note 24 – Matter 15, Issue 2 (ED90A)</p> <p>N/A</p>
24.	To modify Policy P3 to delete Parts G and N(v) concerning the expansion of the King Harold Academy.	See MM82.	N/A
25.	To modify Appendix 6 to ensure that the street scene and Linder's Field are properly protected in the development of BUCK.R1 (Land at Powell Road).	See MM162.	N/A
26.	To delete proposed allocation CHIG.R6 (Limes Farm Masterplan Area) via a MM.	<p>See MMs as follows:</p> <ul style="list-style-type: none"> • MM16 (Supporting text to Policy SP3); • MM88 (Supporting text to Policy P7); • MM89 (Policy P7); • MM114 (Appendix 4 – Policy Designations); and • MM168 and MM179 (Appendix 6 – Now Part 2 of the Plan). 	N/A

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
27.	To either provide more evidence to demonstrate that a suitable scheme could be achieved on CHIG.R7 (Land at Chigwell Convent), or to delete the proposed allocation from the Plan via a MM.	<p>The Council has engaged with the promoter of site CHIG.R7 following the Examination Hearings. This has entailed the review of detailed heritage information and liaison with the Council's Conservation Officer. The Council has considered different iterations of development on the site, both at and below the proposed site capacity contained within the LPSV. The Council has concluded that development to the front of the site (the proposed site allocation CHIG.R7) will irreversibly harm the setting of the heritage assets (Chigwell Manor House, the Forecourt Piers, Gateway and Railings, the Chapel and the Stables and outbuildings). The Council therefore proposes to remove this site from the LPSV through the following MMs:</p> <ul style="list-style-type: none"> • MM88 (Supporting text to Policy P7); • MM89 (Policy P7); • MM114 (Appendix 4 – Policy Designations); and • MM168 and MM174 (Appendix 6 – Now Part 2 of the Plan). 	N/A
28.	To delete proposed allocation ROYD.R3 (Land at Epping Road) from the Plan via a MM.	<p>See MMs as follows:</p> <ul style="list-style-type: none"> • MM91 (Supporting text to Policy P9); • MM92 (Policy P9); • MM114 (Appendix 4 – Policy Designations); and • MM183 and MM186 (Appendix 6 – Now Part 2 of the Plan). 	N/A
29.	To amend the site boundary for HONG.R1 (Land at Mill Lane).	<p>See MMs as follows:</p> <ul style="list-style-type: none"> • MM98 (Policy P12, Map 5.20); and • MM196 and MM197 (Appendix 6 – Now Part 2 of the Plan). 	N/A
30.	To modify Policy SP3 to include an overarching principle on health and	<p>See MMs as follows:</p> <ul style="list-style-type: none"> • MM16 (Supporting text to Policy SP3); 	N/A

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
	well-being and to include Part D of Policy D2 on HIA within it.	<ul style="list-style-type: none"> • MM17 (Policy SP3); and • MM108 (Policy D2). 	
31.	To modify Policy DM10 to remove the requirement for development to meet the Nationally Described Space Standard (NDSS).	The Council has satisfied the Inspector that the requirement for development to meet the Nationally Described Space Standard is justified. No MMs are therefore proposed to Policy DM10 in response to the Inspector's Action 31.	Homework Note 19 – Matter 16, Issue 1 (ED54)
32.	To modify Part C of Policy H2 to reflect the primary intention of the policy to achieve “tenure blind” development.	See MM29 (Policy H2).	N/A
33.	To redraft the MM already proposed concerning the provision of charging points for electric vehicles.	See MM41 (Policy T1).	N/A
34.	To modify Parts A and H of Policy DM1.	See MM45 (Policy DM1).	N/A
35.	To exclude the amendment proposed to Policy DM4 concerning school sites from the MM Schedule; and to ensure that sites benefiting from unimplemented planning permission in the Green Belt are retained in the Green Belt.	<p>The Council confirms that the amendment proposed during the Examination Hearings to Policy DM4 concerning school sites is not included in the MM Schedule.</p> <p>The Council proposed amendments through its Matter 15 Hearing Statement and Homework Note 7 on Green Belt Anomalies to allocate sites CHIG.R12 (Land at Chigwell School) and RUR.R3 (Chimes Garden Centre) and remove them from the Green Belt. In light of the Inspector's post hearings advice, the Council confirms that these proposed modifications are not included in the MM Schedule</p>	Homework Note 7 – Matter 4, Issue 4 (ED58)

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination Document reference number ED98), July 2021 (ED133)

No.	Summary of Inspector's Action (refer to Inspector's post Examination hearing Advice 02 August 2019 (ED98) for full detail of Action)	Summary of the Council's response, including any Main Modifications (MMs) as a consequence	Key reference documents (if applicable)
		and that these sites are to remain in the Green Belt and are not proposed for allocation.	
36.	To investigate and correct drafting errors in Appendix 2 of the Open Space Strategy; to investigate whether proposed development on open spaces has been factored in when identifying future surpluses and deficits of open space; and to advise whether modifications to the Plan are required in consequence.	<p>The Council has coordinated the correction of drafting errors in Appendix 2 of the Open Space Strategy (EB703).</p> <p>Upon investigation, the Council confirms that sites proposed to be built upon in the Local Plan Submission Version (LPSV) (i.e. LOU.R5 Jessel Green and CHIG.R6 Limes Farm) had not been deducted from the amenity greenspace supply figures in the Open Space Strategy (EB703). As a consequence of the MMs to remove these two allocations from the LPSV the Council confirms that there are no further implications for the LPSV.</p>	Revised Appendix 2 to the Epping Forest District Council Open Space Strategy (EB703), July 2021 (ED125/ EB703A).
37.	To modify Part B of Policy DM7 to ensure consistency with national policy.	<p>See MMs as follows:</p> <ul style="list-style-type: none"> • MM55 (Policy DM7); and • MM113 (Glossary). 	N/A
38.	To modify Part B(ii) of Policy DM12 concerning the subordinacy of basement developments.	See MM59 (Policy DM12).	N/A
39.	To modify Part D of Policy DM20 so that district heating is one of range of carbon reduction opportunities to be considered.	See MM72 (Policy DM20).	N/A

Council's response to Actions outlined in Inspector's post examination hearing advice (Examination document reference number ED98), July 2021