

## BASILDON BOROUGH COUNCIL

**Report to:** Planning Committee  
4 October 2016

**16/00898/OUT: HYBRID APPLICATION (PART FULL/PART OUTLINE) FOR THE PHASED, COMPREHENSIVE REGENERATION OF THE FORMER CRAYLANDS AND FRYERNS ESTATE, BASILDON (INCLUDING THE DEMOLITION OF IDENTIFIED PLOTS) TO PROVIDE UP TO 587 RESIDENTIAL DWELLINGS; UP TO 5,424 SQ.M OF FLEXIBLE FLOORSPACE (USE CLASSES A1-A5, B1, C3, D1 & D2), WITH ASSOCIATED MEANS OF ACCESS, CAR PARKING, LANDSCAPING, SERVICE INFRASTRUCTURE, TEMPORARY CONSTRUCTION COMPOUND AND OTHER ASSOCIATED WORKS AND IMPROVEMENTS.**

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**Enclosures:** Enclosure No. 1 - Risk Management Implications

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### **EXECUTIVE SUMMARY:**

This report describes Planning Application No.16/00898/OUT, for the erection of 587 dwellings and associated development at the former Craylands estate, now known as Beechwood Village, and sets out the issues the Committee should take into account in determining the application.

Outline planning permission was originally granted in 2008 under reference 06/00873/OUT for the redevelopment of the Craylands and Fryerns School estate to provide 1400 new dwellings. This was followed by subsequent reserved matters applications for the first phases of the development which has resulted in 201 dwellings being completed in 2012 and a further 206 nearing completion. Following extensive consultations with local residents and a review of the condition of some of the properties scheduled to be demolished under the terms of the original outline consent, this revised application seeks consent for 587 dwellings (to give a total of 994 dwellings). This is a reduction from the 1400 originally planned to be built under the previous consent. In summary this application is in effect seeking a variation to the scheme approved under 06/00873/OUT.

The application is presented in detail for some of the phases and outline for the others. It also proposes that the dwellings in the west phase be offered as custom-built dwellings to offer buyers choice and flexibility in the layout and final design of the properties. This will be within a series of design codes to ensure that there is a degree of uniformity within the scheme to ensure that the overall appearance of this part of the estate is of a high standard.

The entire development would be built in accordance with a Masterplan for the whole development together with a landscape Masterplan to ensure co-ordination across the whole development.

This is an important regeneration project that addresses a number of problems that exist in the original 'Radburn' inspired layout, (a style now recognised as not being a successful approach to the planning of residential estates). It follows extensive stakeholder involvement in the evolution of the scheme such as to ensure the resultant development meets the wishes of the community that have been resident on the development. The re-planning of this area to create a more traditional form of development does nevertheless present a number of challenges as with retrofitting conventional street patterns results in some compromises being necessary to ensure a balanced scheme and retain viability.

The application is considered to comply with the National and Local Plan saved policies. Where there are limited conflicts with guidelines such as back-to-back distances, these are addressed in the design of units to ensure overlooking does not occur. Car parking is below the current adopted standards, apart from the west phase and commercial hub, however, this has been evaluated having regard to the existing provision and distribution and the scheme represents an overall improvement. Parking spaces are also located so as to be in locations that have greater surveillance and security.

Affordable housing over the whole development meets the requirements of the intent in the original legal agreement delivering 30%. The viability of the scheme is such that an increase in this number cannot be substantiated.

Whilst some mature planting is to be lost within the scheme, this is being compensated for by the inclusion of areas of open space and landscaping to create an improved setting for the development with ecological benefit and greater recreational value.

Having regard to the planning balance, it is considered that the scheme will lead to a positive enhancement of this locality, providing much needed new homes in an urban area.

**WARD:**

Fryerns

**RECOMMENDATION:**

**That Planning Application No. 16/00898/OUT be granted conditional planning permission, subject to the completion of a Section 106 Agreement to include the affordable housing; education contribution and health care contribution.**

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**BACKGROUND**

The planning application is a hybrid application, (part detail and part outline) for a residential led regeneration scheme of the former Craylands and Fryerns Estate, now known as Beechwood Village. Planning approval was originally granted in 2008 for the comprehensive redevelopment of the Craylands estate and adjacent former Fryerns School site to provide 1,400 new residential dwellings. Work has commenced on the development and to date almost 407 dwellings have been built.

The site comprises land falling within a number of ownerships. This includes the Homes and Communities Agency ('HCA'), Basildon Borough Council ('BBC'), Essex County Council ('ECC'), Swan Housing Association ('SHA'), North East London NHS Foundation Trust, privately owned land and unregistered land. Despite the number of existing land ownerships, SHA has the necessary development agreements in place to develop the site.

Following extensive consultation with residents, Basildon and the HCA, this planning application submission presents a revised Masterplan for the site. It differs from the master plan permitted in 2008 largely because it is no longer necessary to demolish as many houses as originally envisaged in the 2008 consent. Many of the houses that had been previously identified for demolition are in a perfectly good state of repair and as such their demolition would be unsustainable and unnecessary. However, all of the maisonette blocks owned by Basildon Borough Council are to be removed and this equally affords the opportunity to improve connectivity within and across the north and south phases into the wider development and the new west phase linking into a central hub. It will also improve the feeling of safety through physical enhancements such as lighting, traffic calming and providing parking spaces in more appropriate locations. The Masterplan presented within this submission has been prepared as a direct response to consultation with the local community and local stakeholders.

In effect the application seeks a variation to the outline planning permission already granted for the site.

