

REGULATORY SERVICES COMMITTEE

13 March 2014

REPORT

Subject Heading:

P0047.14 – Orchard Village (formerly The Mardyke Estate) – Phase IV redevelopment (Date received 13/01/2014)

Proposal

Reserved Matters application pursuant to P2058.08 for the demolition of 24 residential units and 5 commercial units (89-153 odd Lowen Road) and erection of 87 new residential units in 2 blocks, accessed from Lowen Road with landscape and parking areas.

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Policy context

Local Development Framework
London Plan
National Planning Policy Framework

Financial summary

None

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	[X]
Championing education and learning for all	[]
Providing economic, social and cultural activity in thriving towns and villages	[]
Valuing and enhancing the lives of our residents	[X]
Delivering high customer satisfaction and a stable council tax	[X]

SUMMARY

This report concerns a reserved matters application for the fourth and final phase of the redevelopment of the former Mardyke Estate in Rainham (now called Orchard Village). The proposal is for the demolition of the remaining 24 original residential properties and the commercial units on the site and redevelopment to provide a 5 storey block providing 80 residential apartments, together with a terrace of 7 two storey houses. This final phase would provide 87 new residential units of market housing.

Outline planning permission for the redevelopment of the Mardyke Estate was issued in November 2009 following earlier consideration of the scheme by Committee in May 2009 and the completion of the S106 legal agreement. The outline permission established the principle of the redevelopment and agreed the development parameters, but apart from the alignment of the main east/west road, all matters relating to access, siting, design, external appearance and landscaping were to be addressed at the reserved matters stage

Phase 1 and 2 of the redevelopment are now complete and occupied and Phase 3 is now in the early stages of construction.

The principle of the redevelopment of the estate is therefore established and this application is for all reserved matters in relation to Phase 4 of the redevelopment. Detailed plans and elevations of all buildings comprising this phase have been submitted with this application together with a suite of supporting documentation, including a design and access statement, a transport statement, energy and sustainability statements, and sunlight/daylight analysis.

Staff consider that the development would be sufficiently in line with the parameters agreed for the redevelopment by the outline planning permission which is required by condition. The development is further considered to be acceptable in all other respects.

It is concluded that the reserved matters application should be approved.

RECOMMENDATIONS

That the Committee resolve that reserved matters permission be granted subject to the following condition:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans as listed above on this decision notice.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) Article 3, Schedule 2, Part 1, as amended by the Town and Country Planning (General Permitted development) (Amendment)(no. 2)(England) Order 2008, or any subsequent order revoking or re-enacting that order, in relation to Block H no development shall take place under Classes A – G unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

In the interests of amenity and to enable the Local Planning Authority to retain control over future development, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. The revised entrance arrangements for Newtons School shall be provided as set out on Drawing AA4106/2.1/010 Rev A prior to the commencement of development of Block H.

Reason :-

In the interests of highway and pedestrian safety

INFORMATIVES

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

REPORT DETAIL

1.0 Site Description

- 1.1 This reserved matters application relates to a site with an area of 0.78 hectares which forms part of the former Mardyke Estate, now known as Orchard Village.

1.2 The site is of a broadly rectangular shape located towards the eastern side of the Estate with boundaries to the west and north with new roads Holmeoak Avenue and Broadis Way. To the south the site has boundaries with Newton's School and the School House and to the west with the flank boundaries of the closest properties in Frederick Avenue (No's 99 and 142 and the rear garden boundaries of 57 – 61 Askwith Road. The site is currently occupied by the remaining original residential properties (now vacated), Lowen Road and car parking areas.

2.0 **Description of Proposal:**

2.1 This application is for the fourth and final phase of the redevelopment of the former Mardyke Estate, the overall principle of which was agreed by the approval of outline planning permission ref P2058.08. Phase 1 and 2 of the development are now complete and occupied and Phase 3 is under construction. Circle Anglia is responsible for delivery of the physical regeneration of the Mardyke Estate and Old Ford Housing Association are responsible for its management.

2.2 The proposals comprise the reserved matters submissions in respect of access, siting, design, external appearance and landscaping for Phase 4 of the redevelopment of the Mardyke Estate and the demolition of the remaining original residential blocks which comprise the former Mardyke Estate, including the 5 commercial units.

