

**Report to the District Development
Management Committee**

Report Reference: DEV-007-2016/17
Date of meeting: 3 August 2016



**Epping Forest
District Council**

Subject: Planning Application re: EPF/0215/16 – Land and Garages to rear of 2 - 12 Hornbeam Road (Hornbeam Close Site B), Buckhurst Hill, Essex, IG9 6JS - Demolition of garages and replacement with 3 x 3 bed two storey affordable homes with 7 parking spaces and associated landscaping.

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation:

(1) That planning permission be refused for the following reason:

- 1. By reason of the loss of 11 let garages and the failure of the proposal to make appropriate alternative provision for off-street car parking within the locality, the proposal is likely to exacerbate parking stress in the locality to the detriment of its character and residential amenities. Accordingly, the proposal is an unsustainable form of development, contrary to policies CP3(v) and DBE2 of the Local Plan and Alterations, which are consistent with the National Planning Policy Framework.**

Report:

1. This application was considered by Area Plans Sub-Committee South on 29 June 2016 where Members voted to refuse the application (for the reason outlined above) contrary to the Officer recommendation for approval. After this vote, 4 Members of the Sub-Committee stood to exercise their right to require that no action be taken on the matter until it has been considered by the District Development Management Committee, with the revised recommendation to refuse.

2. As noted within the original report below this is one of three applications for sites in close proximity which are all before the committee this evening. A fourth application (EPF/0634/16) also in close proximity was withdrawn prior to the Sub-Committee meeting.

3. The original report is attached in full below for consideration.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g)) and since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is a broadly rectangular site to the rear of 2 -10 Hornbeam Road and accessed by a vehicle accessway between No. 2 and a block of flats to the north. The site slopes down to the east so is a lower level than the main road and to the south of the site are further properties which are set back from Hornbeam Road. The site sides onto allotment gardens to the east which is also land within the Metropolitan Green Belt, although this site is not. The site is a Council owned garage site with 14 garages located in one block (backing onto the allotments). Of the 14 garages 3 are currently vacant. The site is not within a Conservation Area.

Description of Proposal:

The application seeks consent for the demolition of the existing garages and construction of 3 x 3 bed two storey affordable homes with 7 parking spaces. (The parking spaces were reduced from 8 to 7 during the application process to allow for a turning area). The proposed dwellings will have rear gardens backing on to the rear garden of 14 Hornbeam Road with parking laid out to the front (north) of the site.

Relevant History:

No relevant history at this site. However this is one of four applications submitted on Council owned garage sites along Hornbeam Road/Close all within 300m of each other. (EPF/0213/16, EPF/0234/16, EPF/0215/16 and EPF/0634/16). This site is the northern middle site of the garage sites. Due to the close proximity of the application sites, one letter was sent to all neighbours to ensure all neighbours were aware of all 4 of these applications.

Several similar schemes in other areas are under consideration or have already been to Committee for a decision for similar housing schemes on Council owned garage sites.

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development

CP5 – Sustainable Building

CP6 – Achieving sustainable urban development patterns

CP7 – Urban Form and Quality

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE3 – Design in Urban Areas

DBE8 – Private Amenity Space

ST1 – Location of Development

ST4 – Road Safety

ST6 – Vehicle Parking
H2A – Previously Developed Land
H4A – Dwelling Mix
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Summary of Representations:

BUCKHURST HILL PARISH COUNCIL: OBJECTION

1. Concerns regarding car parking particularly displacement of existing parking arrangements, lack of car parking in general plus new build. Would request that the Transport Statement is redone
2. Impact on infrastructure e.g. schools, doctors
3. Collective overdevelopment of the whole area i.e. all proposed developments [4 in Hornbeam Road/Close] including the large development at Luxborough Lane
4. Concern regarding overlooking and lack of privacy for existing residents
5. Concern regarding drainage and proximity to flood plain.
6. Concern regarding impact on mature trees surrounding the site

189 Neighbours surrounding all four sites were consulted on all four applications and several Site Notices were erected which included a plan showing a location of each of the four sites:

28 OBJECTIONS were received from the following addresses:

1 CASCADE CLOSE, 6 CASCADE CLOSE, 8 CASCADE CLOSE, 10 CASCADE CLOSE, 11 CASCADE CLOSE, 12 CASCADE CLOSE, 20 CASCADE CLOSE, 83 CHESTNUT AVENUE, 12 HORNBEAM CLOSE, 18 HORNBEAM CLOSE, 22 HORNBEAM CLOSE, 26 HORNBEAM CLOSE, 30 HORNBEAM CLOSE, 32 HORNBEAM CLOSE, 34 HORNBEAM CLOSE, 40 HORNBEAM CLOSE, 2 HORNBEAM ROAD, 8 HORNBEAM ROAD, 13A HORNBEAM ROAD, 14 HORNBEAM ROAD, 16 BOURNE HOUSE, HORNBEAM ROAD, 28 HORNBEAM ROAD, 32 HORNBEAM ROAD, 34 HORNBEAM ROAD, 78 HORNBEAM ROAD, BUCKHURST HILL LEISURE GARDENS ASSOCIATION (ALLOTMENTS), BUCKHURST HILL RESIDENT'S ASSOCIATION AND ONE ADDRESSEE UNKNOWN.

The responses can be summarised as follows:

PARKING was raised as an important issue in all of the letters due to the already restricted parking, overlooking, loss of privacy, loss of light, loss of view, noise during construction, harm to trees, concern with regards to flawed parking survey, out of scale, overbearing, loss of privacy, greater strain on existing facilities (schools/medical etc.), footpath compromised, increased traffic, increase in pollution, road safety, concern over flooding, garages provided safe secure storage for cars, parking restriction in Station Way has pushed commuter parking into streets, concern regarding impact on allotment (access, light, security), blocking existing accesses, proximity to existing development at Luxborough Lane.

Issues and Considerations:

The main issues with this proposal relate to suitability of site, design, impact on amenity and highway/parking issues.

Suitability of Site

Hornbeam Road is within the built up area of Buckhurst Hill and the site is classed as a brownfield site. The site is within 500m of Roding Valley Underground Station and the shops, services and facilities of Station Way and approximately 1,200m from Buckhurst Hill Underground Station and the shops, services and facilities of Queens Road and Lower Queens Road. The site is considered a sustainable location.

The proposal is for 3 x 3 bed properties and therefore a minimum of 80m² of private amenity space should be provided for each dwelling. The proposals fall slightly short of this in the region of 70m² for all three properties, however the gardens are useable in size and shape, are south facing and there is public open space some 100m from the site so therefore acceptable.

Design

The proposed design is for a terrace of three properties in a traditional style with a hipped roof. The design has contemporary features particularly to the rear with the solar panels and angled jettys at first floor.

The proposal will not be overly visible from Hornbeam Road, given that it is at a lower level and will in the main be screened by existing buildings and therefore it is considered an acceptable design.

Amenity

The proposal is located to the rear of Nos. 2 – 10 Hornbeam Road at a distance of 23m from the main rear wall of these properties to the side wall of the proposal. This is considered a sufficient distance to avoid the proposal appearing overbearing or restricting light to these properties and the lower level of the proposal mitigates further against any possible impact. A side facing window is proposed at first floor – but this is to serve a landing and is clearly marked as obscure so will prevent any possibility of overlooking.

As with the other schemes this proposal may partially block existing views across the open land to the rear, a right to a view is not a planning consideration.

The proposal will back on to the side of No. 14 Hornbeam Road with a separation distance of 13.5m. The proposal has been designed so that the two most easterly properties have angled first floor windows with part obscure glazing which will avoid any excessive overlooking over the private areas of No. 14. A perception of overlooking from the obscure glazed windows could arise, however, given the separation distance between them and the site boundary with 14 Hornbeam road that is very unlikely.

Highways

A key issue with this application and the three other associated applications is with regards to the loss of the garages and the impact this may have on parking in the area, this has been amplified within all the neighbour responses.

As the four applications on Hornbeam Road/Close are so close together one Transport statement was submitted for all four sites.

Information with regards to the letting of the garages on this site was submitted with the application that states that 11 of the 14 garages are currently rented with the other 3 vacant, although it is not known what the rented garages are used for. Of those 11 garages, 10 are rented to people who live within 80m of the site.

At the time of the site visit it was clear that parking within the area could be difficult but not impossible.

One parking survey was conducted for all four sites across two week days nights in accordance with the Lambeth Survey Methodology. Parking stress for the combined area (around all four sites) was found to be 61%. Given the large amount of vacant garages on this site (and the other three) this was taken into account as part of the formula to predict the proposed parking stress. Additionally the proposed number of parking spaces above that suggested by the Essex Parking Standards at 12 unallocated spaces (across all 4 schemes) has also been included in the proposed parking stress formula resulting in a parking stress increase to 63%. Accordingly there would be spare capacity to accommodate any potential displacement.