The application is accompanied by the following supporting documents, in addition to the necessary drawings;

Planning Statement; Statement of Community Involvement; Design and Access Statement; Design Code for the west phase (with plot restriction matrix), Air Quality Assessment; Affordable Housing Statement; Arboricultural Survey and Statement; Daylight and Sunlight Appraisal; Drainage Strategy; Ecology Appraisal; Energy Statement; Noise Assessment; Phase 1 Geotechnical Report; Transport Assessment; and Viability Appraisal.





accommodation will be provided, comprising 88 houses and 8 flats ranging in size from 1 bedroom, 2 person flats to 4 bedroom, 6 person houses. Of the 96 new homes, 15 (16% of this phase) will be provided as affordable accommodation in the form of social rented tenure. The affordable housing provision throughout the entire development is considered later in this report.

The demolition of these properties creates the opportunity to establish clearer vehicular routes through the estate, so that it becomes more permeable and easier to navigate. The most significant change is the opening up of a north-south route running from Peterborough Way to Britten Avenue. This also provides an opportunity to establish clear pedestrian routes through and beyond the estate with new landscaping and lighting. The siting of the new buildings has been designed to create a more traditional street pattern resulting in a more secure environment, with passive surveillance over all streets and back gardens. This approach is consistent with the original outline approval for the site which had the same objectives to improve the environment within the estate and create safer living conditions.

The proposed dwellings will all be two storey with a pitched roof to match the surrounding houses. However in order to create the traditional street pattern, the depth of some garden sizes has had to be reduced. To overcome this issue and avoid overlooking, the layout has been designed so that there are no habitable rooms overlooking any gardens at first floor level. This will be considered further in the planning assessment below.

### *Car parking and access*

The existing layout of the estate is made up of maisonette blocks, garages, and dense areas of housing accessed by alleyways. There are also large parking areas which are underused as they are some distance from residents' homes, and are not overlooked or secure. The proposal provides the opportunity to reconfigure the parking arrangements to allow existing residents to park closer to their homes. It also rationalises the parking on Peterborough Way and Lincoln Road.

The proposed development incorporates the provision of 375 car parking spaces for the 287 homes in the North Phase (96 new and 191 existing). This is a ratio of 1.30 spaces per dwelling. The provision of car parking within the overall scheme will be considered further in the planning assessment below.

### *Landscape*

The application is supported by an overall Landscape Masterplan with more detailed plans for the phases that seek detailed consent. The existing streetscape is largely inactive and underused. The proposed development therefore seeks to create a sense of arrival from the periphery roads of Peterborough Way and Lincoln Road for residents. This is achieved through minor alterations to the junctions with Rochester Way and Peterborough Way. The Landscape Masterplan also seeks to enliven the key streets within the North Phase which are most frequently used by residents. This is proposed to be achieved with tree planting and improved and widened pavements, together with attractive front gardens. In addition a number of areas have been identified where small landscape hubs can be developed to improve the appearance of the area.







18 properties (1 and 2 bed) which will be affordable housing in the form of social rented tenure.

In total the West Phase proposes 251 new homes, of these 242 are proposed for customisation, while a further 9 properties on the southern boundary are proposed for future determination as 'self-build' or custom build development. The density of the development on this phase will be 33 dwellings to the hectare.

The design of the West Phase has been established around a set of linked green spaces that move diagonally on a northwest to southeast axis through the site. The residential properties are arranged around an internal perimeter road which is bisected by three north-south link roads so that the new dwellings can be arranged in a traditional street pattern.

To accommodate the development within this phase an existing row of mature trees that run along Hastings Path will have to be removed and to compensate for this the application proposes the new set of linked green spaces referred to above. These form the focus of the landscape strategy for this phase and have been designed to give the visual impression of one linear green space. Each of the spaces will have a subtle difference in the form and type of the planting and the landscape strategy includes a comprehensive tree planting strategy which will enhance the character of each area. In addition there will be extensive tree planting around the perimeter road and within the linked green spaces.

In this phase all new dwellings will have two car parking spaces on plot and visitor car parking spaces will be provided at a ratio of 1 space for every 4 dwellings.

#### West Phase B

The West Phase B relates to a 0.22 hectare area at the southern end of the West Phase. Here 9 properties are proposed as 'self-build' development to be the subject of a future reserved matters application. These properties are shown on the Masterplan to be part of the layout of the West Phase and will front onto the perimeter road referred to in the description of the West Phase above.

#### PLANNING HISTORY

According to the Council's planning records there have been the following major applications relating to the application site, prior to the current application:

<u>Application No.</u>	<u>Proposal</u>	<u>Decision</u>	<u>Date</u>
06/00873/OUT	Partial demolition and redevelopment to provide up to 1400 new dwellings (of which up to 750 new dwellings) together with a local centre comprising up to 6 Class A retail units, community uses, education use, associated roads, car parking and landscaping with all matters reserved apart from access.	Grant	22/05/08

07/00002/REM	Reserved matters application for Phase 1 of 06/00873/OUT for the demolition of the existing dwellings, shop and community centre to be replaced with 391 dwellings, together with the retention of 35 dwellings, temporary shops and community facilities.	Grant	01/08/08
10/00150/FULL	Revisions to the external elevations and roofs of the 5no Apartment Blocks approved under 07/00002/REM for 133 flats.	Grant	01/04/10

## CONSULTATIONS

### External Consultees

Anglian Water

The foul drainage from this development is in the catchment of Basildon Water Recycling Centre that will have available capacity for these flows.

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of contact.

Essex County Council  
Specialist Archaeological Advice

Report that the western part of the site appears to have remained undeveloped and undisturbed over the last century and has a high potential for the preservation of archaeological remains. Therefore request conditions be attached to any consent to require an archaeological trial trenching programme to be submitted and agreed by the local planning authority and the submission of a post-excavation assessment and report.

Essex County Council Highways  
and Transportation

At the time of writing the report the Highway have not submitted their formal response but have confirmed that they have no objections to the application. An update will be given to the Committee which will include details of conditions to be attached if permission is granted for the development.

