

23 April 2018

Delivered by email

Epping Forest District Council
Planning Policy Directorate
Neighbourhoods Directorate
Civic Offices
323 High Street
Epping
Essex
CM16 4BZ

Dear Sir / Madam,

EPPING FOREST DISTRICT LOCAL PLAN – VALIDITY OF SUPPLEMENTARY REGULATION 20 CONSULTATION

LAND FUND LIMITED

I write on behalf of our client, Land Fund Limited (“Land Fund”), regarding the supplementary Regulation 20 consultation relating to the missing appendices from the Epping Forest Site Selection Report (Arup, March 2018), which has been prepared to inform the Submission Version of the Epping Forest District Local Plan (EFDLP) (December 2017).

Correspondence from Epping Forest District Council dated 26 March 2018 confirms that supplementary representations are invited only in relation to those parts of the report which were not available at the time that the original report was published (namely Appendices B and C). This correspondence also suggests that the opportunity to comment on the additional evidence has only been given as a consequence of the delay in submission of the Local Plan for examination, pending the final determination of a judicial review claim by CK Properties Theydon Bois Limited.

Land Fund has reviewed the additional evidence and submitted supplementary representations in response to the revised document. However they consider that the approach which has been taken by the Council to the Regulation 20 and Supplementary Regulation 20 consultations is fundamentally flawed.

The appendices to the Site Selection Report which were missing from the original Regulation 20 are an integral part of the overall assessment process and evidence base; they are therefore fundamental to the ‘soundness’ of the plan. The Submission Version of the Plan was finalised based on incomplete evidence and this supplementary consultation does not address the shortcomings in the validity of the previous consultation. Consulting only on the evidence which was previously missing does not allow for proper consideration of whether the Plan represents the most appropriate strategy based on evidence (i.e.

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whether it is 'justified') and / or whether the plan has been 'positively prepared' to meet the objective assessment of development requirements.

It is Land Fund's firm view that the failure to provide the full suite of supporting evidence at the time of the original Regulation 20 consultation has prejudiced the ability of interested parties to fully consider the 'soundness' of the Submission Version of the Local Plan. To address this shortcoming in the previous consultation, Land Fund consider that the Council should have reopened the full Regulation 20 consultation to allow the opportunity for the Local Plan to be considered and commented on as a whole alongside the new evidence.

In light of the forthcoming Judicial Review by CK Properties Theydon Bois Limited, Land Fund request that the content of this letter be given due consideration by Epping Forest Council and that their concerns be properly addressed by way of a further consultation on the Submission Version of the Local Plan supported by the complete evidence base.

Yours sincerely

Rosie Cotterill
Associate Director

rosie.cotterill@turley.co.uk

cc: CK Properties Theydon Bois Limited c/o Danny Simmonds, RPS Group