



**HEARING STATEMENT  
SUBMITTED ON  
BEHALF OF  
MR JOHN PADFIELD  
(19LAD0069)  
AND  
ANDERSON GROUP  
RESPONSE TO  
INSPECTOR'S  
MATTERS, ISSUES AND  
QUESTIONS:  
MATTER 15**

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## 1.0 Introduction

- 1.1 This Hearing Statement has been prepared on behalf of Mr John Padfield and Anderson Group in support of the Land at Forest Drive, Theydon Bois, which is proposed for allocation under Policy P8 (Site THYB.R1 (hereafter referred to as the “Site”)) for residential development purposes.
- 1.2 A Site Location Plan is attached to this Statement at Appendix 1.
- 1.3 The Site has been made available by the landowner, Mr John Padfield (representations ID 19LAD0069), through the emerging Local Plan process up to and including the Regulation 19 stage. Anderson Group has now been appointed as Mr Padfield’s development partner to deliver residential development on the proposed allocation Site. The purpose of Anderson Group’s involvement in the Examination process is to demonstrate deliverability and therefore the soundness of the Local Plan insofar as it is relevant to Policy P8 and Site THYB.R1.
- 1.4 Anderson Group is an award winning locally-based housebuilder with a track record of swiftly delivering schemes on sites that are significantly more constrained than this Site. Concurrent to the Local Plan Examination, Anderson Group is in the process of preparing a pre-application enquiry to ensure that a high-quality and application-ready scheme is capable of submission and determination upon adoption of the local plan. Anderson Group is committed to delivering the proposed allocation in a timely manner to assist Epping Forest District Council (EFDC) in achieving a steady source of housing supply.

## 2.0 Responses to the Matters, Issues and Questions

- 2.1 This Statement has been prepared specifically in response to the Inspector's Matter 15: Places and Sites, Issue 2 which asks:

*Are the Plan's policies for the specific places and sites within the District justified, effective and consistent with national policy; and are the specific site allocations they include justified and deliverable?*

- 2.2 The questions of relevance to Theydon Bois and to the Site are referred to with our responses below.

### Policy P8: Theydon Bois

#### Site Specific Matters

##### 1. THYB.R1 (Forest Drive):

##### a) Will the density of development be in keeping with that on Forest Drive and Dukes Avenue?

- 2.3 We consider that the density of development would be in keeping with that on Forest Drive and Dukes Avenue.
- 2.4 Dealing firstly with the specific matter of whether the density of development would be "in keeping", paragraph 122c of the National Planning Policy Framework (NPPF) requires planning policies and decisions to make efficient use of land, taking into account "*the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change.*"
- 2.5 Both Forest Drive and Dukes Avenue may be experienced as landscaped suburban mid-C20 residential roads which are flanked by predominantly mid to larger family dwellings, many of which have been extended and/or altered. This location is not subject to any specific character, heritage or landscape designations which seek to protect or conserve such existing character.
- 2.6 The fork between Forest Drive and Dukes Avenue provides through-access in both directions, but the northern end of Forest Drive is a cul-de-sac, to which the Site would gain a new main point of access. The Site is therefore located to the rear of Dukes Avenue and is a greenfield parcel of land located on the edge of the settlement.
- 2.7 Development of the Site would not result in infilling between existing residential properties along Forest Drive or Dukes Avenue, nor would it result in the development of existing residential gardens along these roads. As a distinct greenfield parcel of land, its development would not unduly affect, disrupt, or result in apparent densification of development along Forest Drive and

Dukes Avenue. We consider the that proposed density of development on the Site would be in keeping and therefore appropriate.

- 2.8 Secondly, NPPF paragraph 122 requires the matter of density to be considered in the round. It states, inter alia, that:

*“planning policies and decisions should support development that makes efficient use of land, taking into account:*

- *The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- *The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- *The importance of securing well-designed, attractive and healthy places.*

- 2.9 To achieve policy compliance with other areas of the emerging Local Plan it would be necessary for the Site to accommodate a range of dwelling and accommodation types to satisfy the District's current housing needs (for example draft Policy H1 – Housing Mix and Accommodation Types). The residential development of the Site would provide a mix of housing including smaller family dwellings and apartments across tenures, in accordance with the Strategic Housing Market Assessment. This extent of dwelling mix does not currently appear to be prevalent along Forest Drive or Dukes Avenue, but is necessary for new development to create healthy, balanced and mixed communities in accordance with NPPF paragraphs 8, 91 and 122.

