

Report to the Council

Committee: District Development Management Committee **Date:** 10 September 2015

Subject: Planning Application EPF/1007/15 - Land and Garages off Burton Road, Debden, Loughton - Erection of 51 affordable homes with 28 parking spaces (Revised application).

Responsible Officer: Nigel Richardson (01992 564110)

Recommendations:

(1) That the Council considers the recommendation of the District Development Management Committee that planning permission for the above site be granted subject to a Unilateral Undertaking in respect of a contribution of £16,720 towards healthcare provision in the locality and the following conditions:

- 1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.**
- 2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 612/033/PL01/A, 612/033/PL02/B, 612/033/PL03/B, 612/033/PL04/G, 612/033/PL05/E, 612/033/PL06/J, 612/033/PL07/D, 612/033/PL08/E, 612/033/PL09/F, 612/033/PL10/G, 612/033/PL11/J, 612/033/PL12/B, 612/033/PL13/A, 612/033/PL14/A, 612/033/PL15/A, 612/033/PL16/D, 612/033/PL17/C, 612/033/PL18/D, 612/033/PL19/E and 612/033/PL20/C**
- 3. The development hereby approved shall be finished in accordance with the details indicated on drawing number 612/033/PL19/E, unless otherwise previously approved in writing by the Local Planning Authority, in writing.**
- 4. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**
- 5. Prior to commencement of the above development a detailed drainage strategy must be submitted for approval to the local authority. It should be based on principles of Sustainable drainage, in line with the approved surface water drainage statement Surface Water Drainage Statement July 2015 v.2 permitted by this planning**

permission. The detailed drainage scheme should follow mitigation measures detailed within the FRA including:

- Limiting the discharge from the site to 7l/s for all events up to the 1 in 100 year storm plus a 30%.
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change and urban creep.
- Ensuring the appropriate level of treatment for all runoff leaving the site, in line with table 3.3 of the CIRIA SuDS guide.
- Provide information about exceedance routes should be provided to indicate what route flows would take should a feature become blocked and cause surface water flooding.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

6. The development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

7. Prior to commencement of the development the applicant must submit a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies.

8. The applicant must keep yearly Maintenance Logs of maintenance which should be carried out in accordance with any approved Maintenance Plan.

(new recommendations 5-8 above were inserted by the agreement of the DDMC following further representations of Essex County Council on 22 July 2015)

9. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

10. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried

out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

11. Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

12. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

13. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

14. All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

15. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- 1. The parking of vehicles of site operatives and visitors;**
- 2. Loading and unloading of plant and materials;**
- 3. Storage of plant and materials used in constructing the development;**
- 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- 5. Measures to control the emission of dust and dirt during construction, including wheel washing; and**
- 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.**

16. Prior to first occupation of the development hereby approved, those windows shown to be obscure glazed on drawing numbers 612/033/PL09/F, 612/033/PL10/G and 612/033/PL11/J shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

17. Access to the areas of sedum flat roof system of Block C and Block D, identified on drawing numbers 612/033/PL10/G and 612/033/PL12/B, shall be for maintenance or emergency purposes only and those areas of flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.

18. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any other Order revoking, further amending or re-enacting that Order) no extensions, alterations to external materials, roof additions, porches or outbuildings with a volume in excess of 10 cubic metres generally permitted at dwellinghouses by virtue of Classes A, B, D and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

1. At their meeting on 5 August 2015, the District Development Management Committee considered a revised application for the redevelopment of Council owned land at Burton Road, Loughton. Having voted and approved the recommendation of officers that planning permission be granted subject to conditions and a unilateral undertaking, five members of the Committee referred the matter by minority reference to the Council in accordance with Non Executive Operation Standing Order 13.

2. The report made to the DDMC is reproduced in full below and will be presented to the Council by the Assistant Director of Development Management. A site plan has also been included. The Council are requested to consider the recommendation of the DDMC accordingly.

Description of Site:

3. The application site comprises land on the south-east side of Burton Road between Torrington Gardens to the north east and Torrington Drive to the south west. It is a linear site presently developed as garages at either end separated by a grassed amenity area that includes a right of way between Burton Road and Torrington Drive alongside the northern block of garages. Torrington Drive continues parallel to Burton Road and the gardens of maisonettes on Torrington

drive back on to the application site. Opposite the site, to the north west, is a large public carpark and parking and yard areas rear of shop premises on the Broadway. A bus stop and bus waiting layby are situated midway along Burton Road adjacent to the site.

