

Name:

**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.  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 see separate sheet attached.

The specific reference to the word "important" is considered unsound as it is neither explained nor justified. It is also inconsistent with National Policy.

*(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.

CEG and HLM propose that the word 'important' in the amended text is omitted.

MM19 should be amended to be consistent with the wording under MM16 and MM21 in relation to endorsement of the SMF and removing 'formally'.


*(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

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### MM19

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.

The Strategic Masterplan Framework for the Latton Priory Allocation is at an advanced stage of preparation; the draft document is the subject of a current public consultation exercise which ends on 9<sup>th</sup> January 2023.

CEG and HLM are generally supportive of MM16 and the consequential modification by the Council to reflect the response to the Inspector's actions advising that planning applications for development located within a Strategic Masterplan Area should be accompanied by a Strategic Masterplan which demonstrates that development requirements set out in the policy have been accommodated and which has been endorsed by the Council. The change also states that endorsed Strategic Masterplans will be taken into account as an important material consideration in the determination on any planning applications. This wording is repeated under additional text proposed as part of MM19 and under 'Amend Part D' as part of MM21. The specific reference to the word "*important*" is considered unsound as it is neither explained nor justified. It is also inconsistent with national policy (see below).

CEG and HLM propose that ***the word 'important' in the amended text is omitted***. Advice is contained in the NPPG and which references the Town and Country Planning Act 1990 and which is clear on how decisions on applications be made. The law makes a clear distinction between the question of whether something is a material consideration and the weight which it is to be given. It is for the decision maker to decide what weight is to be given to the material considerations in each case and therefore, the word 'important' to describe a material consideration is not appropriate.

Under MM16, amended paragraph 2.95 strikes out the word 'formally' before endorsed by the Council and MM21 under Amend Part D refers to endorsement but under MM19 heading 'Amend Part C as follows, the word 'formally' has been retained. ***CEG and HLM consider that MM19 should be amended to be consistent with the wording under MM16 and MM21.***