

15/02243/REM

Reserved Matters Application for the approval of details of appearance, landscaping, layout and scale in relation to the development of 98 homes and associated infrastructure at Land East of Topcliffe Road and South of Gravel Hole Lane, Topcliffe Road, Sowerby for Linden Homes North

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site forms part of the Sowerby Gateway development of South West Thirsk. It is currently a mix of uncultivated farm land and land in use for storage associated with the ongoing residential development on neighbouring land.
- 1.2 The application has been identified as "Phase 2a Residential" and lies to the north west of the housing under construction as phase 1 by Mulberry Homes. A further application for residential development by Taylor Wimpey has also been submitted on adjoining land and is referred to as phase 2b.
- 1.3 The development proposes a mix of 5 two-bedroom bungalows, 27 two-bedroom houses, 39 three-bedroom house and 27 four-bedroom houses.
- 1.4 The scheme takes access via a priority ('T') junction from the spine road that in turn is served by the northern roundabout on Topcliffe Road. The site abuts the phase 1 housing scheme that is under construction. A road spur is shown to link to the land to the west. The land to the south of the application site is identified in the masterplan approved at the outline stage as an area for commercial development accessed from the spine road linked to the south roundabout.
- 1.5 Roads and sewers have been approved in the outline application and provide connections to this application site.
- 1.6 An area of open space (3,5442 sq. m) is shown towards the centre of site linked via off-road pedestrian and cycle routes to link to the approved phase 1 housing and through the site to future phases of commercial and residential developments to the north and west.
- 1.7 17 different dwelling types are proposed. Some dwellings would have single garages, some with integral garage and some with surface parking. All but three dwellings would have two or more open air parking spaces close to or within the curtilage. (Garages have not been counted as parking spaces.)
- 1.8 Amendments have been sought in respect of a number of changes to increase the spacing between dwellings, provide more in curtilage or closer and larger parking spaces and increase interest by the addition of chimney stacks in key locations.
- 1.9 Following the grant of the planning permission on 29 October 2015 to vary the timescale for implementation of the off-site highway works, under reference 15/00145/MRC, the applicant has confirmed that they wish the application to be considered as a reserved matters submission to the modified permission.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 10/02373/OUT - A hybrid application that approved both the outline application and the first phase of residential and commercial development; Granted 21 August 2012.
- 2.2 15/00145/MRC - An application to vary the trigger for the provision of off-site highway works comprising an 'all-ways' junction with Topcliffe Road and the A168 dual-carriageway; Granted 29 October 2015. This replaces the earlier permission under reference 10/02373/OUT.
- 2.3 15/02389/REM - An application for approval of reserved matters for 44 dwellings known as Phase 2b; Under consideration.
- 2.4 The outline permission granted under 10/02373/OUT and modified under 15/00145/MRC is the subject of a Section 106 Agreement that requires amongst other things the provision of 40% affordable housing, funding for the Sowerby Sports Village and transport initiatives to promote the cycling and walking as a means of travel.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
 Core Strategy Policy CP2 - Access
 Core Strategy Policy CP4 - Settlement hierarchy
 Core Strategy Policy CP8 - Type, size and tenure of housing
 Core Strategy Policy CP9 - Affordable housing
 Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
 Core Strategy Policy CP17 - Promoting high quality design
 Core Strategy Policy CP19 - Recreational facilities and amenity open space
 Core Strategy Policy CP20 - Design and the reduction of crime
 Core Strategy Policy CP21 - Safe response to natural and other forces
 Development Policies DP1 - Protecting amenity
 Development Policies DP3 - Site accessibility
 Development Policies DP10 - Form and character of settlements
 Development Policies DP29 - Archaeology
 Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation
 Development Policies DP32 - General design
 Development Policies DP33 - Landscaping
 Development Policies DP34 - Sustainable energy
 Development Policies DP37 - Open space, sport and recreation
 Development Policies DP39 - Recreational links
 Allocations Document Policy TM2A - South West Thirsk Area, Westbourne Farm, Sowerby - adopted 21 December 2010
 Allocations Document Policy TM2B - South West Thirsk Area, Cocked Hat Farm, Sowerby - adopted 21 December 2010
 Allocations Document Policy TM2C - South West Thirsk Area, West of Topcliffe Road, Sowerby - adopted 21 December 2010
 Affordable Housing - Supplementary Planning Document - Adopted 7 April 2015
 Supplementary Planning Document - Open Space, Sport and Recreation - Adopted 22 February 2011
 Supplementary Planning Document - Sustainable Development - Adopted 22 September 2009
 National Planning Policy Framework – March 2012