4. Land on the north west of Burton Road forms part of the Broadway Town Centre, as defined in the Local Plan and Alterations. Buildings on the Broadway are three-storey and of substantial bulk. Other buildings in the locality are predominantly two-storey terraces of houses or maisonettes. Via existing footways, Debden Underground Station is approximately 130m from the nearest part of the site and 370m from its most distant part adjacent to Torrington Gardens.

Description of Proposal:

5. This application proposes the erection of 51 affordable dwellings with 28 parking spaces, private gardens and amenity space. The proposal would comprise 17 houses and 34 flats in two blocks fronting Burton Road. The application is a revision of a similar proposal refused planning permission by the Area Plans South Sub-Committee on 7 January 2015, ref EPF/2214/14. The main differences between the current and previously decided proposals are:

- Reducing the level of the houses by approximately 400mm and the two flat blocks by 1.1m. This is achieved by cutting into the land nearest Burton Road to achieve a level surface to build on and adjusting the slope between the road and the buildings as appropriate. The previous proposal achieved a level surface by raising the land level furthest from the road and adjusting levels rear of the buildings.
- Reducing the number of flats by one and increasing the number of parking spaces by 1. The number, siting and form of the houses remaining unchanged, save for the level change. Notwithstanding a net loss of one flat, the siting bulk and design of the proposed flats is very similar to the previous proposal, save for the overall height reduction of just over a metre. The additional parking space is provided adjacent to the eastern block, Block D.

6. This application was reported directly to the District Development Management Committee rather than to the area Plans South Sub-Committee as changes to the Council's Constitution since 7 January require applications for major development on Council owned land to be decided by District Development Management Committee.

7. As before, the houses would take up the western part of the site and predominantly take the form of a part single-storey, part three-storey terrace of 15 three bedroom houses. The single-storey element of each house would be recessed and visually separate that house from the three-storey part of the attached neighbour. It would include a roof terrace that looks towards Burton Road with a screen wall at the rear to obstruct all views towards the gardens of maisonettes on Torrington Drive. The remaining two houses would be sited towards the junction of Burton Road with Torrington Drive. They would comprise a two-storey pair of two-bedroom semi-detached houses.

8. All the houses would be finished in facing brick with metal clad upper level bays to the three-storey elements. The single-storey elements would be timber clad. Roofs would be mono-pitched, falling to the rear, and clad in artificial slate. Solar panels would be incorporated into the design of the roofs. Each terraced house would have a private drive capable of accommodating a good sized car.

9. As before, the flats would be sited at the eastern part of the site and take the form of 2 four-storey buildings either side of the footpath linking Burton Road with Torrington Drive. That nearest the proposed houses is identified as Block C and that nearest Torrington Gardens as Block D. The top floor of each block would be much reduced in area compared to the lower floors and recessed from all edges. The flats would overall comprise 11 one-bedroom (identical to the previous

proposal) and 23 two-bedroom dwellings (one less than previously proposed). That is achieved by losing 2 one bedroom flats from Block C and replacing them with 1 two bedroom flat and improved refuse and cycle storage.

10. The buildings would be finished in similar materials to the proposed houses but would have flat sedum roofs. Balconies would look to Burton Road and the footpath separating the blocks. The southern edge of balconies looking to the footpath would be enclosed by the southern wall of the building. The dwellings would be constructed to Lifetime Homes Standards and Code Level 4 of the Sustainable Homes Standards.

11. A total of 11 parking spaces would be provided for the flats. They would be accessed directly off Burton Road, with two adjacent to Block C and 9 adjacent to Block D. The proposal also includes realigning the footpath linking Burton Road with Torrington Drive, relocating the existing bus stop on Burton Road such that it is at the end of the footpath and relocating the existing bus waiting layby to the western end of Burton Road, adjacent to its junction with Torrington Drive. Essex County Council advise the footpath link is not a public right of way.

