

Name:

David Lock Associates on behalf of Hallam Land Management Ltd and CEG Ltd

Part B – Your representation on the further Main Modifications and/or supporting documents

If you wish to make more than one representation, please complete a separate [Part B form](#) for each representation and clearly print your name at the top of this form.

4. Which further Main Modification and/or supporting document does your representation relate to? (Representations are only invited on further Main Modifications within the Schedule. These are denoted by red text. The reference number can be found in the first column in red i.e. **MM2**, **MM11** and each Supporting Document has a reference number beginning with ED).

Any representation on a supporting document should clearly state (in question 6) which paragraphs of the document it relates to and, as far as possible, your comments should be linked to specific further Main

MM no.

MM18

Supporting document reference

5. Do you consider this further Main Modification and/or supporting document:

(Please refer to the Guidance notes for an explanation of terms)

a) Is Legally compliant

Yes

No

b) Sound

Yes

No

If no, then which of the soundness test(s) does it fail

Positively prepared

Effective

Justified

Consistent with national policy

6. Please give details of why you consider the further Main Modification and/or supporting document is not legally compliant or is unsound. Please be as precise and concise as possible. If your response exceeds 300 words please also provide an executive summary of no more than 300 words. If you wish to support the legal compliance, soundness of the Local Plan or compliance with the duty to co-operate, please also use this box to set out your comments.

Please refer to separate attached sheet for our position on MM18. In summary:

MM18 amends paragraph 2.117 to refer to the prepared Sustainable Transport Corridor Study and endorsed HGGT Transport Strategy, both of which are not examined documents. The reference can therefore be no more that contextual as neither document nor the approach set out therein has been subject to proper examination.

CEG/HLM support the clarifications proposed in MM18 insofar as they seek to ensure that "sustainable transport provision will be commensurate with the phasing of development of garden communities". This is consistent with the requests of the Inspector. CEG/HLM categorically object to last minute insertion of the reference to a specific item of infrastructure into the new wording of paragraph 2.117, namely "connection into the sustainable transport corridor". This is unsound and is not effective.

(Continue on a separate sheet if necessary)

7. Please set out what change(s) you consider necessary to make the **further Main Modification and/or supporting document** legally compliant or sound, having regard to the test you have identified in the question above (Positively prepared/Justified/Effective/Consistent with national policy) where this relates to soundness. You will need to say why this change will make the Submission Version of the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise and concise as possible. If your response exceeds 300 words please also provide an executive summary of no more than 300 words.

The following change to MM18 is required. **Delete "including connection into the Sustainable Transport Corridor network".**

Ensure the new paragraph following 2.118 as part of MM18 is included.


(Continue on a separate sheet if necessary)

8. Have you attached any documents with this representation which specifically relate to a further MM or supporting document?

Yes

No

Signature:



Date

09/12/2022

Epping Forest District Local Plan - Further Main Modifications Consultation

Representations on Behalf of CEG Ltd and Hallam Land Management Ltd

MM18

This document sets out the representations made in response to the consultation on the Further Main Modifications (28 Oct – 9 Dec 2022) to the Epping Forest District Local Plan 2011-2033 (Submission Version December 2017) The representations are submitted by David Lock Associates (DLA) on behalf of the land promoters, Hallam Land Management (HLM) and CEG, who are the promoters and prospective developers of Latton Priory garden community.

MM18 amends paragraph 2.117 to refer to the prepared Sustainable Transport Corridor Study and endorsed HGGT Transport Strategy, both of which are not examined documents. The reference can therefore be no more than contextual as neither document nor the approach set out therein has been subject to proper examination.

New paragraph after paragraph 2.117 is now modified to include additional wording that relates specifically to the delivery of a specific item of infrastructure – “connection into the Sustainable Transport Corridor” – as one element of the sustainable transport provision to support the allocation and phasing of development within the garden communities – including at Latton Priory. As amended by MM18 a new para after Para 2.117 is to read *“in order to maximise the promotion and use of active and sustainable transport modes it will be necessary for sustainable transport provision including connection into the Sustainable Transport Network to be commensurate with the phasing of development of Garden Communities”* The amendments are presented by EFDC as the actions necessary to reflect ACTION 7 of ED141 (The Inspectors Note). CEG and HLM consider that proposed MM18 **DOES NOT ADDRESS** the Inspector’s Action 7 or his request for changes or clarification.

Specifically the Inspector sought an amendment to the policy to avoid reference to the sustainable transport elements that would be required at the outset of the development of the garden communities. More important still the Inspector wished to avoid the inclusion of any elements of provision in the circumstances that it was at best unclear as to whether any such specific requirement *“has been subject to viability testing”*.

CEG/HLM support the clarifications proposed in MM18 insofar as they seek to ensure that *“sustainable transport provision will be commensurate with the phasing of development of garden communities”*. This much is consistent with the requests of the Inspector.

CEG/HLM categorically object to the last minute insertion of the reference to a specific item of infrastructure into the new wording of para 2.117, namely *“connection into the sustainable transport corridor”*. This element of the wording is unsound. It is not effective as there is no clarity as to whether such a *“connection”* is within the allocated garden community sites or is off site and involving other land. Recent discussions with the Council and the content of the Draft Update IDP 2022 suggest that the Council intends by this reference the delivery of off site infrastructure. Nor is such a requirement effective in that it will, in isolation of the remainder of the STC network, offer little benefit in terms of sustainable transportation. Nor is it justified if, as is the case, there are alternative means of ensuring the necessary public transport provision commensurate with the development.

The apparent requirement for a connection to the STC network – as opposed to contributions towards – has not been subject to any deliverability or viability consideration. It is contrary to National Planning Policy and the obligations placed on local planning authorities to prepare plans that are deliverable and do not impose unjustified or assessed, financial or deliverability obligations on development (e.g. NPPF 16c and 35c).

The following change to MM18 is required: **Delete "*including connection into the Sustainable Transport Corridor network*".**