2.3 The proposed new housing, subject of this reserved matters application, comprises one residential block and a terrace of houses. The block is referenced as Block A and the terrace of houses as Block H.

Siting, Access and Parking

2.4 Block A is proposed as a 5 storey courtyard block located on the eastern side of the site to the east of Block B with a west elevation facing Block B and a northern elevation facing Block G (yet to be constructed). The eastern/southern elevation would be a convex curve facing onto the realigned Lowen Road.

2.5 Block H would comprise a concave curved terrace of 7 houses facing onto the south eastern side of the realigned Lowen Road and Block A and located to the west of the side and rear garden of 66 Frederick Road and the rear gardens of 57-61 Askwith Road, and to the north of Newtons School and the School House.

2.6 Lowen Road would be realigned from its junction with Frederick Road to straighten out the current double bend with resultant amendments to the vehicular access to Newtons School. An access road to the rear parking area for Block H is proposed adjacent to the school entrance which will also provide access to the School House. This realignment of Lowen Road was approved in full at Outline permission stage under P2058.08.

- 2.7 A new pedestrian access to the school is now proposed alongside the vehicular access with a path inside the school grounds to be provided to link with an existing internal pathway.
- 2.8 As part of the Phase 4 Reserved Matters Application a total of 103 car parking spaces will be provided of which 2 will be disabled bays. In total there will be 53 surface level parking spaces and 50 undercroft spaces. The 46 spaces around the western and northern perimeter of Block A would be provided at right angles to the adjacent highway and 7 spaces would be located in a rear parking courtyard for Block H. Refuse stores for the upper floor apartments in Block A would be located on the ground floor at either end of the curved south/east elevation. Ground floor apartments, duplex units and the houses in Block H would be provided with front garden refuse stores.
- 2.9 One cycle space per unit would be provided for Block A either by means of secure ground floor areas or for ground floor apartments, within a secure shelter in their front garden/defensible space area. The houses in Block H would each have the facility to securely store 2 cycles within a rear garden cycle store.

Scale, Design and External Appearance

- 2.10 Block A is the last of the large perimeter/courtyard blocks proposed with a depth of 53m (north to south), a width of 61.6m on its northern side, a convex curved 91m south east frontage to Lowen Road and a maximum height of 18.8m. The block would accommodate 80 units (76 flats and 4 duplex units) providing 2x 1 bed wheelchair, 69x 2 bed, 5x 2 bed wheelchair and 4x 2 bed duplex units in 5 storeys of accommodation with three core entrances. The residential accommodation would surround a central courtyard amenity space of dimensions across of minimum 34m and maximum 43m in the form of a raised podium over the ground level undercroft car parking. Ground floor units (with one exception) are provided with their own front doors and defensible space to the front with individual refuse store and secure cycle storage. The duplex units would be provided with a semi-private patio area at podium level. Each flat above ground level would be provided with its own balcony of a minimum area of 6.7m², the majority of which would be south facing. All flats above ground level would have access via a fob access door to the central communal courtyard. The block would utilise a varied palette of materials including cream and grey brickwork, white metal cladding, screened balconies and grey framed windows. The undercroft parking would be accessed from the north and would also provide for access to the communal refuse and cycle stores.
- 2.11 The design approach for the block has elements which draw from previous phases of the redevelopment, with columns of balconies incorporating timber screens and internal walkway access for upper floor flats. The straight elevations would be separated from each other and from the curved section by a narrow section of dropped roofline with open access between the respective elements. The curved section responds to the curve of the

realigned road and incorporates connected full width balconies above first floor.

- 2.12 Block H comprises a concave curved terrace of two storey 3 bedroom houses with the central five having a frontage width of 5m and a depth of 10.7m. The end terrace houses would have a frontage width of 8m and a depth of 7m. The terrace would have a frontage height of 8m with a rear facing slate tiled roof for the front 3.5m section of the terrace and a flat roof for the rear section where the height of the rear wall would be 5.7m. A cream coloured brick, full height grey framed windows, and a projecting frame around a first floor feature window above recessed front doors are proposed.