12. The southern site boundary would be enclosed by 1.8m high closeboard fencing topped by 300mm trellis.

13. The application is accompanied by a signed Unilateral Undertaking in respect of a financial contribution of £16,720 towards healthcare provision in the locality. The level of contribution is based on advice from NHS England.

Relevant History:

EPF/2214/14 Erection of 52 affordable dwellings with 27 parking spaces, private gardens and amenity space. Refused for the following reason:

By reason of its bulk, design and density in terms of numbers of dwellings, the proposal would have an overbearing relationship with neighbouring land to the detriment of the visual amenities of the locality. Accordingly, the proposal is contrary to policies CP7 and DBE2 of the adopted Local Plan and Alterations, which are consistent with the National Planning Policy Framework.

Policies Applied:

CP2	Quality of Rural and Built Environment
CP3	New Development
CP7	Urban Form and Quality
H2A	Previously Developed Land
H4A	Dwelling Mix
H5A	Provision for Affordable Housing
H6A	Site Thresholds for Affordable Housing
H7A	Levels of Affordable Housing
H8A	Availability of Affordable Housing in Perpetuity
DBE1	Design of New Buildings
DBE3	Design in Urban Areas
DBE5	Design and Layout of New Development
DBE6	Car Parking in New Development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
LL11	Landscaping Schemes
ST1	Location of Development
ST3	Transport Assessments
ST4	Road Safety

ST6 Vehicle Parking

NPPF

14. Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 409

Site notice posted: Yes

Press advertisement: Yes

Responses received: The occupants of 10 neighbouring residential properties and 49 neighbouring shop premises have raised objection to the proposal. In addition, a petition of 133 signatures was received, raising objection on the following grounds:

“I object to the proposal concerned due to the number of units, their design and lack of parking facilities. However, the smaller scheme comprising 42 units would meet with my approval.”

The objections of neighbouring residential and commercial neighbours are summarised as follows:

12A THE BROADWAY, LOUGHTON

- Insufficient parking provision that would exacerbate existing parking problems.
- Poor design that does not comply with Council design policy

31 TORRINGTON DRIVE:

I wish to register my disagreement to the plans for developing Burton Road. The houses with gardens which will border my garden will seriously encroach on my privacy and cause noise and aggravation. I am a pensioner and suffer from anxiety and depression. It is difficult to park outside my flat in Torrington Drive now, and if you do decide to dig up the grass for the extra cars this will also spoil our quality of life.

I hope this over- development of our area will be rejected.

36 TORRINGTON GARDENS, LOUGHTON:

- Insufficient parking provision that would exacerbate existing parking problems. The parking problems are caused by commuter parking.
- Poor design that does not comply with Council design policy. The building proposed is too big and too close to the road.
- The proposal is not materially different to the previously refused development.

41 TORRINGTON DRIVE, LOUGHTON

- Insufficient parking provision that would exacerbate existing parking problems.
- Poor design that does not comply with Council design policy
- The council had a previous plan for 42 dwellings and 42 parking spaces. This plan I believe would not have been opposed as it was more in keeping with striking a balance to the area. The houses were also of a more attractive design.

111 TORRINGTON DRIVE, LOUGHTON:

The development will directly overlook our homes and will have visibility into our flats. Furthermore, the area has insufficient parking. Torrington drive is filled with free parking for commuters. This needs to be addressed before any further dwellings are constructed. Burton Road is tight and congested and additional traffic will exacerbate this situation.

150 TORRINGTON DRIVE

The proposed development is the same as that previously approved. It is questionable as to whether the homes really will be affordable. There is insufficient parking provision for the

development and it is not clear where buses would park. The development would exacerbate existing parking problems caused by commuter parking.

115 GROSVENOR DRIVE, LOUGHTON: (3 letters)

As a long term residents of the Debden estate and someone who regularly uses Debden Broadway shops, I object to this planning application on the following grounds:

- 1) The removal of the grassed area. This is the only bit of greenery in this road.
- 2) Debden Broadway currently suffers form considerable traffic congestion and this development would only make matters worse.
- 3) The lack of local services to accommodate an influx of new residents.
- 4) The unattractive appearance of the new development - it is not in keeping with Debden Broadway or the Debden Estate as a whole.
- 5) The development is to be situated in what is currently a service road and is not suitable for residential purposes. Lorries unload at the rear of the shops in Debden Broadway and this will be immediately outside the front doors of the new houses.
- 6) The lack of car parking spaces and the impact this will have on current residents trying to visit the Debden Broadway shops.
- 7) The removal of the garages which are currently used by local residents.
- 8) This development is much too large for the area available. The buildings appear to be 'crammed in'.
- 9) The proposed plans are for high-rise buildings which are incongruous and out of keeping with the low-rise architecture in the local area