Essex County Council Flood Risk  
and Water Management

At the time of writing the report the final response has not been received from ECC, as they have been involved in

further discussions with the applicants over the details of the drainage strategy. An update will be given to the Committee.

#### Essex County Council Education

The proposed development is within the Basildon Central primary forecast planning group as set out in ECC's document 'Commissioning School Places in Essex'. In 2019/20 the permanent net capacity of the planning group is likely to be 4,229. It is forecast that 4,369 children will be on the role in 2019/20; a deficit of 70 permanent places. A contribution is therefore sought based on net additional demand from the development calculated using the normal formula basis. This will be included in a Section 106 Agreement.

In relation to secondary education, the proposed development is within the Basildon Secondary Group 1 (Basildon/Billericay/Wickford) forecast planning group. By the year 2019/20, the group is forecast to have a surplus of 1,391 secondary school places. No contribution is therefore requested for secondary education.

#### NHS England

- The proposed development is likely to have an impact on the services of 6 GP practices including 3 branch surgeries operating within the vicinity of the site. The GP practices do not have capacity for the additional growth resulting from the development. The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. NHS England would therefore expect these impacts to be fully assessed and mitigated.

A Healthcare Impact Assessment has been prepared by NHS England to provide the basis for a developer contribution towards capital funding to increase capacity within the GP Catchment Area. The level of contribution required is £160,980 and this will be the subject of a Section 106 Agreement.

The Campaign to Protect Rural Essex (CPREssex)

CPRE do not normally comment on planning applications in urban areas and have no comments on the major part of the plans for this extensive development. However one part of the plans involves the removal of the pedestrian access between Pattiswick Square and Craylands, known as Hastings Path, and we wholly condemn the proposed removal of the wooded area that has grown up in this location, including at least 150 mature and semi-mature trees of which two are ancient oaks.

CPRE therefore wishes to object to the planning application on the grounds of loss of amenity, destruction of biodiversity, and contribution to degraded air quality brought about by the felling of 150 mature and semi-mature trees.

Internal Consultees

Environmental Health

- This service has identified several sites of potential contamination that lie directly on the areas proposed for development (small unknown infills/garages on the northern/southern areas of the site and the former Nevendon Craylands County Secondary School/Fryerns School and associated outbuildings on the western area of the site). As the development will introduce a pathway via which contaminants may be exposed to receptors, it will be necessary to carry out a desktop study and ground investigation. Recommend that the standard Contaminated Land condition is attached if planning permission is granted for the development. Also recommend conditions be imposed to restrict the hours of construction and demolition, and the employment of dust suppression methods.

Refuse Services

- No objections.

Regeneration Services

- Basildon Council's regeneration team is supportive of this planning application. Since 2006, when Swan was awarded the project to develop Fryerns and Craylands, much improvement has taken

place. The regeneration team is impressed with the quality of work Swan has achieved, with over 400 homes already delivered. The regeneration of Fryerns and Craylands is a flagship scheme for Basildon Council, and this planning application marks the next stage of the project. The team continues to support the comprehensive development of the site.

Development and Investment,  
(Housing Strategy)

The Craylands regeneration project is a significant and important housing regeneration project for the borough that has taken years to bring forward, owing to its scale and complexity of delivery. It is noted that an original outline consent was granted in relation to application reference 06/00873/OUT which required 30% of new homes to be delivered as affordable housing, and that previous phases of the Craylands Estate regeneration project have delivered a higher percentage of affordable homes than required under this consent.

Across the detailed and outline elements of the current application, 62 affordable housing units are proposed which equates to 10.56% of the total number of units. However, the level of affordable housing contained within this application is sufficient that the original 30% upon which the original outline consent was approved upon is fulfilled, and the basis upon which that application was approved is met. In this regard, no assessment of viability is required.

It should also be noted that this is a major regeneration scheme seeking to introduce a range of tenures to what was a previously mono-tenure estate, with challenges and associated cost in leaseholder buyouts and demolition and site clearance.

The application is supported from an affordable housing perspective.

Planning Policy Team

Have submitted a detailed response relating to how the application accords with national and local planning policy

and these points will be referred to in the main report. Their conclusion is that the application is for residential development for a site located within the existing urban area. There is a need for housing provision within the Borough to secure both a five year housing land supply, and also housing provision over a longer period in order to meet the need for housing as identified by the South Essex SHMA 2016 and this appears to be a well-planned scheme which follows key design principles to deliver a high quality urban development in Basildon.

Borough Councillors

- No comments received.

Neighbours/Third Party Representations

- An extensive public consultation exercise was undertaken in relation to this application including sending letters to all properties within Craylands as well as the placing of a number of site notices around the estate and a newspaper advert.

Nine individual responses have been received which make the following comments.

There were two letters in relation to the loss of trees along Hastings Path, and one of the letters included a petition of 76 signatures. Not all the signatures were from residents living within Craylands.

There were two letters from residents who did not want a park near Rochester Way.

There were two letters from owners of properties in Lincoln Road who say that the Council/Swan have reneged on original plans to demolish their particular block and furthermore the new plans propose removing their dedicated parking area.

A third letter from a resident of the same block in Lincoln Road also objects on the grounds that the existing parking provision is being removed from the block.

A resident of Hereford Walk also objects on the grounds that their property will be impacted by the development in the following ways:

- Loss of light
- Noise and disturbance
- Planning Policy
- Privacy
- Various or multiple objections

Another resident objects on the basis that they are not in a financial position to move house.

## PLANNING COMMENTS

### Planning Policy

Appendix 1 to this Agenda provides details of the broad planning policy framework that is currently in operation.

Section 38 (6) of the Planning and Compulsory Act (2004) refers to the Development Plan as a whole and states that:

*“If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.*

### Basildon District Local Plan 2007

The statutory development plan comprises the Basildon District Local Plan Saved Policies 2007. An examination of the saved policies shows that there are only a limited number that have direct relevance to the application.