Landscaping and Amenity Space

- 2.13 The application includes detailed proposals for the hard and soft landscaping, although the final details of planting, species, density etc. would be dealt with by way of a condition submission under the original outline permission. Nevertheless, the plans give a detailed impression of the extent and nature of the landscaping. The communal area of amenity space to Block A would incorporate a raised area of lawn, planting, feature lighting and sculptural play equipment. Semi private patio areas would be paved and typically bordered by raised planters or railings with dividing screens 1.8m high. Rear gardens of the houses middle five houses in Block H have a depth of 9m and those at either end of the terrace would have a triangular rear garden area of maximum depth 9m, supplemented by a semi-private area to their flank..

Supporting Information

- 2.14 The application is also accompanied by a number of supporting documents. These include:
- Description of Development and Parameters
 - Planning Statement
 - Design and Access Statement
 - Statement of Consultation
 - Transport Assessment
 - Flood Risk Assessment
 - Sustainability and Energy and Statement
 - Demolition Strategy and Build Methodology
 - Sunlight and daylight Study
 - Code for Sustainable Homes – Pre Assessment Report
 - Extended Phase 1 Habitat Survey
 - Arboricultural Survey
 - Archaeological Desk Based Assessment
 - Energy Statement
 - Remedial Strategy and Ground Investigation.

3. **Relevant History**

P2058.08 - Redevelopment to provide for up to 555 residential units, with associated car parking, alterations to existing access and provision of new landscape and amenity space, together with up to 900 sqm of class A1, A2, A3, A4, A5 and/or D2 accommodation and up to 600sqm of class B1(A) offices. Full permission is sought for the new estate road (the bus route).- outline application Approved.

P0356.09 - Demolition of 86 residential units (existing blocks 1 to 31 Chantry Way, 57 to 87 Lowen Road, 90 112 Walden Avenue, Chantry House and Walden Avenue car park) and erection of 121 new residential units in 3 blocks accessed from Lowen Road and/or Walden Avenue. Erection of an energy centre and formation of landscaped areas. Erection of 2 electrical substations. - Approved.

P0945.09 - Permission for temporary site accommodation in connection with the redevelopment of the Mardyke Estate to include :- Office units, canteen , drying room, toilets, material storage compound, hoarding, car parking, gates, plus temporary residents parking areas and crushed concrete storage - Approved

P1144.09 - Electricity Substation – Approved

P1542.09 - Reserved Matters application pursuant to P2058.08 Revised scheme for Block P - Erection of 13 units in one block, 3 No. 1 bed units, 2 No. 2 bed units, 3 No. 3 bed units and 5 No. 4 bed units – Approved

P1610.09 – Reserved matters application pursuant to P2058.08 for the demolition of 161 residential units (existing blocks 1-55 Lowen Road, 67-117 and 60-92 Lower Mardyke Avenue, Mardyke House and Templar House) and erection of 184 new residential units in 4 blocks accessed from Lower Mardyke Avenue/South Street and landscaped/parking areas. –Approved

P0959.12 - Reserved matters application pursuant to P2058.08 for the demolition of 190 residential units (33 to 125 Chantry Way, 26 to 88 Walden House, 2 to 40 Roman Close, Dearsley House, Roman House and Perry House) and erection of 124 new residential units in 5 blocks accessed from Lower Mardyke Avenue, South Street and Walden Avenue, together with a communal commercial hub and landscaped square, landscaping and parking areas. - Approved

4. **Consultations and Representations:**

4.1 The proposals have been advertised as a major development by the display of site notices and by an advertisement in the Recorder. A total of 112 individual properties were notified directly of the proposals.

4.2 10 letters of representation have been received. These raise the following objections:

- The proposed arrangements for the access road and school access would create a safety risk for children accessing Newtons School and the implications for the school access were not made clear at Outline stage.
- Parents will use the access road to the parking spaces for parking and manoeuvring which will create a safety issue and congestion at the school access.
- The scheme for the terrace of houses is too dense, only four were shown on the original plans and there are now seven proposed.
- The car park adjacent to the school entrance on Lowen Road should be retained, especially as the school will need to expand.
- The development overall is accommodating more units than originally planned.
- There is no pavement on the school side of the access road.
- The development will be harmful to the amenities of the School House occupied by the site manager and his family.
- The School House will be located on an unnamed road which will make it difficult to find as it has a post code the same as the school.
- The positioning of a sub-station adjacent to the garden of the School House could be potentially harmful to the health of the Site Manger and his family.