119 TORRINGTON DRIVE, LOUGHTON:

- Insufficient parking provision that would exacerbate existing parking problems.
- If it is necessary to build in Burton Rd., then I would suggest the number of flats is reduced, in order to provide parking in that road for the new residents.
- The parking issues in Torrington Drive can easily be resolved by having yellow lines with restricted times for parking, with exemptions for residents.
- The loss of the extensive green area would be unattractive and likely to increase the risk of flooding.

147 TORRINGTON DRIVE, LOUGHTON:

Whilst I agree that more low cost accommodation is needed I feel that this has not been thought out as we have a bad parking problem around here and the building of flats will only add to the problem my road (Torrington Drive) is often blocked by commuter parking and several times I have been unable to get on to my drive .ambulances have had problems getting passed through people thoughtlessly parking so to add to this problem I think is very wrong and dangerous

178 TORRINGTON DRIVE, LOUGHTON:

Objection – lack of parking within the scheme and locality therefore the surrounding roads will become gridlocked. Proposes permit holders only parking to cure this problem.

BROADWAY SHOPS:

Identical letters raising objection to the development were received from the following businesses addresses. Every letter has a unique ID linking it to 68 The Broadway.

- LLOYDS BANK, 11 THE BROADWAY
- POST OFFICE, 12-14 THE BROADWAY
- SPRAYS BAKERY, 15 THE BROADWAY
- MARTINS, 16 THE BROADWAY
- BOOTS, 18 THE BROADWAY
- TAYLORS CARDS, 17-19 THE BROADWAY

- SAVE THE CHILDREN, 20 THE BROADWAY
- BLOW YOUR TOP, 21 THE BROADWAY
- ZARA EXPRESS, 23 THE BROADWAY
- PIRATES DEN, 25 THE BROADWAY
- PA SPARLS & SONS, 26 THE BROADWAY
- LOVE TAG, 27 THE BROADWAY
- 28 THE BROADWAY
- BARNARDS JEWELLERS, 29 THE BROADWAY
- LUONG NAIL STUDIO, 31 THE BROADWAY
- SUPERDRUG, 32-34 THE BROADWAY
- KG CHEMIST 36, THE BROADWAY
- TWIST & CURL, 39 THE BROADWAY
- BROADWAY FRIED CHICKEN AND PIZZA, 40 THE BROADWAY
- KP BUTCHERS, 43 THE BROADWAY
- LADBROKES, 46-48 THE BROADWAY
- 47-49 THE BROADWAY
- FLOWER ELEGANCE, 51 THE BROADWAY
- BALLOONS & FLOREA, 53 THE BROADWAY
- EROS, 56 THE BROADWAY
- 57 THE BROADWAY
- DEBDEN MOTOR SPARES LTD, 58 THE BROADWAY
- CLANBROOK ELECTRICS & BARNARDOS, 59 THE BROADWAY – 2 letters since 2 shop premises gave this as their address
- STUARTS MARKET SHOP, 60 THE BROADWAY
- TONYS, 61 THE BROADWAY
- VIP CARS, 64 THE BROADWAY
- ELKAZ TAVERNA, 67 THE BROADWAY
- RESTORE COMMUNITY CENTRE, 68 THE BROADWAY
- THE BEAUTY BAR, 69 THE BROADWAY
- ST CLAIRE HOSPICE, 72 THE BROADWAY
- T CRIBB & SONS, 73 THE BROADWAY
- GUNER, 74 THE BROADWAY
- GERALDINES HAIR FASHIONS & WILSON PHYSIOTHERAPY, 76 THE BROADWAY – 2 letters since 2 shop premises gave this as their address
- DAVID SMITH FINANCIAL SERVICES, 78 THE BROADWAY
- 82 THE BROADWAY
- BROADWAY DENTAL CLINIC, THE BROADWAY
- CHINESE HERBAL MEDICINE & HEALTHCARE CLINIC, THE BROADWAY
- DM CLEANERS, THE BROADWAY
- EYE GEE OPTICIANS
- ICELAND, THE BROADWAY
- MERLIN CARPETS, THE BROADWAY
- VET SAVERS, THE BROADWAY

The objections raised are:

- Insufficient parking provision for the development would increase demand for parking in the adjacent public car park, reducing the potential for traders and their customers to use it, could be harmful to businesses in The Broadway.
- The development will exacerbate existing parking problems in the locality.