4.0 CONSULTATIONS

- 4.1 Sowerby Parish Council – Comments awaited.
- 4.2 Yorkshire Water – No objection in principle to the site layout
- 4.3 Environment Agency – no comments, the comments at the outline stage remain valid.
- 4.4 NYCC Highways – seeks amended details to provide greater priority to the pedestrian
- 4.5 Highways England – no objection
- 4.6 Network Rail – no objections
- 4.7 NYCC Archaeology – query regarding the extent of survey, wishes to see the survey work before the determination of the application.
- 4.8 Natural England – no comments to make.
- 4.9 Police Architectural Liaison Officer – Makes remarks supporting the design process but also highlighting specific areas for improvements: boundary treatments, parking courts, and general guidance relating to lighting, secure cycle storage, and security during the construction phase.
- 4.10 Housing manager – Responds to this scheme jointly with the Taylor Wimpey scheme and seeks an improvement to the size of 3 dwelling types to meet the Nationally Described Space Standards, to improve the pepper-potting of the affordable homes and mix of sizes of dwellings with more smaller homes (1 and 2 bed) and fewer larger homes (4 bed).
- 4.11 Neighbours – no neighbour observations submitted.

5.0 OBSERVATIONS

- 5.1 The principle of the development is secured by the Planning Permission 10/02373/OUT and the subsequent approval 15/00145/MRC that followed the allocation in the LDF Allocations Document.
- 5.2 The access arrangements are largely determined by the hybrid outline and phase 1 approval for the spine roads that serve the development site. The main issues are those of design: first, the residential layout, the spaces between the dwellings and the connections for pedestrians, cyclist and vehicles and secondly the design of the dwellings.
- 5.3 The Council's Size, Type and Tenure Supplementary Planning Document (SPD) requires that 60% of the new dwellings should be 2 and 3 bedroom (35% + 25% respectively). The target number of 4 bedroom dwellings is 10-15% and the target of 2 bedroom bungalows is 10%. The mix proposed is:

2 bedroom bungalow	5	5.1%
2 bedroom house	27	27.5%
3 bedroom house	39	39.8%
4 bedroom house	27	27.5%
Total	98	

- 5.4 The 2 bedroom and 3 bedroom dwellings are in this case 67.3% of the total. This is considered to be within an acceptable range. However, the shortfall in the number of 2 bedroom bungalows against the 10% target set out in the SPD is significant. The proposal is about half of the target level and the number of 4 bed houses is correspondingly about double the target amount. However, the overall proportion of smaller dwellings, including the bungalows is 72% and accords with the policy requirements. The applicant was requested to review and revise the proposals to increase the number of 2 bedroom bungalows and a corresponding reduction in the 4 bedroom houses. The agent has provided further detail relating to the housing mix noting on both this application and concurrent application 15/02389/REM:

“...that the housing mix put forward as part of the wider Phase 2 proposals was in order to ensure a balanced mix of housing with sufficient variety across the proposed Linden, Taylor Wimpey and ongoing Mulberry developments to enable a sales rate that will justify the investment and allow the scheme to be viable in the circumstances (including delivering bungalows, substantial S106 contributions, 40% affordable housing). As we have already stated the proposals [of Taylor Wimpey and Linden] must be considered as a whole.