Revised Plans have been submitted which amend the school access arrangements and provide a pavement on the southern side of the access road. Objectors have been notified of the revisions. No further representations have been received.

Consultee Responses

The Greater London Authority have been consulted on the application but at the time of writing this report had not responded. Any comments will be reported orally

Borough Designing Out Crime Advisor – Satisfied that matters are adequately covered by conditions on the outline permission

Environment Agency – Require further information to demonstrate that the proposed drainage scheme is compliant with the outline permission but are satisfied that this can be dealt with under the discharge of conditions imposed on the outline permission in relation to this phase.

LFEPA – Advise of the access requirements under the Building Regulations.

London Fire Brigade – No comments

Transport for London – Wish to ensure that the potential for two way bus operation on Lowen Road is safeguarded and that there will no restrictions required at any point during demolition and construction..

Streetcare – No objections

5 Relevant Policies

5.1 The development plan for the area consists of the Havering Local Development Framework (Core Strategy, Development Control Policies and Site Specific Allocations) and the London Plan 2011

5.2 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP4 (Town Centres), CP7 (Recreation and Leisure), CP8 (Community Facilities), CP9 (Reducing the need to Travel), CP10 (Sustainable Transport), CP12 (Use of Aggregates), CP15 (Environmental Management), CP 16 (Biodiversity and Geodiversity), CP17 (Design), of the Local Development Framework Core Strategy are considered relevant

5.3 Policies DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC6 (Affordable Housing), DC7 (Lifetime Homes and Mobility Housing), DC21 (Major Development and Open Space, Recreation and Leisure), ,DC32 (The Road Network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste Management), DC48 (Flood Risk), DC49 (Sustainable Design and Construction), DC50 (Renewable Energy), DC51 (Water Supply, Drainage and Quality), DC53 (Contaminated Land), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places) and DC66 (Tall Buildings and Structures) of Local Development Framework Development Control Policies Development Plan Document are also considered to be relevant.

5.4 London Plan policies: 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.6 (children's play facilities), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.16 (waste self-sufficiency), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.15 (reducing noise and enhancing soundscapes) and 7.19 (biodiversity and access to nature) are considered to apply. There is also a range of Supplementary Planning Guidance to the London Plan, including 'Providing for Children and Young People's Play and Informal Recreation' that are considered to be relevant.

5.5 The National Planning Policy Framework is a further material consideration.

6.0 Planning Considerations

6.1 The principle of the phased in situ residential redevelopment of the Mardyke Estate has previously been considered and accepted by the outline planning permission P2058.08. Many of the environmental issues arising from the principle of residential development, such as land contamination, archaeology, ecology and flood risk have all previously been considered by

the outline application. These matters are all dealt with in detail by the planning conditions forming part of the outline permission.

- 6.2 The main issues arising from this application are therefore considered to be the extent to which the detailed proposals accord with the parameters and principles established by the outline permission; the site layout, including proposals for hard and soft landscaping of the site; the detailed design of the proposed buildings including impact on local character and amenity; access, parking and highway arrangements; impact on amenity; energy efficiency and sustainability; affordable housing provision; community safety and accessibility issues.

Principle of Development

- 6.3 The outline planning application was submitted with an illustrative masterplan and a number of development parameters and parameter plans as the means by which the design concepts for the redevelopment of the estate would be translated into a framework for the future submission of reserved matters. The parameter plans showed the development areas, land uses, key access points and amenity areas and a height contour plan to demonstrate how new development will relate to neighbouring development. The realignment of Lowen Road was a fundamental feature of the redevelopment and was the one aspect of the redevelopment which was approved in full at Outline stage.

- 6.4 The illustrative masterplan demonstrated one way in which this could be translated and forms the basis on which this reserved matters application has been submitted. The outline permission also included a condition that the development should be carried out in accordance with the development parameters and drawings and that reserved matters and condition submissions should not significantly deviate from them. This therefore acts as a check to ensure that reserved matters follow principles established by the outline permission and a benchmark against which to assess subsequent submissions.