BROADWAY TOWN CENTRE PARTNERSHIP, 15 COLSON ROAD, LOUGHTON (unique ID on letter links it to 68 The Broadway)

- Too many dwellings are proposed. A scheme of 31 dwellings with 42 parking spaces that was originally proposed is preferable.
- Cramped form of development equivalent to creating slum conditions.
- Insufficient parking provision that would result in a reduction of public spaces for traders in The Broadway and their customers.
- It is unreasonable for the Council to impose limits on the numbers of cars people can own by approving developments with limited parking spaces.
- Attention is drawn to the adopted Vehicle Parking Standards and the advice of the Council's Tree and Landscape Team in relation to the potential for landscaped areas in front of the houses to be informally used for parking and the need to mitigate that in a subsequent detailed landscaping scheme.

THAMES WATER: Informatives requested on any consent given.

LONDON UNDERGROUND: No comment

LOCAL EDUCATION AUTHORITY: The development is 100% affordable housing and not for profit so on this occasion no S106 contribution for education purposes is sought.

NHS ENGLAND: The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development would give rise to a need for improvements to capacity by way of extension, refurbishment, reconfiguration or relocation at the existing practices. A developer contribution of £16,720 will be required to mitigate the impacts of this proposal, which should be secured in a S106 agreement.

LOUGHTON RESIDENTS ASSOCIATION (PLANS GROUP): Objection

- The proposal constitutes an overdevelopment of the site.
- The proposed buildings, particularly the flats, are overbearing in relation to the houses in Torrington Drive
- The parking provision (only 28 spaces) will worsen the existing parking congestion in the area caused by commuters using Debden Underground Station, and from shoppers and residents of The Broadway
- The existing bus stand provision on Burton Road is insufficient -as buses frequently park up on the pavement – and this highway safety concern should be addressed, as there would be an increase in pedestrians, particularly children, using Burton Road from the proposed development.

If nevertheless the District Council is minded to approve the application, we ask for the usual conditions limiting working hours during any demolition and building work, and requiring wheel-washing on site.

LOUGHTON TOWN COUNCIL: Objection

The Committee NOTED the contents of two letters of objection and that the number of properties had been reduced from 52 to 51.

The Committee restated its comments previously made for EPF/2214/14, which were:

The Committee OBJECTED to this application on the following grounds.

- 1. The proposed housing scheme was considered an overdevelopment of the site.*
- 2. The heights of the properties, particularly the flats, were considered overbearing on the Torrington Drive houses. Members appreciated the slanting pitch of the roofs but it was felt this would still impact on those houses.*
- 3. The limited parking provision of only 28 spaces would exacerbate existing parking congestion in the vicinity caused by commuters using Debden Underground Station, and from shoppers and residents of The Broadway.*
- 4. Members commented on the disproportionate inconsistency between the parking provision allocation of 64 spaces for 64 flats approved for application EPF/2163/13 by the District Council for the Sir Winston Churchill site and for this development, and was deemed contrary to policy DBE 6 of Epping Forest District Council's adopted Local Plan & Alterations.*
- 5. The Committee was concerned that the existing bus stand provision on Burton Road was insufficient as buses frequently parked up on the pavement. This highway safety concern should be addressed, as there would be an increase in pedestrians, particularly children, using Burton Road from the proposed development.*
- 6. The Committee regretted that a play area for the development had not been accommodated in the scheme, as the nearest existing ones at Monksgrove (off Oakwood Hill) and Westall Road were some distance away.*
- 7. The Committee would prefer the use of LED street lighting and the use of solar powered lighting in view of Essex County Council's part night street lighting policy.*
- 8. Members asked if the development could include more environmentally sustainable elements, such as solar panels.*

(Please note the new wording in point 5 to include 'particularly children').