Policy BAS S5 (Affordable Housing), states that for developments of 25 dwellings or more, or residential sites above 1 hectare, the Council will expect an appropriate provision of affordable housing where suitable. The Council will seek both low-cost market and subsidised housing dependent on local housing needs and suitability of the site. The scale form and provision is identified as negotiable and may consist of between 15-30% of the total number of units.

Policy BAS R1 (Open Space), states that within urban areas, planning permission will not be granted for development of open space which would cause significant harm to the recreational or amenity value of the open space, or to the contribution which the open space makes to the character of the area within which it is located.

Policy BAS BE12 (Development Control), states that planning permission will be refused for new residential development if it causes harm in any of the following ways:

- Harm to the character of the surrounding area, including street scene;
- Overlooking
- Noise or disturbance to the occupants of neighbouring dwellings;

- Overshadowing or over-dominance; and
- Traffic danger or congestion.

Policy Bas BE24 (Crime Prevention), states that the Council will expect the design and layout of new development to include considerations of crime prevention.

The Proposals Map that accompanies the adopted Basildon District Local Plan does not designate the Craylands Estate for any specific land use except for some small parcels of land around the estate that are identified as Existing Open Space (of less than 0.4 ha). However, the now unused open space that formed part of the Fryerns School site is identified as School Playing Fields and Other Open Space and Existing Open Space (less than 0.4 ha).

### Emerging Basildon Borough Local Plan

The emerging Basildon Borough Council Draft Local Plan was the subject of public consultation in January 2016 and is scheduled to be submitted to the Secretary of State for Examination at the beginning of 2017. It can be given little weight at this stage of its development.

### Other Material Considerations: National Policy

#### National Planning Policy Framework 2012

The Framework sets out the Government's planning policies for England and how these are expected to be applied in the determination of planning applications. It re-affirms that applications must be determined in accordance with the development plan unless material considerations indicate otherwise (Section 38 (6) of the Planning and Compulsory Act). This is confirmed by paragraphs 11, 12 and 196 of the Framework, which continue to place importance on the plan-led approach. The Framework is a material consideration in planning decisions, and is a material consideration of very significant weight in circumstances where the extant development is out-of-date.

The Government has made clear its expectation, through the Framework, that the planning system should positively embrace well-conceived development to deliver the economic growth necessary and the housing needed to create inclusive and mixed communities. The presumption in favour of sustainable development is a key thread running through national policy for both plan-making and decision taking. Paragraph 14 sets this out as follows:

*“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.....*

*.....For decision taking this means;*

*approving development proposals that accord with the development plan without delay;  
and*

*where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:*



*Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*

*Specific policies in this Framework indicate development should be restricted”.*

The Framework also makes clear that for development plans to be afforded full weight, they should be up to date, be prepared in accordance with the Planning and Compulsory Act 2004; and have no more than limited conflict with the Framework. Where the development plan policies are likely to be regarded as out of date, or have more than “limited conflict”, with the Framework, this will inform the weight that a decision-taker may apply (paragraphs 214 and 215). Emerging development plans may also be afforded weight in the decision-making process according to their stage of preparation, and the extent of unresolved objections to them (paragraph 216).

Paragraph 6 of the Framework explains that the purpose of the planning system is to contribute to achievement of sustainable development. Paragraph 7 of the Framework states that there are three dimensions to sustainable development: economic, social and environmental and paragraph 8 confirms that these roles should not be taken in isolation as they are mutually dependent.

Paragraph 17 sets out a series of underpinning core principles which, inter alia, seek to proactively drive and support sustainable economic development to deliver the homes, business, infrastructure and thriving local places that the country needs; secure high quality design, take account of the different roles and character of different areas; recognise the intrinsic character and beauty of the countryside; contribute to the conservation and enhancement of the natural environment; promote mixed use development and sustainable, accessible development.

The Framework makes clear how it expects local planning authorities to approach decision taking at paragraphs 186-187:

*“Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.*

*Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area”*

#### Principle of the Development

The application proposes the delivery of 587 new dwellings together with a range of environmental improvements. If it is approved it will enable the continuation of the regeneration of the Craylands estate which is already well under way by virtue of the outline planning permission 06/00873/OUT and the subsequent reserved matters applications for the first phases of the development. In this respect the principle of the redevelopment of the application site has already been established and this application only seeks consent for alterations to the previously agreed scheme. Because of the scale of the development it has to be assessed as a new development but it is in effect only a variation of the previously approved scheme.

Paragraph 47 of the Framework places a requirement on local planning authorities to “boost significantly” the supply of housing and this proposal presents an opportunity to do that without encroaching on Green Belt land or on land that is designated for its nature conservation value, landscape quality, historic or conservation value. It will in addition not only provide new housing but also proposes a range of environmental improvements to help in the overall regeneration of the estate.

Therefore in relation to the principle of development there are no reasonable planning grounds on which to object to the application. However it is necessary to examine the detailed elements of the application to assess whether these are acceptable and also whether there are any other material considerations that need to be taken account of when determining the application. Finally an assessment has to be made as to whether the proposed development constitutes sustainable development in the terms of the Framework.

### Proposed Design, Density, Layout and Impact on Neighbours

The application is a hybrid application with only the North and Central Phases being in detailed form and the West Phase seeking consent for all elements apart from the appearance of the buildings. It is therefore only these phases that can be subject to a detailed assessment in relation to design, layout and impact on neighbours. However the other outline phases are included within the overall Masterplan for the site and are subject to parameter plans which if the application is approved would become the subject of a condition to guide the subsequent reserved matters applications. Each of the phases will be examined in more detail below.

#### North Phase

The description of the proposal above has already given an overview of the plans for this phase of the development. There are currently 296 units within the North Phase of which it is proposed to demolish 105, within 5 ‘intervention’ areas. The demolished buildings will be seven maisonette blocks and fourteen houses.