- 2.10 The proposed density would ensure that development would be compliant with emerging Policy SP3 (Place Shaping), which seeks to achieve densities of between 30 and 50 dwellings per hectare in areas outside town and large village centres and along main transport routes and/or close to transport nodes, such as this. The Site is located within close proximity of Theydon Bois Central Line Underground station, which has direct rail links to central London (Liverpool Street). The Site's indicative net density of “44 dwellings per hectare” is considered to be appropriate and achievable for this well-connected edge of settlement location. Furthermore, draft Policy P8 states that the amount of development expected to be delivered on the Site is “approximately” 39 dwellings. This presents sufficient flexibility to enable future scheme design to define the exact dwelling yield having regard to policy and other considerations.

- 2.11 Development of the Site would also need to accord with the principles contained within the Essex Design Guide, in relation to design, garden size, amenity standards, landscaping and parking provision. The application process would ensure that the proposed allocation would create a secure, well-designed, attractive and healthy place.

**c) Should they recognise the importance of existing trees and hedgerows to the north and west of the site and of the brook along the northern boundary (Reps TBPC)**

- 2.12 We do not object to the inclusion of this requirement if it were considered necessary, however development of the Site would need to take full account of the presence of existing trees and

hedgerows at the application stage in any event, through relevant arboricultural and ecological assessments. Anderson Group is commissioning such assessments and these would identify the design response to development as appropriate.

- 2.13 We note that the Epping Forest Oak Trail runs along the Site's western boundary and into other parishes within Epping Forest district, including through the South Epping Masterplan Area under Policy EPP.R1. In the event it is considered necessary to recognise the importance of existing trees and hedgerows within and adjacent to the Site, we request that such inclusions are made consistently across the Plan.

**d) Is the requirement in Appendix 6 to integrate the “permissive path” within the development unduly prescriptive? Would it be sufficient to require a pedestrian route to be provided through the site?**

- 2.14 We consider that the requirement to integrate the existing permissive path through the Site into the development layout is unduly prescriptive and not justified, contrary to NPPF paragraph 34 which in respect of development contributions states that “*such policies should not undermine the deliverability of the plan.*”
- 2.15 We agree that development of the Site could include a pedestrian access, which could improve connectivity to the wider Public Rights of Way network. However, since the existing permissive access is not a Public Right of Way, such a requirement to incorporate the route of the existing path which diagonally dissects the Site could have a critical effect on the viability of development and the ability of deliver the density of houses envisaged.
- 2.16 NPPF Paragraph 16 states that “*plans should be prepared positively, in a way that is aspirational but deliverable.*” The deliverability of sustainable development should not be compromised by unnecessary and unduly onerous requirements.

**e) What is the justification for requiring contributions to Controlled Parking Zones in the vicinity of the site?**

- 2.17 We object to the inclusion of contributions to Controlled Parking Zones in the vicinity of the site. The requirement to provide this contribution has not been justified or tested in terms of the tests of planning obligations as required by NPPF paragraphs 54-57 or the potential impact on the deliverability of development schemes as required by NPPF paragraph 34.
- 2.18 Any requirement for such a contribution would depend upon the detailed layout and consequential impacts resulting and therefore it is at the planning application stage that consideration should be given to requiring this form of mitigation.