The Committee also stated that as insufficient parking provision was proposed in this scheme, future occupants of these flats should not be eligible for resident parking schemes in the town.

Main Issues and Considerations:

15. The application can be considered to amount to a proposal for Council housing. Should planning permission be granted the applicant, East Thames Housing Group, would carry out the development and the dwellings would be let to Council tenants. The District Council is the freeholder of the application site. On 17 April 2014 the Council House Building Cabinet Committee agreed the land be appropriated for planning purposes. However, it is not intended to sell the land to the developer therefore the Council will retain control over the development as landowner. Consequently, no S106 agreement requiring the development of be affordable is submitted with the application and none is considered necessary to secure the affordable housing in perpetuity.

16. The proposal amounts to the development of previously developed land within a residential area. It is on the edge of a Town Centre but would not have any negative impact on the vitality and viability of the Broadway as a shopping area and, indeed, it is more likely to enhance it. It would

potentially improve the viability of local shop premises in the Broadway by increasing the population within walking distance of the shops, thereby growing the market for local goods and services. As such there is no objection to the principle of the development.

17. The proposal would have a consequence for healthcare provision in the locality as described by NHS England, and it therefore addresses that consequence by way of a Unilateral Undertaking in respect of a financial contribution sought by NHS England. Although there is likely to be a consequence for Education provision, Essex County Council as Local Education Authority has made clear it wishes to support the development by bearing the additional costs itself.

18. In terms of design, the proposal is modern but finished using traditional materials. It is well proportioned and would significantly enhance the appearance of Burton Road. The proposal has been carefully designed to include features that improve its sustainability such as solar panels on roofs and the use of sedum roof areas for the two flat blocks.

19. No details of street lighting are submitted and although the comments of the Town Council in respect of LED lighting are noted, the matter of street lighting is an adoption issue and therefore one for the County Council rather than the District.

20. In respect of amenity space provision, although rear gardens of the houses are of modest size, the available private amenity space is significantly enhanced by the provision of roof terraces above the single-storey elements of the three-bedroom houses. Adequate amenity space provision is made for the flats and pair of two-bedroom houses by careful siting nearer Burton Road in order to maximise space and take advantage of a southerly aspect. It is not considered appropriate to make provision for public children's play areas within a development of this scale.

21. The rear elevation of the buildings has been carefully designed to prevent any excessive overlooking of neighbouring gardens. That has somewhat compromised the appearance of the houses by relying on high level windows to some bedrooms. In all cases those windows would be secondary windows therefore the design would not compromise the living conditions of the houses.

22. In the above respects the proposal is identical to the scheme refused planning permission at the Area Plans South Sub-Committee on 7 January. The reason for refusal maintained the harm caused by it would be to the visual amenities of the locality on the basis of an overbearing relationship with neighbouring land. The overbearing relationship was considered to arise from its bulk, design and density. When making its decision the Members made clear they would be likely to view a less intense development more favourably, particularly if the flat blocks were reduced in height to three storeys. This revised scheme is designed to overcome that objection.

23. The small reduction in numbers of dwellings speaks to the reference of density, however, since the massing and design of the buildings is unchanged the reduction has no consequence for the visual impact of the development. The change that is of considerable significance is the drop in level of the buildings: up to 400mm in the case of the houses and 1.1m in the case of the flats. That significantly reduces the visual impact of the development in relation to neighbouring land and, although not a reduction in an entire floor as suggested by the Area Plans South Sub-Committee, it directly addresses the concerns of the Sub-Committee in a meaningful way while maintaining a high level of affordable housing provision.

24. The proposals would continue to have significant bulk that would be apparent when seen from the rear gardens of maisonettes on Torrington Drive. However, the distance separating the new buildings from the rear elevations of the maisonettes is some 25m, which together with the drop in level of the buildings, is more than adequate to ensure they would not appear excessively overbearing. Since they are to the north east of the maisonettes and their gardens, no excessive loss of light or overshadowing would arise. Furthermore, the reduction in level will significantly reduce the potential for the buildings, especially the flat blocks, to appear overbearing when seen

from Burton Road or the footpath passing between the blocks linking Burton Road with Torrington Drive.