This phase is bounded to the east by East Mayne which produces a significant amount of noise and is surrounded by Peterborough Way and Lincoln Road along which vehicles travel at high speeds making it unsafe for pedestrians to cross. There are limited vehicular entrances into the site from the perimeter roads which do not connect and make the estate impermeable by car and difficult to navigate.

The demolished properties create intervention sites for new housing but they leave back gardens exposed and those properties which currently have rear accesses will need to have them retained. The properties which are to remain have frontages facing the intervention sites and it is important that these existing houses are properly addressed with suitable roads.

The approach taken to this phase is to use the opportunity created by the demolition of the buildings to create a more traditional street pattern with fronts of houses facing fronts of houses and back gardens facing back gardens. This creates a much more secure environment, with passive surveillance over all streets and back gardens protected. This also allows parking to be located around the estate, within view of the existing houses rather than in a large, shared car park.

All of the buildings are two storey with a pitched roof to match the surrounding existing houses. In order to create the traditional street pattern the depth of some garden sizes has had to be reduced, but to overcome this issue and avoid overlooking, the layouts have been designed to have no habitable rooms overlooking the gardens at first floor level. The total number of units is 96 of which 88 will be houses and 8 flats.

The landscape masterplan for the northern half of the Beechwood estate utilises the development proposals to create an enhanced public realm. The existing streetscape is largely inactive and lacking animation from the point that people enter the estate. The proposals seek to create a sense of arrival from the periphery roads Peterborough Way and Lincoln Road. This will be achieved by a tidying and tightening up of the junctions from these two roads. In addition the key streets used by the residents will be enlivened with tree planting and improved and widened pavements, together with the addition of front gardens. Also existing spaces such as the triangle of land along Rochester Way will be enhanced by a robust and sensitive landscape scheme. Also additional landscaping will be provided at nodes along Humber Way and Peterborough Way. The enhancements will include tree and shrub planting, improved paving, robust furniture and natural play facilities.

Two letters have been received which object to the creation of a park near Rochester Way, however the proposed landscaping areas are relatively small and are intended to enhance the appearance of the area rather than provide a park.

A number of the proposed dwellings will not have the normal back to back distances or garden sizes required by the Council's Development Control Guidelines. This is caused by the need to infill the new development into an existing layout which presents some constraints. However this has been mitigated by either having no rear facing windows at first floor level or where there are rear facing windows they are to non-habitable rooms and will have obscure glazing.

When undertaking the planning balance exercise as required by the Framework this will have to be weighed against the benefits of the scheme.

There have been three comments from owners of properties in Lincoln Road which are set out in the neighbour comments above. The applicant has been asked to comment on these concerns and has supplied the following information.

*"The residents of this block are correct in stating that the maisonette block was originally identified for demolition within the 2006 planning application. However, the current proposals represent an entirely new planning application. As part of this process it has been necessary for Swan and Basildon Council to revisit and review the scheme, the Masterplan and the overall proposals in the context of viability. Within this context, it is no longer viable for Swan to purchase the private leasehold properties at 76, 79, 80 & 81 Lincoln Road. This matter has been discussed with the owners of the property. This is not a material planning issue and should not be considered within the context of the current planning application.*

*With regards to car parking, Swan has sought to apply a consistent approach to car parking across the wider estate. As part of the comprehensive regeneration proposal, it has been necessary to review existing unattractive or underutilised spaces within the estate for development; existing car parking courtyards have formed a key part of this strategy. In developing the proposals we did undertake surveys to establish actual usage*

*across the estate during peak times to inform the proposals submitted in our planning application.*

*The existing car parking does not fall within the private demise of the existing properties – as such, there is no requirement for Swan to re-provide like for like car parking. Notwithstanding this, Swan have sought to provide an appropriate and consistent amount of car parking across the estate to ensure that all residents have sufficient space to park. Whilst this strategy applies to the wider estate, it must be noted that this phase (the South Phase) is only submitted in outline form at this stage, and as such there will be further opportunities on the submission of the details to consider the most appropriate locations for car parking spaces. Local residents will again have an opportunity to comment on these proposals at the appropriate stage.”*

## The West Phase

The West Phase comprises the land (6.89 ha) that was formally the Fyerns School and playing fields. The proposed layout will have two primary vehicular and pedestrian access points; along the eastern boundary adjacent to the new Community Hub and at the north-west corner of the site opposite the Fryth, an existing open space with playing fields and mature trees. The existing pedestrian and cycle route at the south-west corner of the site will be maintained, although re-orientated to link into the new network of proposed streets and houses. Neighbouring buildings are predominantly two and three storey terraced, detached and semi-detached houses to the north and west, and a combination of two and three storey houses and flats to the east and south. All neighbouring buildings are clad in a combination of brick, render and tile, in a wide variety of colours.

Where existing neighbours have gardens backing onto the site, the new dwellings will have a comfortable back to back distance that prevents overlooking, and improves security for both.

The proposed layout creates new routes across the site and a clear hierarchy of streets with primary, secondary and tertiary roads. The new road network consists of a primary avenue loop, which connects the two site entrances. This is then sub-divided by north-south secondary streets which intersect at regular intervals. New tertiary roads, or lanes are introduced at the south-west and north-east corners of the site.

A series of “linked greens” connect the public amenity spaces adjacent to the site; the new community hub to the east and the Fryth open space to the north. This new public open space creates an opportunity for recreation and amenity, both for residents and pedestrians crossing the site on route to other destinations.

The streets and greens are then given definition by grouping different house types according to the streets that they front onto. By varying the building form, typology, scale and density of the proposal, the intention is to create places of different character and interest which respond sensitively to the existing landscape edges. This is achieved by placing the detached and semi-detached houses along the primary avenue loop road, the terrace houses primarily along the north-south secondary streets and the tertiary streets and the ‘lane houses’ along the tertiary streets. There will also be a number of individual ‘corner’ and ‘park houses’ sited on either corner plots or adjacent to areas of open space.

