

Report to the Council Housebuilding Cabinet Committee



**Epping Forest
District Council**

Report reference: CHB-018-2015/16
Date of meeting: 24 March 2016

Portfolio: Housing

Subject: Sites unsuitable for Development

Responsible Officer: Paul Pledger (01992 564248)
Assistant Director of Housing (Property)

Democratic Services: Jackie Leither (01992 564756)

Recommendations/Decisions Required:

- (1) That the garage site at Hillyfields, Loughton to the rear of 80-98 and 100-112 Hillyfields be sold on the open market, with any receipt being recycled back into the Council House-building programme;**
- (2) That the garage site at Whitehills, Loughton adjacent to Oak View School be redesigned to incorporate 3 bungalows and a new planning application be submitted; and**
- (3) That the garage site at Ladyfields, Loughton opposite 39-45 Ladyfields be redesigned to remove the 3-bed detached house, create an area of unallocated off street parking in compensation for the loss of the garages and a new planning application be submitted.**

Executive Summary:

Each of the sites at Hillyfields, Whitehills and Ladyfields, Loughton, have been identified as being undevelopable, either because they did not, or are not likely to receive planning permission. This report explores the future use of each of the sites and makes recommendations as appropriate to each site.

Reasons for Proposed Decision:

The Cabinet Committee is required to decide on the future use of garage sites unsuitable for development in line with the Council's Policy.

Other Options for Action:

To adopt any other of the options within the existing Policy on the future use of undevelopable sites, as set out in the body of the report.

Report:

1. Where any of the Council's development sites identified for Council house-building is not developable for any of the reasons below, then the Cabinet Committee must decide on its future use:

- i. They do not receive planning permission;
- ii. They are not financially viable for the Council to develop based on a development appraisal; or
- iii. The Cabinet Committee considers for whatever reason, the site should not be developed for Council housing

2. The options already agreed by the Cabinet Committee are as follows:

- a. To sell the site for social housing to a Housing Association in return for a capital receipt to fund future Council house-building and to gain nomination rights for Council housing applicants;
- b. To sell the site for private development, either for residential or other use in return for a capital receipt to fund future Council house-building;
- c. To divide up the site and sell the land to local residents to extend their private gardens in return for a capital receipt to fund future Council house-building;
- d. To demolish the garages, re-surface and mark out the land and to leave the site as open car parking for local residents;
- e. To sell the site to a Town or Parish Council for their own purposes (eg. public amenity space) in return for a capital receipt to fund future Council house-building; or
- f. To continue to market and rent the garages to local residents

3. Each of the sites at Hillyfields, Whitehills and Ladyfields, all of which are in Loughton, have been identified as being undevelopable, either because they did not, or are not likely to receive planning permission. The reasons are set out below:

Hillyfields, Loughton

4. The site at Hillyfields, Loughton (see appendix A) has 12 x garages, of which six (50%) are vacant, was approved by the Cabinet Committee in November 2014 to provide 2 x 2-bed houses has been referred back to the Cabinet Committee as the Planning Officers felt they could not recommend approval for the scheme on the grounds the access road is too narrow to support the development and significant overlooking issues. Photographs of the existing site can be seen at appendix A.

5. In view of the high percentage of vacant garages, it is likely that a private developer may be able to design a scheme that can overcome the concerns of the Planning Officers by employing creative designs and as such it is recommended that the site be sold on the open market and the capital receipt being used to fund future Council house-building developments.

Whitehills, Loughton

6. The site at Whitehills, Loughton (see appendix B), which has 27 x garages, of which nineteen (70%) are vacant, was approved by the Cabinet Committee in October 2014 to provide 3 x 3-bed houses and has now been referred back to the Cabinet Committee as the Area Planning Committee (South) refused planning permission on the grounds of its proximity in relation to neighbouring properties and the overbearing appearance as seen from the rear of 68-72 Church Lane as well as poor driver visibility at the junction with Whitehills Road.

7. It should be noted that the visibility and sight lines meet with the Essex Design Guides. However, by reducing the scale of the dwellings by creating bungalows instead of

houses it is likely this development will meet with the objections over their overbearing nature on the adjacent houses. Therefore it is recommended that revised plans be prepared to create 3 bungalows on the site and a new planning application be submitted for this site.

Ladyfields, Loughton

8. The site at Ladyfields, Loughton (see appendix C) which has 22 x garages, of which twelve (55%) are vacant, was approved by the Cabinet Committee in October 2014 to provide 6 x 2-bed houses and 1 x 3-bed house but has now been referred back to the Cabinet Committee as the Area Planning Committee (South) refused planning permission on the grounds of a lack of compensatory parking for displaced garage tenants.

9. The Planning Committee were made aware that existing garage tenants will be given priority over others should they wish to take up a garage tenancy at another of the Council's garage sites. However, by removing the detached 3-bed house from the scheme and providing a number of unallocated off street parking spaces it is likely this development will meet with the objections over a lack of compensatory parking for displaced garage tenants. Therefore it is recommended that revised plans be prepared for 6 x 2-bed houses and a number of off-street parking spaces on the site and a new planning application be submitted for this site.

Resource Implications:

The viability assessment for each of the sites at Whitehills and Ladyfields have already been approved by the Cabinet Committee, based on the original schemes presented in October 2014 and November 2014 respectively. Any redesigned schemes will trigger a separate fee from East Thames and Pellings as Development Agent and Employers Agent respectively.

Legal and Governance Implications:

Within its Terms of Reference, the House-Building Cabinet Committee is expected to consider the future use of each garage site for the purpose of Council House-building, and where a site is found to be unsuitable then they are expected to decide on its future use.

Safer, Cleaner and Greener Implications:

The future use of under-utilised garage sites that do not have redevelopment potential, need to be considered so as to make the best possible use of the site and enhance the environment.

Consultation Undertaken:

Ward Councillors have been consulted on the initial feasibility study. Since then, Planning Officers have been consulted as part of the detailed design stages. The Area Planning Sub-Committee (South) has considered the application for Whitehills and Ladyfields, Loughton.

Background Papers:

Previous feasibility study documents relating to each of the sites, along with minutes of the Cabinet Committee and the Area Planning Sub-Committee East.

Risk Management:

The only risks that apply are with unforeseen costs associated with the demolition of the existing garages and any land retaining structures that may be required once removed.

Due Regard Record

This page shows **which groups of people are affected** by the subject of this report. It sets out **how they are affected** and how any **unlawful discrimination** they experience can be eliminated. It also includes information about how **access to the service(s)** subject to this report can be improved for the different groups of people; and how they can be assisted to **understand each other better** as a result of the subject of this report.

S149 Equality Act 2010 requires that due regard must be paid to this information when considering the subject of this report.

Within the Housing Service Strategy, it has been identified that the target groups that are affected by the Council's house building programme are people in need of:

- Affordable Housing,
- Homelessness assistance,
- Supported housing for special needs groups,
- Owners and occupiers of poor condition housing
- Council and housing association tenants.

From that, it was identified that generally, there is an under provision of suitable accommodation for nearly all target groups. This has been reaffirmed in the most recent Strategic Housing Market Assessment.

Decision making is affected by funding and other factors, such as the availability of building land suitable for particular groups e.g. the elderly or young families.

There is no evidence of unlawful discrimination in relation to the provision of affordable housing.

This report considers the future use of existing garages that have been earmarked for possible future redevelopment. There are a high percentage of vacant garages on each of the sites. Creating open parking creates a benefit for all local residents.