Density, Siting and Layout

- 6.5 If approved, this fourth phase of the Mardyke redevelopment will bring the site area for which either full or reserved matters planning permission is in place up to the full total site area of 4.91 hectares. The total number of units that will have been approved would be 516 (i.e. 93%) of the maximum permitted total of up to 555 as set by the development parameters. It was acknowledged in granting outline approval for the redevelopment that it was necessary to marginally increase the density of development on the estate in order to deliver a viable scheme and this was considered, taking into account development across the whole of the site. The completed development will now only result in an increase in 10 units over the total number demolished largely as a result of the inclusion of more housing than originally envisaged at Outline stage. No objections are raised in this regard.

- 6.6 The layout of the proposed development is quite faithful to that envisaged by original illustrative masterplan including the provision of an access road to serve the parking area for Block H and the amendments to the access for Newtons School. In respect of Block H the original masterplan showed this as providing a terrace of 6 houses so the increase to 7 cannot be considered as a major departure and Members will be aware, that there is no requirement for the final form of the development to follow that of an illustrative masterplan.
- 6.7 The blocks create street frontages with clear definition between the public, semi-public and private realms. The flatted blocks are provided with secure communal amenity areas that have been well thought out in terms of their function and usability. All flats above ground floor are provided with a balcony area to maximise opportunities to create private sitting out space with a screened area to give added privacy.
- 6.8 This phase of the development will see the completion of the realignment of Lowen Road by the straightening out / softening of the existing double bend at the eastern entrance to the site from Frederick Road. This will improve the tracking for buses which currently have to use both sides of the road to negotiate the bends.

Design and Residential Quality

- 6.9 The Residential Design Supplementary Planning Document seeks to promote best practice in residential design and layout and to ensure that new residential developments are of the highest quality. The detailed design approach and layout justification is set out within the Design and Access Statement and corresponds with the principles of the outline Design and Access Statement as they apply to this part of the site.
- 6.10 The design approach to this final phase of the redevelopment follows the design principles upon which the illustrative masterplan was based. However, the phase revises the design of the elevations from earlier phases and uses the established palette of materials in a different way. This approach to the design was set out in the documents accompanying the outline and was endorsed by the GLA when commenting upon the first phase, in order to avoid a homogenous design being repeated for each phase. The use of durable, high quality materials is emphasised in the supporting documentation and the success of the designs will to a great degree depend upon the careful and correct choice of materials. This is subject to a condition on the outline permission.
- 6.11 The design approach to the south east elevation of Block A with its convex curved façade, full width balconies with enclosed balcony storage areas give the building a strong horizontal emphasis, but broken down to give clear proportions and rhythm to the frontage. Staff are satisfied that the Block will provide an architectural focal point on this key approach into Orchard Village. In street scene terms the blocks have been designed to respect and relate to the neighbouring existing development and previous phases of the redevelopment.

- 6.12 Block H provides a concave frontage to mirror that of Block A which will create a strong street frontage along Lowen Road. The terrace displays a striking modern design for the provision of family housing whilst offering the rhythm of windows and front doors which are a feature of more traditional design. The roof design responds to its context with an increased height at the front where it relates to the height of Block A reducing to the rear in response to the existing housing in Frederick and Askwith Road.
- 6.13 In terms of residential quality, the majority of the units in Block A are dual aspect with all but one of the upper floor units on the northern side having south facing balconies onto the central courtyard. Ground floor units facing Lowen Road in Block A are proposed as single aspect, but staff are satisfied that the submitted Daylight and Sunlight analysis demonstrates that the majority of habitable rooms will receive acceptable levels of natural daylight. Rear garden areas for the houses in Block H are quite compact but provide sufficiently sized areas for private amenity purposes.
- 6.14 The scheme will provide accommodation built to Lifetime Homes requirements throughout and also incorporates seven units which are designed to be easily adaptable for wheelchair use. The development is therefore in accordance with Policy DC7.
- 6.15 Staff consider that the design of the development is acceptable in respect of issues such as scale and massing and that the design of the development is imaginative, innovative and acceptable within the context and character of the site and the surrounding area. Staff therefore consider that the proposal is acceptable in respect of design, residential quality and external appearance.