Residents and the Parish Council have raised concerns with regards to the Transport Assessment and Officer's have considered these concerns justified.

The method of parking stress calculation for the four Hornbeam Road/Close sites is slightly different to other garage sites that the Council has assessed and not necessarily providing a 'worst case' result i.e. if all garage were rented out. The Transport Consultants were made aware of this by Officer's and asked to provide a 'worst case' figure and the following response was provided:

To assess this 'worst case scenario' I would think it suitable to offset the figure of 85 [existing garages across all four sites] partly with the provision of the 12 additional parking spaces provided by the development[s], as there can be no dispute that the 12 spaces will be provided and made available for use. Therefore the worst possible case would be 85 garages being utilised and these all parking on the local highway network as a result of the development[s], minus the additional 12 parking spaces provided by the development. This equates to 73 vehicles added to the local highway network which would provide a total unrestricted stress of 88%.

This 'worst case' scenario still shows spares capacity to accommodate any potential displacement and this is considered acceptable.

In addition to the above concern, concern was also raised by Officer's regarding the extent of the parking survey which stops immediately to the north of the most northerly garage site (EPF/0634/16) and does not include Cascade Close (which is located to the north and accessed from this garage site by a public footpath. The following response was received from the Transport Consultants:

With regards to Cascade Close, although this area could potentially increase the available parking capacity, we thought it unrealistic for residents to park the other side of a narrow footpath and therefore did not include this area within the survey. It

would be our suggestion that residents would first attempt to look for a space as close to their property as possible with preference for those providing a view over and therefore surveillance of their vehicle from their property. If none of these spaces are available then residents would then look for the nearest possible space, at this point it would take a 1km journey along Oak Rise, waiting for a gap in traffic to turn onto Buckhurst Way and again onto Lower Queen's Road to reach Cascade Close, travelling past available parking spaces. This would be inconvenient and it is most likely that residents would not want to park their vehicle completely out of sight.

Although this is considered a reasonable explanation it does not take into account that some resident's in Cascade Close rent garages on the most northerly site (EPF/0634/16).

Notwithstanding the above points, the Essex County Council Highways Officer has no objection to the scheme subject to conditions.

The Highway Authority is satisfied that any displaced parking will not be detrimental to highway safety or efficiency as a result of the development. The submitted Transport Statement (TS) has demonstrated that at the very worst case the on-street parking levels will not reach an unacceptable amount. Although the Highway Authority does not necessarily endorse on-street parking, the reality is, there will be fewer vehicles actually displaced from the garages than the worst case scenario, as a reasonable proportion of the garages will not be used for parking in or have been demonstrated as being vacant. Further to this the applicant is providing some additional parking spaces throughout the 4 sites being redeveloped in this locality.

Further to this the proposal will not increase vehicle movements above the level of the previous use, operating at full capacity, so the use of the existing accessway will not be intensified by the development. It is also noted that the proposed layout does offer a turning area for delivery vehicles.

Consequently the proposal will not adversely affect highway safety or efficiency.

The proposal provides 7 spaces for 3 new dwellings which exceeds the Essex Parking standards and therefore provides the possibility of parking spaces for existing residents.

Other issues

Affordable Housing:

Local Plan policy H6A would not require any affordable housing to be provided on a scheme of this density on this size of site. However since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the development would provide 100% affordable housing. This would be of benefit to the overall housing provision within the district.

Since there is no requirement under Local Plan policy H6A to provide affordable housing on this site, and as this is a Council led development, it is not considered necessary in this instance to secure this by way of a legal agreement.

Landscaping:

The Tree and Landscape Officer has no objection to the proposal subject to a condition ensuring the protection of existing trees and a hard and soft landscaping scheme being submitted.

Contaminated Land:

Due to the use as domestic garages and the presence of the made ground there is the potential for contaminants to be present on site. Therefore the Contaminated Land Officer has requested the standard contaminated land conditions which are considered reasonable.

Conclusion:

The proposal is considered acceptable with limited impact on amenity and an acceptable design. Although concerns have been raised regarding the existing parking situation and the methodology of the Transport Assessment and parking survey, the existing parking surrounding the area has been shown to be able to accommodate any displaced parking. Given the above and that the proposal will provide affordable housing within the District on a previously developed site approval is recommended.