### 3) What effect would the development of THYB.R1 have on the purposes of the Green Belt?

- 2.19 The principal source of evidence identifying the Site allocation's potential effect upon the Green Belt is the Epping Forest District Green Belt Assessment: Stage 2<sup>1</sup>, an extract from which is contained at Appendix 2 of this Statement.
- 2.20 The Site forms the southern-most part of a much wider site considered under parcel reference 043.1. The assessment summarises the resultant harm arising from the development of parcel 043.1 as being "Very High", with the two most apparent contributing factors to this score being the following two Green Belt purposes:
- Green Belt purpose 2 "Preventing neighbouring towns from merging into one another". Under this purpose the assessment attributes the parcel a "Moderate" rating. It states that *"the elevated landform which rises to the north, indicates that any new development within the parcels is likely to be widely visible and therefore may reduce the sense of separation between the towns"* [Epping and Theydon Bois]. Site THYB.R1 does not extend as far north as the elevated portion of assessment parcel 043.1, as demonstrated by the annotated Ordnance Survey map extract at Appendix 3 of this Statement. The assessment of parcel 043.1 is therefore not directly applicable to the Site or indeed the area of level and readily developable land to the immediate north-west of the Site, which is in Mr Padfield's ownership and could be similarly released from the Green Belt and re-purposed for residential use through this allocation.
  - Green Belt purpose 3 "Assist in safeguarding the countryside from encroachment". Under this purpose the assessment attributes the parcel a "Strong" rating and once again refers to the topography of the *"locally prominent hill which rises to the north"*. It states that *"whilst the parcel's outer boundary to the north is weakly defined by a fence dividing the land within the area of constraint – this is not likely to be able to form an appropriate new Green Belt boundary..."*. Again, the Assessment's appraisal of 043.1 is not specific enough to Site THYB.R1, whose northern boundary is currently formed of a mature hedgerow.
- 2.21 It is evident from the assessment that Site 043.1 is deemed to make "no contribution" to Green Belt purposes 1 or 4. Purpose 5 is not assessed.
- 2.22 Taking account of these factors, we consider that the true effect development of THYB.R1 would have upon the purposes of the Green Belt would be substantially lower than as set out by the Council's evidence base. Release of the Site from the Green Belt would accord with NPPF paragraph 139 and is therefore justified in Green Belt terms.

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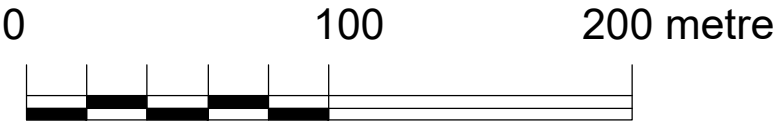
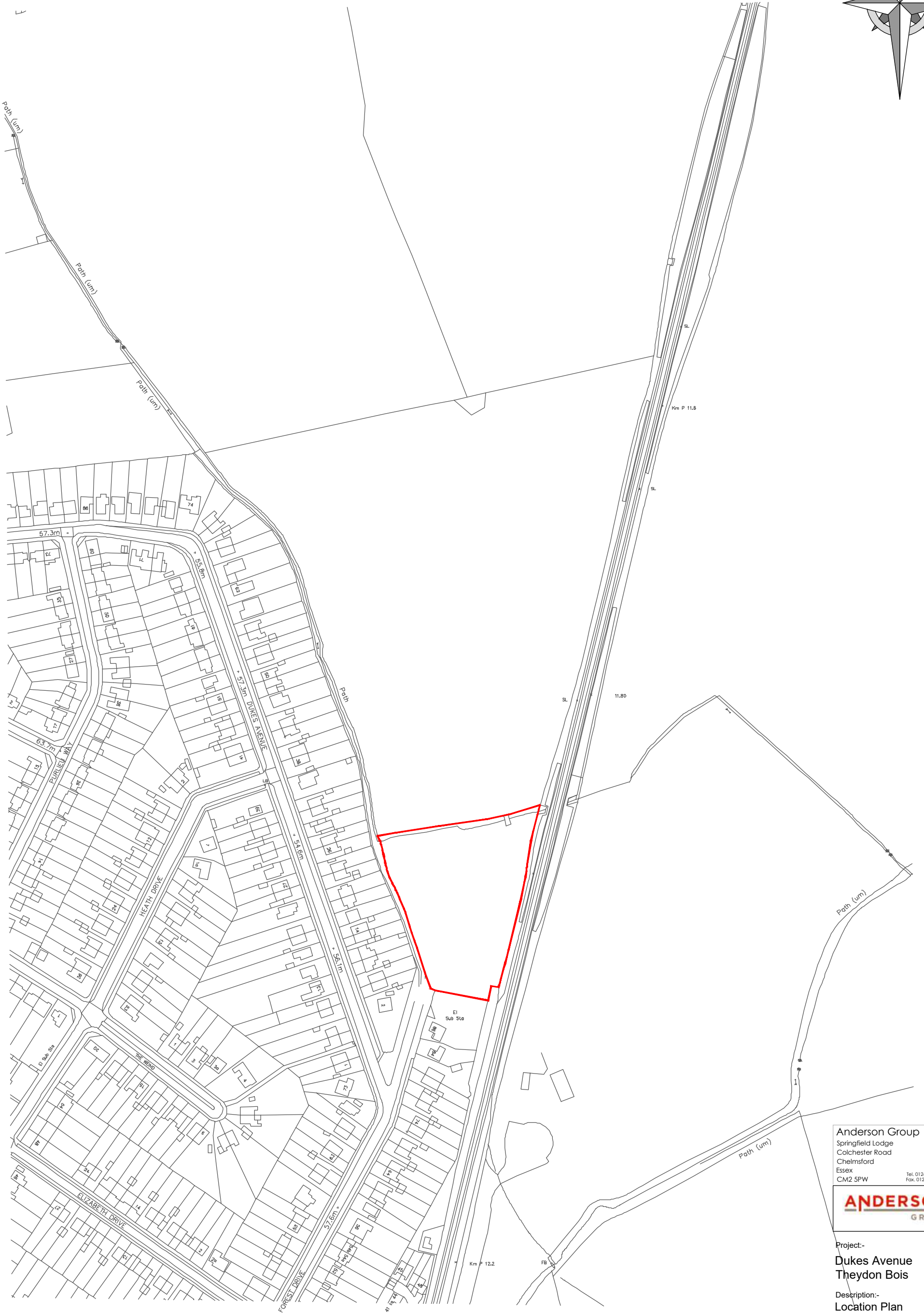
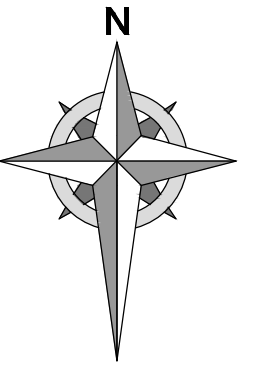
<sup>1</sup> Document references EB705A and EB705B