Landscaping Proposals

- 6.16 Landscaping matters form part of this reserved matters submission. The external works plans and Design and Access statement illustrate in some detail the layout and nature of the hard and soft landscaping proposed for all areas of this phase of the redevelopment. The details demonstrate close attention to detail and the intention to ensure that planting and materials create an attractive, safe and biodiversity rich environment for future residents. No objections are raised to the landscaping proposals in principle which are quite adequate for the purposes of this reserved matters application.

Impact on Adjoining Sites and Residential Amenity

- 6.17 The impact on amenity of neighbouring dwellings and occupiers arising from the proposed blocks falls to be considered in relation to Policy DC61 which requires that new developments should not have an unacceptable impact upon the amenity of existing properties.
- 6.18 Block A will be replacing existing blocks that occupy a similar location on the site at present and the resultant impact on properties outside of the estate

would be limited in extent to the closest properties to the east in Frederick Road. The distance from the closest property No. 142 Frederick Road would be 23m at which point the closest flats in Block A would face towards the flank of No. 142. The relationship and impact is therefore considered to be acceptable. The separation distance from other existing and approved blocks within the redevelopment would be no less than 23m at any point across intervening roads and parking areas and no material adverse impact upon residential amenity, loss of privacy, light or overshadowing will occur.

- 6.19 The potential impact of the proposed terrace of houses, Block H, does require more careful consideration as the houses are in a position which is not currently developed. The approved realignment of Lowen Road means that the location of the houses themselves roughly corresponds to the area of the Lowen Road highway on its existing alignment, with their gardens and rear parking court in the location of the existing car park on the eastern side of Lowen Road. The properties potentially affected by the terrace are those to the east on the southern side of Frederick Road and the western side of Askwith Road, together with the School House to the south within the grounds of Newtons School.
- 6.20 Looking first at the relationship to the properties to the east, the distance to the rear of the closest property, 61 Askwith Road which is set 30m into the plot, would be 28m. At this distance it is not considered that any unacceptable degree of overlooking or loss of privacy will occur. The rear of other properties further to the south on Askwith Road is in excess of 50m at which distance no material concerns arise. The juxtaposition of the proposed car parking courtyard is the same as that which currently exists with the existing car park so this aspect of the development similarly raises no material issues.
- 6.21 In relation to the adjacent properties to the east in Frederick Road the relationship is far closer with the distance from the rear of two of the new terraced properties to the flank boundary of 99 Frederick Road less than 10m. However, the view from the first floor rear of the proposed houses is such that any overlooking that does occur will be at an oblique angle with a relationship similar to that which occurs on the corner of many roads. The primary view from the closest new house from the rear bedroom windows will be towards the blank flank wall of 99 Frederick Road. In all other respects Staff consider that the nature of any overlooking and privacy loss to be comparable to that which results from detached houses looking across and down the neighbouring properties garden. Although this will be a new relationship it is not considered that it will give rise to any unacceptable degree of overlooking or loss of privacy.
- 6.22 The final property to consider is the School House which is located to the south / south east of Block H and currently to the south of the existing car park. The school house has no windows in either flank wall so the windows to all rooms face either west with a view towards the school vehicular entrance and along Lowen Road, or east over its own garden and towards the rear of properties in Askwith Road. From the first floor rear of the closest proposed dwelling in Block H the distance to the front of the School

House varies from 20 – 25m and is therefore comparable to the relationship found in many streets in the area between properties across the road. The distance to the rear garden is also in excess of 20m from any of the proposed properties and Staff are satisfied that no material harm will result to the residential amenity of the School House and its occupants arising from the relationship to the proposed new houses.

- 6.23 The electricity sub-station to be located in the south east corner of the car park courtyard was granted planning permission as part of Phase 1 of the development under P0356.09 and does not therefore fall to be considered under this reserved matters application.
- 6.24 Turning to the issue of the residential amenity of prospective occupants, Staff are similarly satisfied that there are no overriding concerns about the relationships proposed.