The proposed dwellings within the West phase have been arranged to maximise the potential for access to natural light whilst minimising the potential for nuisance overlooking. Wherever possible, the Council’s guideline figures of 21.6m back-to-back

separation distances and 10.8 rear garden depths have been adhered to for all new homes sharing a garden boundary with existing neighbours. Where there are “pinch-points” and it is not possible to meet the guidance, houses have been planned to either have no aspect along their rear façade (as is the case for all Lane houses) or obscured glazing and/or oriel windows have been introduced to ensure adequate privacy (as is the case for the Fryth house and additional bedroom for the Avenue House and Terrace House).

The proposed layout of the West phase ensures that all the dwellings on the outer edge of the phase will have a minimum back to back distance of 21.6m with the existing dwellings that bound the site. In the case of 7 properties in the north-west corner it is not possible to meet the 10.8m minimum garden depth, due to the length of the gardens of the existing dwellings. The 10.8 m depth could only be achieved by significantly compromising the entire layout. However in the case of these 7 properties, the back to back distances to properties outside the site range from between 30.1m and 37m which is well in excess of the 21.6m minimum standard. Therefore an overlooking problem will not be created by the fact that these 7 dwellings will have less than the 10.8m minimum. The gardens of all the proposed dwellings along the western boundary will vary from 70sqm to 90sqm at their smallest and in excess of 135sqm at their largest. The shorter depth of garden is compensated by the increased width of the plots, which are wide enough to accommodate on plot parking adjacent to each house.

The gardens of the proposed dwellings along the northern boundary all have gardens in excess of 10.8m where they back onto existing properties. However there is one existing property whose boundary is close to the site boundary. This means that any new homes will be less than 21.6m back to back, even with 10.8m gardens. It is proposed therefore to carefully place oriel windows to the upper level habitable rooms in this location to prevent overlooking. Conditions will be imposed to ensure that this is enforced where necessary within the development. In addition a line of semi-mature trees and hedgerow exists along the northern boundary and as much as possible of this planting will be retained to ensure the visual amenity and privacy of existing and new residents is retained.

To the west of the existing properties on the northern boundary, a row of new Fryth houses are proposed. Because of their proximity to new and existing homes, these houses have been designed to ensure they maximise view and light for their inhabitants whilst also providing adequate privacy between neighbours. This will be achieved by having no south facing aspect to all upper level rooms and the use of obscured glazing to any secondary windows facing south.

A three storey block of flats sits adjacent to the east boundary of the site. This contains a single 2 bed flat on each of the first and second floors. The living/dining kitchen space of each of these flats sits on the south-west corner of the building and the primary aspect is to the south, although a small secondary window overlooks the West phase. The main bedroom of each flat occupies the north-west corner and has its primary aspect to the north, with a small secondary window overlooking the West phase. A smaller single bedroom has its primary aspect to the west, overlooking the site.

It is proposed to alleviate any overlooking issues by designing the proposed homes along the north-east boundary of the West phase so that they have no rear aspect at the upper levels. In addition a large gap has been maintained to ensure that no houses are proposed directly adjacent to the existing block of flats. The nearest direct neighbour will be 26.4m away.

There are no direct neighbours along the southern boundary of the site. The children's facility to the south is single storey and there is no potential for direct overlooking between properties. The gardens of the proposed dwellings along this boundary have been increased in width to maximise their size and ensure they are of an appropriate size to provide amenity space for the size of property proposed.

In the south-east corner of the site, along this boundary, the properties will come forward as 'Self-Build' units. The precise location/layout and size of these units will be subject to future determination by way of reserved matters applications.

All of the houses have been designed to meet the new Nationally Described Space Standards and to be compliant with the new Part M Category 1 accessibility level. More than 10% will also be capable of achieving the new Part M Category 2 and 3 accessibility standards, should purchasers desire these as a customisable option within the custom build approach adopted for the West Phase.

The West Phase of the development will be delivered on a custom build approach that will enable the future residents to have a significant input into the creation of the new neighbourhood. The actual appearance of the proposed dwellings will be the subject of a reserved matters application but plans have been included with this application which give details of every possible option that will be available.

Buyers will be offered a selection of house types applicable to a number of plots across the site and each will be uniquely customisable. Options will include external variations chosen from a pre-selected palette of materials and a number of internal plan configurations and specification levels. The available options for each plot are listed in a Plot Restrictions Matrix which also captures all plots which require specific restrictions, such as feature windows or obscured glazing to prevent overlooking of adjacent neighbours. The requirement for all future applications for approval of reserved matters and discharge of conditions to comply with the matrix can be attached as a planning condition.

A number of specific design controls are proposed to achieve a level of uniformity to the street scene. These include:

- Uniform ridge and eave heights
- Uniform window types, sizes and locations
- Consistent floor-to-floor heights
- Uniform material transition datums
- Consistent treatment of soffits and reveals
- Consistent treatment of defensible space and garden walls
- Consistent approach to on-plot parking

Buyers will also be offered a range of internal living arrangements to suit their particular requirements. Images of the proposed housing types will be available to view at the Committee.

### Landscaping

There have been two letters of objection relating to the loss of trees along the southern boundary of the West phase. One of the letters includes a petition of 76 names objecting to the loss of the trees. As well as the loss of the trees the letters are concerned about the impact on the birds that use the trees.

The Arboricultural Report submitted with the application states that there are 31 individual trees and 8 groups that within the Western and Central phase. The report concludes that 8 moderate amenity trees, 5 low amenity trees and 8 low amenity groups will have to be removed to facilitate the development of the western and central phases. The trees along Hastings Path are a mixture of Elm, hawthorn, blackthorn and goat willow which are described as low amenity scrub screening containing dead elms.

