

Report to the Council Housebuilding Cabinet Committee



**Epping Forest
District Council**

Report reference: CHB-003-2016/17
Date of meeting: 12 December 2016

Portfolio: Housing

Subject: Sites unsuitable for Development

Responsible Officer: Paul Pledger (01992 564004)
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Democratic Services Officer: Jackie Leither (01992 564756)

Recommendations/Decisions Required:

(1) That the Council's garage sites to the rear of numbers 109 to 127 and to the rear of numbers 100 to 108 Pyrles Lane, along with Land and garages adjacent 14A Pound Close, Nazeing, be sold on the open market, with any receipt being recycled back into the Council House-building programme;

Executive Summary:

Each of the two sites at Pyrles Lane, Loughton, and the site in Pound Close, Nazeing have been identified as being undevelopable because they did not receive planning permission by the relevant Planning Sub-Committees in relation to their applications to deliver affordable housing for applicants on the Council's housing register. 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 and its terms of reference.

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. However, if any option other than the use recommended is chosen, then the Committee must appropriate the sites to suit the alternative use.

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 two sites at Pyrles Lane in Loughton, and the site in Pound Close, Nazeing have been identified as being undevelopable because they did not receive planning permission. The reasons are set out below:

Pyrles Lane site A (EPF/2637/15)

4. At its meeting on 29 June 2016, the Area Planning Sub-Committee (South) refused planning permission for the development of 2 houses, replacing the 12 garages at rear of numbers 109 to 127 Pyrles Lane (See appendix 1), “*by reason of its height, siting and design, the proposed dwelling houses would appear as an overbearing, intrusive and alien form of development that would detract from outlook from adjacent gardens and flats and from the character and appearance of the locality.*”

By reason of the failure of the proposal to make appropriate provision within the locality for the parking of cars displaced from the application site, including informal parking on the access way and hardstanding adjacent to the garages, the proposal would be likely to exacerbate parking stress in the locality. As a consequence, the proposal would cause harm to the character of the locality and the amenities enjoyed by local residents.”

Way Forward:

Members considered a way forward could include reducing the height of the dwelling houses to single-storey only; designing the reduced height dwellings such that they would appear less intrusive when seen from the adjacent flats and their gardens and ensure their detailed design conformed with the design of other buildings in the locality. Members also considered a revised proposal should include measures to ensure the access way to the houses is kept clear of vehicles and to provide for all off-street parking displaced from the site.

5. If a revised scheme was prepared to take account of the proposed way forward, then the cost would make the scheme unviable. Therefore it is recommended that this site be sold on the open market with any receipt being recycled back into the Council House-building Programme.

Pyrles Lane site B (EPF/2638/15)

6. At its meeting on 27 April 2016, the Area Planning Sub-Committee (South) refused planning permission for the development of 3 houses replacing the garages to rear of numbers 100 to 108 Pyrles Lane, Loughton (See appendix 2). Their decision is recorded as “*The cumulative impact of the*

means of accessing the development site, comprising of an access way of considerable length and narrow width, insufficient to allow cars to pass each other, together with the absence of a turning area within the site is likely to result in significant conflict between vehicles, pedestrians and cyclists.

Insufficient details of the means of storing refuse is submitted and, having regard to the highly constrained access arrangements for the site, it seems likely that the indicated refuse storage proposals on collection days would exacerbate the harm identified in the first reason for refusal that the access arrangements would cause to the interests of safety.

By reason of its bulk, scale, height and siting adjacent to the ends of rear gardens of houses on Pyrles Green, Pyrles Lane and Grosvenor Drive, it is likely the proposal would appear excessively overbearing when seen from the gardens of 11, 12 and 13 Pyrles Green, 102, 104, 106 and 108 Pyrles Lane and 31, 33, 35, 37 and 39 Grosvenor Drive.”

Way forward

“Members considered it may be possible to address their concerns about the safe and free flow of traffic by providing a turning head within the site and demonstrating appropriate sight lines at the junction of the access way with Pyrles Lane. Members recognised achieving a turning head within the site will require a reduction in the numbers of off-street parking spaces for the development and were willing to give consideration to a revised proposal. Members considered their concern about the living conditions of neighbours may be addressed by reducing the height of the proposed terrace through either providing first floor rooms partially within the roof space or by proposing a single-storey building as an alternative form of development.”

7. If a revised scheme was prepared to take account of the proposed way forward, then the cost would make the scheme unviable. Therefore it is recommended that this site be sold on the open market with any receipt being recycled back into the Council House-building Programme.

Land and garages adjacent 14A Pound Close, Nazeing (EPF/1829/16)

8. At its meeting on 16 November 2016, the Area Planning Sub-Committee (West) refused planning permission for the development of 4 affordable houses replacing the 12 garages in the south western corner of Pound Close, Nazeing (See appendix 3). Their decision is recorded as

“This is a cramped form of development which will have an adverse impact on the character and appearance of the area, street scene and neighbouring amenity.

The proposed scheme would have an unacceptably adverse impact on both highway safety and parking provision in this crowded and congested area.”

Way forward

Members discussed a way forward and concluded that there should be no built development but a use of the land for allotments would be acceptable.

9. Since the way forward proposed by the Area Planning Committee (West) is not to develop the site for housing, it is recommended that this site be sold on the open market with any receipt being recycled back into the Council House-building Programme.

Resource Implications:

The viability assessment for each of the two sites at Pyrles Lane and the site at Pound Close, Nazeing has already been approved by the Cabinet Committee, based on the original

schemes presented in November 2014 and June 2015 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 each of the applications for Pyrles Lane, Loughton and the Area Planning Sub-Committee (West) has considered each of the applications for Pound Close, Nazeing.

Background Papers:

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

Risk Management:

That the garage sites will continue to attract anti-social behaviour while they remain under-used.

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. If these sites are sold, then the capital receipt will help fund other development sites on the Council house-building programme.