Transportation, Highways and Parking

- 6.25 Policy DC32 requires that new road scheme will only be allowed where they amongst other things improve conditions for pedestrians and cyclists and improve public transport accessibility.
- 6.26 The scheme incorporates new public highway and access roads which are designed to an acceptable standard with adequate space for passing, turning and servicing where required. The access road to the parking courtyard to the rear of Block H has been designed with a restricted entrance width to deter general use. This would be further discouraged by signage and road markings.
- 6.27 The completion of the realignment of Lowen Road between Lower Mardyke Avenue and Frederick Road will assist with the delivery of the hierarchical road and user structure illustrated in the masterplan designed to offer maximum permeability to pedestrians and cyclists. The access arrangements for the school and the design of the access to the Block H parking courtyard and the School House have been the subject of revisions to address concerns raised about the safety of children accessing the school. The proposed new entrance for the school alongside the vehicular access will take children along a new secure path inside the school boundary to link up with the existing path that is currently accessed from Lowen Road close to the School House. The pavement along the access road has also been moved to its southern side to maintain safe pedestrian access to the School House and the gates to the parking courtyard have been moved to the east to enable the occupant of the School House to manoeuvre so that cars can enter and leave in forward gear. Staff are satisfied that these measures have addressed the concerns and the School Governors have advised of their acceptance of the revisions. A condition is suggested to ensure that provision is made for the revised entrance arrangements at an appropriate stage of the development.
- 6.28 The level of car parking for the development was considered by the outline planning permission. A level of one space per unit across the development

was proposed which was more than provided for on the original estate. This level of parking is maintained for this phase and is considered to be acceptable and necessary as changes to the unit type and the social composition that are anticipated are likely to result in increased car ownership. The proposed locations for the parking are also considered to be acceptable: the undercroft parking for Block A would be secure and only accessible through a key fob or swipe card. On street parking is provided so that residents can park close to their dwelling which has been shown to be a preference with existing residents. The parking courtyard to the rear of Block H would provide solely for those houses.

- 6.29 Staff acknowledge that parents with children at Newtons School do at present use the existing car park and that such parking will be displaced. However, the car park is not allocated to the School and with the exception of the undercroft parking areas, all other on street parking around Orchard Village is unallocated. School drop off and pick up times do not coincide with the maximum levels of use of these parking spaces and staff are satisfied that there will be sufficient free parking spaces in locations conveniently close to the school to compensate for the loss of the car park.
- 6.30 In accordance with policy DC35, cycle parking is proposed for phase 4 at a standard of a minimum of one cycle storage space per residential unit. These would be in secure covered locations, either communally in the blocks or individually within the front garden/ defensible space areas at the front of the houses and flats, or in rear gardens. On street cycle stand provision is also made for visitors, details of which would need to be agreed under condition 4 of the outline permission.
- 6.31 Transport for London's comments relate to matters which fall outside of the consideration of this reserved matters application and which are covered by conditions on the original outline permission which are discharged on a phased basis for each phase of the development.

Housing

- 6.32 The first two phases of the redevelopment were by necessity, entirely for affordable properties for rent as they were required to re-house existing tenants. Phase 3 had dwelling mix requirements which were established by need and has been approved with a composition of 29% affordable rent, 26% shared ownership and 51% private units. The affordable housing requirement for the estate renewal established by the parameters of the outline planning permission has therefore been satisfied by the first three phases of the redevelopment. This phase of the development is therefore to be delivered entirely as market housing.
- 6.33 The proportions of different size units to be delivered by the overall redevelopment are set out as a parameter in the Outline permission. The proportions of 1, 2, and 3 bed units which would be delivered by this phase demonstrate that the overall development complies with the parameter. The increased proportion of family sized accommodation and private sale

housing will assist with the overall objective for the scheme to change the character and population profile of the estate.

Sustainability

- 6.34 A sustainability and energy statement and an energy assessment have been submitted with the application. In line with the requirements of the London Plan and Policies DC49 and DC50 of the LDF, the proposal is required to meet high standards of sustainable design and construction, as well as to demonstrate a reduction in predicted carbon dioxide emissions by at least 20%.
- 6.35 The statement and assessment indicate that it is the intention to deliver all sustainability measures described in the outline application. These cover:
- Waste and recycling
 - Combined Heat and Power
 - Construction and demolition
 - Flood risk
 - Development ratings and improved insulation
 - Use of materials
 - Use of water
 - Biodiversity
 - Secure by design
- 6.36 In relation to energy, the statements confirm the intention to install the proposed CHP engine into the Energy Centre during Phase 3 of the redevelopment. The energy centre in addition has been designed with the potential to link in to a wider district heating system utilising waste heat from Barking Power Station as and when this becomes available.
- 6.37 Occupants of Phase 1 and 2 have experienced a dramatic reduction in heating bills as a result of the sustainability measures that have been adopted. This is testament to the fact that as well as achieving carbon savings, such measures are making a tangible difference to the quality of life for residents. Staff are therefore satisfied that the proposal is in compliance with Policies DC49 and DC50 of the LDF and the Mayor's Energy Strategy.