# APPENDIX 1

## SITE LOCATION PLAN

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Anderson Group  
Springfield Lodge  
Colchester Road  
Chelmsford  
Essex  
CM2 5PW  
Tel: 01245 399 999  
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**ANDERSON**  
GROUP

Project:-  
**Dukes Avenue  
Theydon Bois**  
Description:-  
**Location Plan**

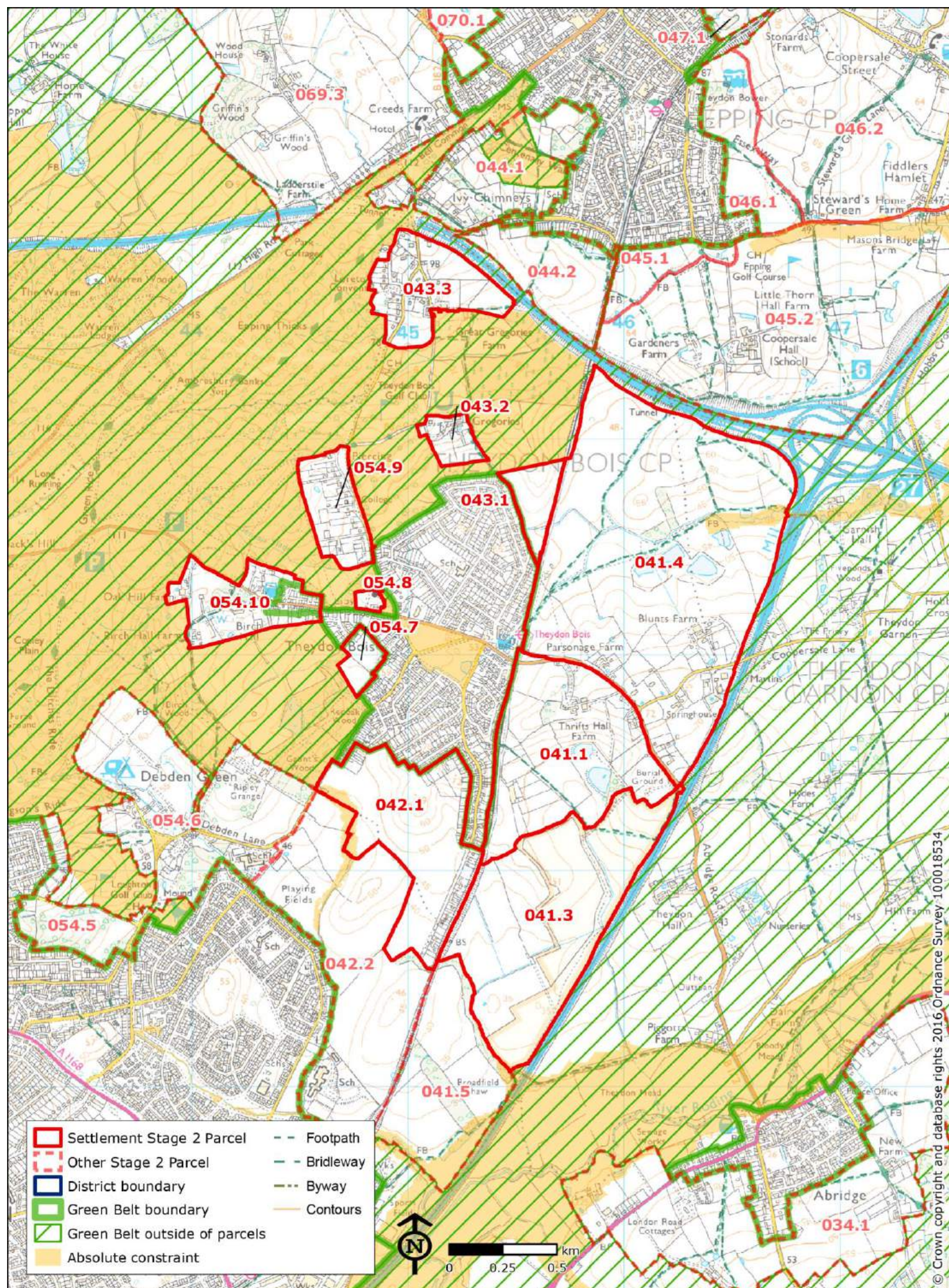
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## APPENDIX 2