25. In relation to the matter of parking, at one space for each house there would be an appropriate level of parking provision for the houses given the town centre location. The proposal would provide significantly fewer spaces for the flats than the Vehicle Parking Standards require were the site outside of a town centre location. However, there is no doubt that the site is within a very short walk of good public transport facilities and a wide range of convenience shopping as well as other goods and services. Consequently there is a very strong case for permitting the lower level of provision and, indeed, this is expressly allowed for in the Vehicle Parking Standards.

26. The Highway Authority has made clear that the District Council is responsible for deciding whether or not provision less than required by the Vehicle Parking Standards is justified. In this case the combination of the sustainability of the sites location together with the fact that a large public car park the proposal is opposite the site is given considerable weight. Moreover, as is recognised by the Local Education Authority, significant weight should be given to the degree of need for affordable housing and the limited opportunities for achieving it within this District when assessing the proposal. In all the circumstances, it is concluded that there is good justification on planning grounds for permitting the development with the level of off-street parking provision proposed. A Transport Assessment submitted with the application supports that assessment.

27. The parking problems experienced within the locality, which is a matter widely raised by objectors, is recognised by Officers and the applicant. While this proposal is not designed to directly address that problem, since the amount of off-street parking proposed for the development is appropriate, it is not likely to exacerbate the situation. As Members will also be aware, the level of parking provision was not a reason for refusing the previous application.

28. The Design and Access Statement submitted with the application nonetheless addresses the matter of wider parking problems in the following statement:

“The Council has an established programme of constructing off-street parking spaces on housing owned land across the district where a need has been identified, assessed and ranked. The ranking table is reviewed by the Cabinet annually at its meeting in February, where it is agreed which sites are to progress in the following financial year.

In February 2015, the Cabinet agreed that for any off-street parking site that is within the vicinity of any of the sites earmarked for future Council House-building, then the Council House-building Cabinet Committee would consider the benefits of providing off street parking at the same time as they consider the Feasibility Study, particularly as each of the house-building sites are on Council garage sites, which are to be demolished to make way for the developments.

For the development site at Burton Road, Loughton, an off street parking scheme is included on the ranking table in nearby Torrington Drive, which backs onto Burton Road and is joined by a pedestrian thoroughfare that runs between the two new proposed blocks of flats that makes up the Burton Road development. The Cabinet Committee has agreed to bring this scheme forward and to consult residents on various design options for off street parking.

Subject to there being a majority of residents in favour of a new off street parking scheme in Torrington Drive, and also the introduction of a resident parking scheme to control the parking in those spaces created, then a scheme to provide off street parking could be delivered in 2016, subject to a separate Planning application process.”

29. While a solution to wider parking problems may be secured through the above process, the potential solution cannot be secured in connection with this application. As stated, the potential solution is subject to a separate public consultation exercise and if there was insufficient support

from local residents it would not be implemented. Since the Applicant has no control over the response to such a consultation exercise, it would be unreasonable to give permission subject to the implementation of that potential solution.

30. Consideration has been given to whether it is possible to require tenancy agreements to prohibit the ownership of a car by tenants. The informal advice of the Communities Directorate (which incorporates the former Housing Department) is that would not be possible.

31. In relation to highway safety and the repositioning of a bus stop and bus waiting layby, the Highway Authority raises no objection but informally advises it is likely measures would be introduced to prohibit on-street parking along the length of Burton Road due to its narrow width and the need to ensure bus routes along it remain free of potential obstruction from large vehicles.

32. Objectors have made reference to alternative schemes. Members are advised the only proposals that have been the subject of planning applications are the current proposal and that refused on 7 January. Consequently, the only proposal capable of being a material planning consideration when assessing the merits of the current proposal is that previously refused, ref EPF/2214/14.

Conclusion:

33. The proposal properly addresses the reason for refusal of application EPF/2214/14. It would secure much needed affordable housing in a highly sustainable location without causing excessive harm. It would also potentially improve the viability of local shop premises in the Broadway by increasing the population within walking distance of the shops, thereby growing the market for local goods and services. Appropriate off-street parking provision is proposed and while a wider parking issue in the locality is recognised, it is not a matter on which this proposal should be decided. Accordingly, it is concluded the proposal complies with relevant planning policy and it is recommended that planning permission be granted