The proposals for this phase include a landscape Masterplan which incorporates a range of proposals for new planting. As has already been referred to in this report there will be the creation of four linked green spaces which will form a linear park running through the development which will also link the two entrance hubs. Different larger signature trees will be planted in each of the green areas, Holm Oak, Scots Pine, Blue Atlas Cedar and Japanese White Pine. These are all evergreen to provide a consistent canopy throughout the year. Bordering each of the greens will be rows of flowering cherries to provide a consistent link through all four spaces, with seasonal blossom and a deciduous canopy to contrast with the signature trees.

The outer perimeter road will have trees planted along the length of the road, and a single tree specimen will be utilised to provide consistency. The application proposes *Acer campestre* 'Streetwise'. In total 127 new trees are proposed across the western and central phases.

In response to the particular concerns of the residents the applicants have commented as follows:

*“As part of the planning application submission, an ecological survey has been carried out by a qualified ecologist on behalf of Swan. The report does not highlight Hastings Path as an area of high ecological value. However, notwithstanding this assessment, Swan does acknowledge the local significance of this area of the site. As such, in order to compensate for the loss of part of Hastings Path Swan is currently working on a detailed landscape and ecological enhancement strategy for the wider estate. This will include measures which will seek to enhance biodiversity across the site, for example the installation of bat boxes on the external walls of some houses. Mitigation measures will also include improvements to the swale area and the creation of a clear green route through the site to the Fryth. It should also be noted that an area of wild, unkempt amenity land to the rear of the College site (along the application boundary) will be retained.*

*Whilst a Landscape Strategy has been submitted with the planning application, Swan is willing to commit to the preparation and submission of an Ecological Enhancement Plan which could be secured via a planning condition. This is an area that Swan and Basildon Council will continue to work with local residents on. It is worth noting that Beechwood Village Community Trust is currently being incorporated and one of its objectives is to promote the protection of the environment through the promotion of sustainability initiatives and encouraging the use and maintenance of open spaces.*

*In addition, the design of the scheme, and in particular the West Phase has been established on Secured by Design principles. It has also been necessary to ensure that the scheme is viable and deliverable. This combined has resulted in the need to remove part of Hastings Path and to utilise this land within the development proposal.”*

## Parking and Highway Issues

### North Phase

The existing layout of the estate provides large parking areas which are underused as they are too far from existing residents' homes, and they are not overlooked or secure. The applicants have undertaken surveys of the existing parking situation and found that:

#### Existing Parking Situation

73% of 306 total parking spaces utilised at peak	222
46 garages currently used	46
Parking spaces utilised at peak along perimeter road	50
Informal Parking	25
<b>Total</b>	<b>343</b>

Existing Dwellings	296 Units
	343 spaces in use at peak
	(1.15 spaces in use at peak per unit)

#### Proposed Parking Situation

Unallocated Parking	224
Allocated Parking	132
Informal Parking	19

Proposed Dwellings	287 Units
	375 Parking Spaces Provided
	(1.30 spaces per unit)

This indicates that the level of proposed parking provision whilst being below the ECC guidelines does provide an increase in relation to the current level of take-up of parking spaces at peak times within the estate. The current level of usage has been the subject of a detailed survey carried out over a number of days at peak periods.

The parking proposed for the west and central phases will be compliant with the ECC guidelines.

It is considered that the proposed parking provision is acceptable given the information on current usage.

## Other Material Considerations

### Affordable Housing

The application proposes the provision of 62 social rented units across the site. These will comprise 15 social rented in the North Phase, 29 social rented units in the south phase and 18 social rented in the Central West Phase. As 587 new dwellings are being provided within the proposed development this equates to an affordable housing provision of 10.5%. However, it is not reasonable or appropriate to assess the level of affordable housing simply on the level of provision within this application, but account must be taken



of the amount of affordable housing being provided throughout the entire Craylands regeneration programme.

As mentioned earlier in this report, Phase 1 of the development has already delivered 407 new dwellings of which 236 are affordable housing units (224 social rented and 12 shared ownership). This is a 58% affordable housing provision. This proposal is for 587 dwellings which will mean that in total 994 new dwellings will be provided throughout the entire regeneration programme. As 62 affordable housing units are being proposed in this application this will give a total of 298 throughout the total scheme. This amounts to 30% throughout the overall regeneration of the estate. This is compliant with Policy Bas S5 of the 2007 Saved Policies and is also consistent with the requirement of the Section 106 Agreement that accompanied the original outline planning consent which stated that *“the number of affordable housing units to be provided on the site as part of the development shall not be less than 30% of the total number of new residential units constructed on site as part of the development”*.

## CONCLUSION AND PLANNING BALANCE

### Does the application accord with the Development Plan?

Section 38(6) of the Planning and Compulsory Purchase Act (2004) refers to the Development Plan as a whole and provides that development proposals should be determined in accordance with the development plan, unless material considerations indicate otherwise.

There are only a limited number of the 2007 Saved Policies which are relevant to the determination of the application and the application is not in conflict with any of the policies.

**BAS S5 (Affordable Housing):** The application proposes 30% provision of affordable housing across the whole development which is consistent with the saved policy.

**BAS C1 (Protected Areas):** The application site does not contain any protected areas nor is it adjacent to any designated areas, so this policy is not breached by the development.

**BAS R1 (Open Space):** The West Phase of the development is on an area of former open space but the principle of developing this land was established by virtue of the approval of application 06/00873/OUT which was subject to a Section 106 Agreement which included a contribution towards the provision of open space and recreation. The contribution has been paid in full.