# EXTRACT FROM THE TECHNICAL ANNEX TO EPPING FOREST DISTRICT GREEN BELT ASSESSMENT: STAGE 2

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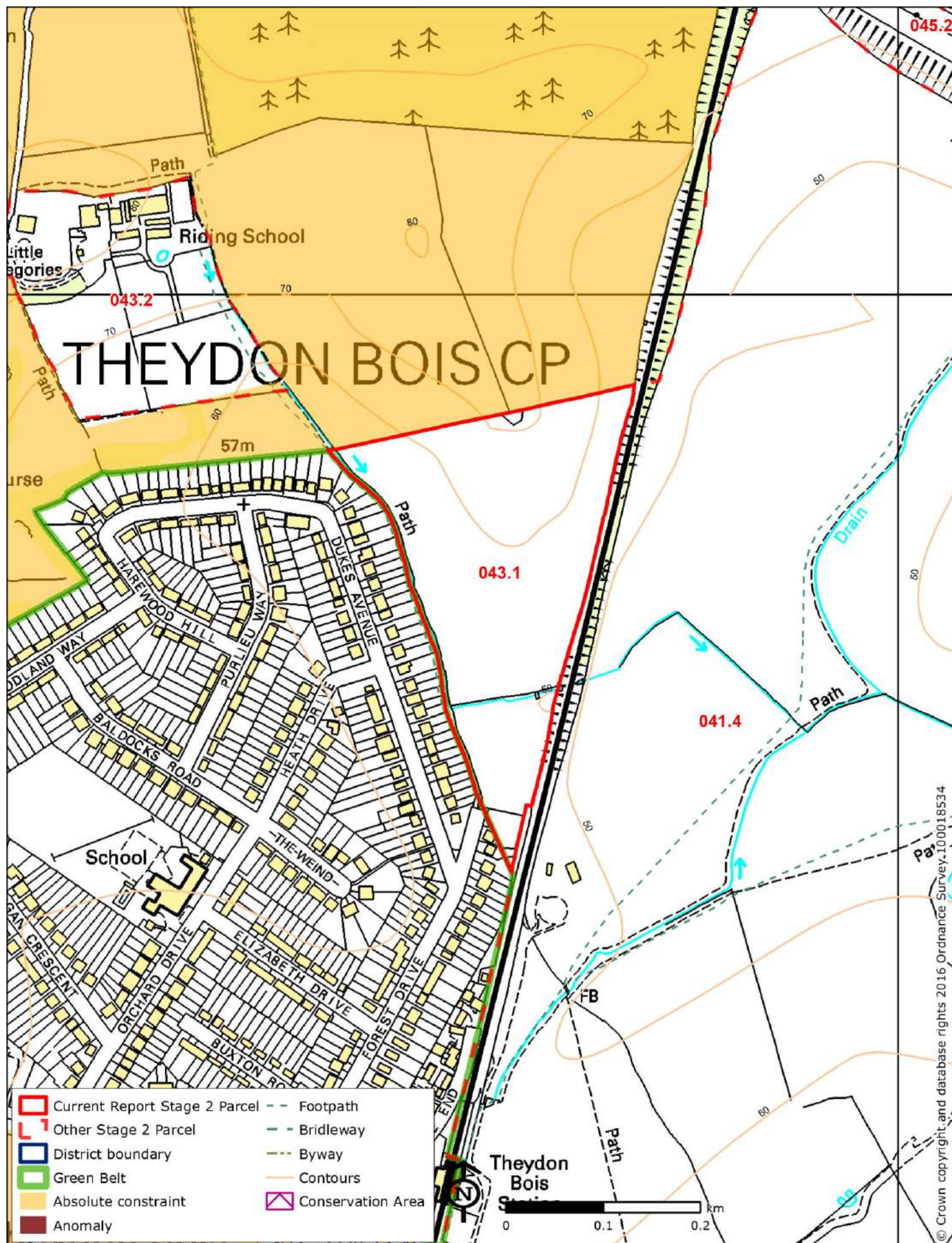