Flood risk

- 6.38 The scheme for the blocks and the surface water drainage proposed under Phase 4 complies with and incorporates the specific details that are required by the Flood Risk Assessment that accompanied the outline application. The Environment Agency have confirmed that they are satisfied with the details supplied and that formal agreement to the specific measures can be dealt with under submissions pursuant to the conditions of the Outline permission.

Designing for Community Safety

- 6.39 Designing for community safety is a material planning consideration and Policy DC63 of the LDF is relevant, as is ODPM guidance 'Safer Places'. A Safer Places Statement is included in the Design and Access Statement. The Council's Crime Prevention Design Advisor confirms that he is satisfied that the proposals for designing out crime with this submission comply with the principles and practices of the Secured by Design award scheme and that the matter can be appropriately dealt with under submissions pursuant to the conditions of the Outline permission.

Mayoral CIL

- 6.40 The outline planning permission was granted before the advent of Mayoral CIL and therefore the redevelopment is not CIL liable.

Other Matters

- 6.41 The positioning of the School House away from the Lowen Road carriageway is an inevitable consequence of the realignment of the road which was required for well established and understood reasons related to the difficulty the 365 bus currently experiences negotiating the existing double bend. As has previously been stated, the realignment of Lowen Road, including the straightening of the double bend, was determined at outline stage, this being the only aspect of the access arrangements which was not reserved. Although the address of a property is not a material planning consideration there is no reason why the property should not retain a Lowen Road address.

Conclusions

- 6.42 In conclusion, it is considered that the detailed proposals for phase 4 of Orchard Village are substantially in accordance with the development parameters set out by the outline permission. Therefore, the proposed development is considered to accord, in principle, with the terms of the outline planning permission.
- 6.43 The proposals have been considered in detail in respect of a number of key issues, including the detailed layout of the site, the design and appearance of the buildings, landscaping proposals, highways implications, impact on amenity, community safety, sustainability criteria and housing requirements. Staff consider the proposals to be acceptable in all of these respects and the development to be well designed in respect of both urban design principles and the effective functioning of the development. Staff therefore consider that the proposal is in accordance with the outline planning permission for redevelopment of the site and that the detailed proposals would make a suitably high quality contribution to the redevelopment of the estate..
- 6.44 It is recommended that the reserved matters application for Phase 4 of the development of Orchard Village be approved

IMPLICATIONS AND RISKS

7. **Financial implications and risks:**

- 7.1 The financial implications in respect of the redevelopment of the Mardyke Estate were addressed in some detail in the report on the outline application under ref:P2058.08.

8. **Legal implications and risks:**

- 8.1 A S106 agreement relates to the outline permission. Staff resources will be required for Phase 4 for the preparation of any related Stopping up Orders, S278 and S38 agreements and related processes.

9. **Human Resources implications and risks:**

- 9.1 Staff resources will be required for the ongoing monitoring of the proposal.

10. **Equalities implications and risks:**

- 10.1 This is the fourth and final phase of a significant scheme for the Borough in addressing inequality and diversity issues in access to decent housing thereby improving the quality of life for residents of the Borough and meeting the Council's vision .The Council's policies and guidance, the London Plan and government guidance all seek to respect and take account of social inclusion and diversity issues and the application of those policies to the approval of reserved matters has taken into account the Council's duties under Section 149 of the Equalities Act 2010 to advance equality of opportunity with particular reference to access. The scheme will fully comply with Lifetime Homes requirements and also deliver a substantial number of properties specifically designed to meet the needs of wheelchair users.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions.
5. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.

6. The relevant planning history.
7. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
8. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.