The reason being that the creation of identical housing product on adjacent sites will result in direct competition and will inevitably slow the sales & completion rates. This has a significant impact upon viability. The mix set out in the proposals in front of the Council have been carefully put together in this respect. Forcing an identical mix will simply extend the construction period for the development, hinder viability and delay further the delivery of key infrastructure that will form an integral part of the Phase 3 development coming forward.

It is our view that seeking to further increase the number of 2 & 3 bedroom properties will result in a development that does not create a balanced and mixed community (as required by the NPPF) and instead, especially when read against the significant affordable requirement for 2&3 bed properties, a monotonous housing form. Moreover, failure to provide additional larger family properties prevents families upsizing (for various reasons – family size, economic circumstances etc.) and thus fails to free up 2 & 3 bedroom properties in the second hand market. Finally, it is clear that the housing mix targets of the Size, Type & Tenure SPD are simply targets and should not be utilised stringently. The housing market responds to demand and sufficient flexibility is therefore required to be built into any proposed guidance/assessment of developments in order to ensure that schemes remain achievable and thus deliverable. Such a factor is especially relevant when considered against the need for local authorities to maintain a five year supply of deliverable housing land.”

- 5.5 It is considered that it is appropriate to consider the mix of housing across both sites and that the contributions towards infrastructure delivery are relevant and should be afforded significant weight in the determination of the application. Not least that the scheme proposes that the proportion of affordable housing units remains at 40% (as determined by the Section 106 Agreements attached to 10/02373/OUT and 15/00145/MRC and complies with the LDF Policy).
- 5.6 An updated plan showing the hierarchy of footways, cycleways and roads has been supplied and this shows that the layout of the site requested to illustrate the connections between the application site and the existing and planned destinations. The scheme has also been revised to take account of the objective of providing a convenient and attractive series of sustainable routes for pedestrians and cyclists that take account of desire lines between school, shops, places of work and leisure and homes.

- 5.7 The design of the scheme has been amended to improve separation distances. Amendments have been made to improve security of parking spaces where these are outside the curtilage of dwellings. Further revisions are sought, the details of the amended schemes have been displayed on the Council's website and issued for consultation. The period of response has not expired at the time of writing and any comments will be reported to the meeting.
- 5.8 Public open space is provided on site in the form of linked green spaces. No formal children's play space is provided, but the layout provides informal amenity space. The provision of the other types of public open space is achieved off site. (The comments of the leisure services team are awaited.)
- 5.9 The outline planning permission 15/00145/MRC sets planning conditions that are applicable to the whole of the site. Condition 34 sets out the quantum of development that can be occupied prior to the improved junction with the A168 being opened. This states that "No more than 249 dwellings (excluding the extra care apartments) are to be occupied until the off-site highway works are brought in to use". The approved phase 1 scheme (107 dwellings) and this reserved matters application (98 dwellings) together with the accompanying Taylor Wimpey scheme (44) if approved would bring the total of dwellings approved (not including the extra-care apartments) to 249 units and therefore allowed for by the condition.
- 5.10 The only additional conditions that are necessary in respect of this application relate to the approved plans in order to secure the implementation of the scheme in accordance with the revised details that have been submitted.

6.0 RECOMMENDATION

- 6.1 That subject to the terms of the Section 106 Agreement (LP31/544) attached to 15/00145/MRC and receipt of further, amending or additional details relating to the mix of housing and substitution of dwelling types and the receipt and consideration of any additional or outstanding consultation response, reserved matters are **APPROVED** subject to the following conditions:
1. The development shall be undertaken in accordance with the details shown on the following drawings: Site layout plan 3679/10 Rev B, the list of the dwelling types as proposed and including the provision of chimneys on plots 1, 5, 25, 86, and 97.
 2. The cycle routes shown on drawing 3679/10 Rev B shall be completed in accordance with the specification of the Local Highway Authority prior to the occupation of the dwellings adjoin the route.

The reasons for the above conditions are:

1. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies CP1, CP17, DP1 and DP32.
2. In order to ensure that the network of footpath and cycleways is provided to achieve safe access and egress to premises in accordance with LDF Policies CP1, CP2, DP1, DP3 and DP4.