

29 January 2018

Planning Policy
Epping Forest District Council
323 High Street
Epping
Essex
CM16 4BZ

Our ref C2/GALLIMOM//6717427
Matter ref 1P2714/000017

Dear Sir

**EPHING FOREST DISTRICT COUNCIL/SUBMISSION VERSION LOCAL PLAN - REGULATION 19
CONSULTATION RESPONSE IN RELATION TO THE ONGAR PARK ESTATE**

On behalf of Peer Group Plc we hereby submit our client's representations by way of response to the Council's Regulation 19 Consultation on the Submission Version of its Local Plan. Peer Group Plc's representations comprise the following documents:

1. This covering letter
2. Completed form Part A and Part B
3. Regulation 19 Objections on behalf of Peer Group PLC: Objections to policies SP1, SP2, SP4, SP5, SP6, SP7 H1, H2, DM2, DM3, DM4, DM6, DM8, DM9, DM10, P1 to P11, D1, D6, D7 Appendices 3 and 5
4. Regulation 19 detailed objection to the Sustainability Appraisal and Habitats Regulations Assessment
5. Regulation 19 detailed objection to the Housing Strategy based upon the Objectively Assessed Need for Housing
6. Regulation 19 detailed objection in relation to the Housing Strategy based upon the impact for Five Year Housing Land Supply and Whole Plan Supply

Main Representation Appendices:

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| Appendix 1 | Site Selection Assessment – Deloitte |
| Appendix 2 | Proposed Site Allocations Review with Appendices A-E – Liz Lake Associates |
| Appendix 3 | Sustainability Report – Hillbreak |
| Appendix 4 | Landscape Sensitivity and Capacity Study – Liz Lake Associates |

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Appendix 5	Green Belt Review with Appendices A-C – Liz Lake Associates
Appendix 6	Environmental Issues with Appendices A-E – Liz Lake Associates
Appendix 7	North Weald Redoubt : Heritage Assessment – Peter Stewart Consultancy
Appendix 8	Ecology Review – Liz Lake Associates
Appendix 9	Site Location Plan, Aerial Site Plan and Illustrative Layout
Appendix 10	Report to the Cabinet 14 December 2017
Appendix 11	Welwyn Hatfield Green Belt Review Inspector's Note
Appendix 12	Evidence of the incomplete nature of the Site Selection Report 2017 Arup EFDC Screenshots

We are submitting these documents by e-mail to LDFconsult@eppingforestdc.gov.uk. We are also submitting a copy of this letter together with an electronic version containing all of the reports by hand today to the District Council's offices.

We have previously made representations to the Council in our letters dated 19 December 2017 and 5 January 2018 regarding the deficiencies in the process adopted by the Council on its Regulation 19 Consultation and the unfairness and prejudice which has arisen as a result of that process. The following is a summary of the points raised in that correspondence:

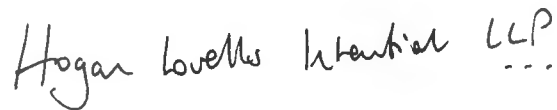
1. The failure to publish the Site Selection Report until 2 days before the meeting on 14 December at which the Council resolved to commence its Regulation 19 Consultation, thereby denying parties the opportunity to make representations on that report.
2. The failure to publish a complete Site Selection Report at the time of the Council meeting. The Site Selection Report was incomplete because important appendices were missing namely Appendices B (Assessment of Residential Sites), C (Settlement Proformas), E (Assessment of Traveller Sites) and F (Assessment of Employment Sites).
3. The failure to publish in advance of the Council meeting on 14 December the Sustainability Appraisal, which was not published until the Regulation 19 Consultation commenced on 18 December. The Sustainability Appraisal is a statutory requirement which needs to address the question of "reasonable alternatives" to the selected sites, an issue which should have been a fundamental consideration for Members before taking a decision to proceed with the Regulation 19 Consultation.
4. The continued failure of the Council to publish throughout the 6 week consultation period the appendices referred to above for the Site Selection Report, including importantly Appendix B – Assessment of Residential Sites. As of today each of the appendices referred to above are still missing from the Council's Site Selection Report on the Council's own evidence based website. This has significantly prejudiced our client in the preparation of its Regulation 19 Submission because it does not have access to the detailed reasons why its site has not been allocated, or indeed why other sites have been allocated. In addition the Council cannot have properly assessed "reasonable alternatives" in the absence of this appendix.

5. In our letters dated 19 December and 5 January, we requested that the Regulation 19 Consultation period be extended to a period allowing 6 weeks from the date when all of the documents and evidence required to enable our client to make a full and a proper response to the Consultation were available on the Council's website. The Council has refused this request.

For the reasons set out above, we do not consider that the submission version of the Local Plan is legally compliant. The process adopted by the Council fails to comply with the requirements of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012. In our letter dated 5 January, we confirmed to the Council that we will be raising these issues with the appointed Inspector when he or she considers the issue of legal compliance with process at the opening of the Public Examination.

We would again urge the Council to reconsider its position before submitting the Local Plan for examination. We consider that the Council should not submit the Local Plan until the Council's evidence base is complete, until all of the documents which are relevant to the evidence base have been made available to the public including the appendices referred to above and until a period of 6 weeks has been allowed for consultation responses which are able to take into account that complete evidence base.

Yours faithfully

Handwritten signature in cursive script that reads "Hogan Lovells International LLP".

Hogan Lovells International LLP