Settlement: **Theydon Bois**Settlement Type: **Large Village**



Settlement: **Theydon Bois**Settlement Type: **Large Village**

## Stage 2 Assessment



Settlement: **Theydon Bois**Settlement Type: **Large Village****Stage 2 Assessment**

Parcel 043.1

Parcel Size (Ha) - 6.92

**Summary of Assessment - Parcel's Contribution to the Purposes of Green Belt**

<b>1st Green Belt Purpose</b>	<b>No Contribution</b>
<b>2nd Green Belt Purpose</b>	<b>Moderate</b>
<b>3rd Green Belt Purpose</b>	<b>Strong</b>
<b>4th Green Belt Purpose</b>	<b>No Contribution</b>
<b>5th Green Belt Purpose</b>	<b>Not Assessed</b>

**Summary of Assessment**Resultant harm to the Green Belt purposes if parcel released from the Green Belt: **Very High**

<b>Purpose 1. Check the unrestricted sprawl of large built-up areas</b>	<b>No Contribution</b>
(Large built-up areas are: London, Harlow, Cheshunt and Hodddesdon)	
The parcel is remote from a large built-up area and therefore contributes little to this purpose.	
<b>Purpose 2. Prevent neighbouring towns from merging</b>	<b>Moderate</b>
(Towns are: London, Harlow, Cheshunt, Hodddesdon, Epping, Waltham Abbey, Loughton / Debden, Chigwell, Buckhurst Hill, Chipping Ongar, North Weald Bassett, Theydon Bois, Roydon and Lower Nazeing)	
The parcel lies to the north eastern edge of Theydon Bois, and lies within the gap between Theydon Bois and Epping which is approximately 1.2km in this location. The elevated landform which rises to the north, indicates that any new development within the parcels is likely to be widely visible (such as from the wider countryside to the east) and therefore may reduce the sense of separation between the towns.	
<b>Purpose 3. Assist in safeguarding the countryside from encroachment</b>	<b>Strong</b>
The parcel contains open fields and is the southern part of a locally prominent hill which rises to the north (the northern half of the hill is within Great Gregories and part of the absolute constraint of the Corporation of London land) and contains a continuation of open fields. The existing Green Belt boundary to the west of the parcel, is relatively strongly defined along the line of back gardens of Dukes Avenue (and a footpath), whilst the parcel's puter boundary to the north is weakly defined by a fence dividing the land within the area of constraint - this is not likely to be able to form an appropriate new Green Belt boundary, despite the outer (eastern) boundary being strongly defined by the railway in cutting.	
<b>Purpose 4. To preserve the setting and special character of historic towns</b>	<b>No Contribution</b>
(Historic towns are: Chipping Ongar, Waltham Abbey, Epping and Sawbridgeworth)	
There is no relationship between the parcel and any historic town.	
<b>Purpose 5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land</b>	<b>Not Assessed</b>
Not assessed at individual parcel level, as explained in Methodology section of report.	
<b>Consideration of alternative parcel boundaries</b>	
No reasonable alternative boundaries which would significantly alter the assessment have been identified.	
<b>Potential anomalies identified for consideration by EFDC</b>	
None identified.	

## APPENDIX 3

# ANNOTATED ORDNANCE SURVEY MAP EXTRACT

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## Site THYB.R1 shown in relation to Epping Forest District Green Belt Assessment: Stage 2 site assessment.