**BAS BE12 (Development Control):** There is some limited conflict with this policy in that not all the back-to-back distances and garden sizes comply with the Council's adopted guidelines. However the details within the application show how these impacts will be mitigated by the design and orientation of the new dwellings. There is also some limited conflict with the Essex County Council parking guidelines within the North Phase of the development. However the proposed provision reflects the existing take-up of parking provision within the northern part of the estate as evidenced in a series of parking surveys. In addition the application proposes to provide parking in more secure locations which will be of benefit to residents.

On this basis the application is in general conformity with the existing development plan for the Borough.

## Compliance with the Framework

It is also necessary to consider whether the application is compliant with the National Planning Policy Framework. This is particularly important where the existing development is out-of-date. This is consistent with paragraph 17 of the Framework.

The Framework is clear at paragraph 14 that in determining development proposals, decision makers should apply the presumption in favour of sustainable development. It also states that in circumstances where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless:

*“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework when taken as a whole; or*

*Specific policies in this Framework indicate development should be restricted.”*

The following assesses the application proposals in the context of the definition of sustainable development set out in the Framework. Before doing this, it is important to note that the Framework makes it clear that the three roles of sustainable development are ‘mutually dependent’ and should not be taken in isolation. The considerations that can contribute to sustainable development, within the meaning of the Framework, are multi-faceted. The factors involved are not always positive and it is necessary to weigh relevant factors against each other to arrive at a balanced position.

### Economic Role

The Framework confirms at paragraph 18 that the government is committed to securing economic growth in order to secure jobs and prosperity. Planning should not be an impediment to sustainable growth and significant weight should be placed on the need to support economic growth through the planning system.

The proposal would enhance/contribute to the economic role by the creation of jobs associated with the construction stages. New residents are also likely to support existing local services and businesses, with a possible increase in local jobs as a result. In addition the new dwellings would offer homes to local residents who would contribute to the labour supply, some of whom would be likely to be local.

There is a good prospect that some of the proposed housing could be delivered on site within five years.

These are all positive contributions to fulfilling the economic role which should be accorded considerable weight in the Planning balance. It is also acknowledged that the scheme as submitted is currently viable, although changes that resulted in a loss of units or increase in affordable housing would challenge the deliverability of the scheme.

### Social Role

Paragraph 50 of the Framework states that local authorities should seek to deliver a wide choice of quality homes and widen opportunities for home ownership, planning for a mix of housing based on current and future demographic needs.

The proposed housing would fulfil a social role by contributing to the support, strengthening, health and vibrancy of the local community by providing towards a supply

of housing to meet the needs of present and future generations. This would include much needed affordable housing.

The proposal would provide a mix of housing particularly with the inclusion of the custom build housing in the West Phase which would allow residents the opportunity to choose a house that matches their particular needs and preferences.

The new residents would have the potential to add to the vibrancy of the area by introducing new energy and enthusiasm. They could expand participation in local events and have the potential to introduce new skills and interests. The proposals would provide more community open space and improve the pedestrian links within the estate and improve the links to the surrounding areas.

The proposal would create a safer more hospitable environment for local residents by opening up parts of the estate and removing some of the inhospitable un-overlooked areas which has the potential to improve social cohesion.

The proposal would also introduce new commercial uses into the Central Phase to improve the range of services to residents.

These are all positive contributions to fulfilling the social role which should be accorded considerable weight in the planning balance.

#### Environmental Role

In relation to the environmental role there is overlap with the social role in relation to the environmental improvements that are proposed within the application. In particular the proposals for the interventions in the north and south phases to remove the existing alleyways and create traditional street patterns to ease safe movement through the estates.

The introduction of the landscaped area within the central phase and the other areas of landscaping in the west and north phases would make a positive contribution to the environment.

Whilst some existing trees and scrub are proposed to remove to facilitate the West phase this will be mitigated by the planting of 127 trees and the applicant has offered to submit an ecology enhancement plan to improve the habitats for wildlife within the site.

The development has been designed to minimise any impacts on the surrounding existing dwellings and although some of the proposed gardens and back-to-back distances are below the Council's adopted guidelines these are mitigated by other measures to prevent overlooking and secure privacy.

Whilst some harm is identified in terms of the Council's guidelines these do not significantly and demonstrably outweigh the substantial benefits of the development. The proposal therefore constitutes sustainable development for the purposes of the Framework and should be granted planning permission.

## Recommendation

Having regard to the above considerations it is recommended that application no. 16/00898/OUT be granted conditional planning permission subject to the applicants entering into a Section 106 Agreement to include contributions towards education and health provision and the provision of affordable housing.

A number of conditions will need to be attached to the permission and which will have to be specific to each phase of the development. A full list will be available at the Committee which will include those to be advised by Essex County Council in relation to highways and drainage strategy.

## **GENERAL INFORMATION**

### Financial Implications

Under Section 70 of the Town & Country Planning Act 1990 as amended by Section 143 of the Localism Act 2011, as implemented on April 6<sup>th</sup> 2013, local finance considerations are a matter to which local planning authorities are to have regard in determining planning applications, as far as material to the application. The New Home Bonus is capable of being a material consideration to which the weight given shall be determined by the decision maker. This will also be the case with Community Infrastructure Levy, when this is introduced.

The New Home Bonus (NHB) is a payment to local authorities to match the Council tax of net new dwellings built, paid by central government over 6 consecutive years. In this instance, the NHB is considered to carry some weight although not such as to outweigh the other considerations.

### Risk Management Implications

The risk management implications are set out at Enclosure No. 1.

### Inclusion, Diversity and Community Cohesion Implications

Any inclusion, diversity and community cohesion implications of this development proposal for the Council are not relevant to the determination of this application.

### Background Papers

1. Planning Application File No. 16/00898/OUT
2. Planning Application File No. 07/00002/REM
3. Planning Application File No. 10/00150/FULL
4. National Planning Policy Framework
5. Basildon District Local Plan Saved Policies Document 2007
6. ECC Car Parking Standards