

# URBAN DESIGN PROOF OF EVIDENCE

## RESIDENTIAL DEVELOPMENT OF 103 DWELLINGS AND ASSOCIATED ACCESS AND INFRASTRUCTURE AT EAKRING ROAD, BILSTHORPE

ON BEHALF OF KEEPMOAT HOMES LIMITED

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)  
PLANNING AND COMPULSORY PURCHASE ACT 2004

PREPARED BY: MICHAEL CARR (BA HONS DIP LA DIP UD RUDP)

**6.31**

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## 1. INTRODUCTION AND SCOPE OF EVIDENCE

### Qualifications and Experience

- 1.1 My name is Michael Carr and I am the Director in charge of Design and Masterplanning at Pegasus Group. I have over 25 years' experience of designing the built environment.
- 1.2 I hold a First-Class Bachelor of Arts Honours Degree and received a distinction for a subsequent Graduate Diploma in Landscape Architecture. Following this I studied for a Graduate Diploma in Urban Design. I am an affiliate member of the Royal Institute of British Architects and an approved Urban Design Group Recognised Practitioner. I am also a member of the Gloucestershire Design Review Panel.
- 1.3 Pegasus provides design consultancy services for a variety of developments including residential, commercial, leisure, education and retail projects throughout the United Kingdom. I am regularly asked to present evidence and this is informed by my project work, which involves design from concept to implementation.
- 1.4 A number of projects I have worked on have won RTPI awards and Building for Life accreditations. The Housing Minister (then Dominic Raab) in April 2018 commended two developments I have been involved with, the former airbase at Heyford Park and Spirit Quarters Coventry, in his speech to a Design Quality Conference.
- 1.5 I have been involved with Eakring Road, Bilsthorpe (the site) since 2021. Upon refusal of the application, I was asked to review the validity of the Council's design related concerns in relation to the application.
- 1.6 The evidence which I have prepared and provide for this appeal is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

### Scope of Evidence

- 1.7 In accordance with the Procedural Guidance for planning appeals and called in planning applications, this proof of evidence is produced on behalf of Keepmoat Homes Ltd in relation to the reason for refusal:

**"The application site forms part of the site allocation detailed Policy Bi/MU/1 of the Allocations and Development Management DPD. In respect to the residential element, the policy envisages around 75 dwellings to come forward with one of the requirements of the allocation being for**

development to demonstrate an appropriate design which addresses the site's gateway location and manages the transition into the built up area.

The proposal for 103 units would, by virtue of its density, fail to secure an appropriate transition to the open countryside with parking and turning areas being proposed close to the northern boundary with little opportunity for landscaped screening. In addition to this, there are significant design compromises whereby the skew towards larger unit (in terms of number of bedrooms) not only fails to represent the preferences of the latest District wide housing needs evidence but also leads to a significant proportion of the proposed four bed units being served by three parking spaces in tandem. The Local Planning Authority consider that this will lead to parking on the street rather than in plot which consequently will detrimentally affect the efficiency of the internal highways network. Moreover, the size of a number of the proposed units are modest in their floor space again as a result of the overall number of dwellings far exceeding the number of anticipated on a site of this size in this location."

1.8 This proof of evidence will specifically deal with the issue of design and density. Landscape design issues will be dealt with separately by Mr Jackson and Highways design issues by Ms Meer.

1.9 I note the Council's planning officer's recommendation was to **approve** the development, and with reference to density at page 7 of the committee report (CD. 4.1) states:

**"...the density of development would be around 31 dwellings per hectare. This is considered acceptable in the context of the aspirations of Core Policy 3."**

1.10 The committee report (CD. 4.1) further states at page 13:

**"Overall the visual appearance of the proposed house types are considered acceptable in the context of Policy DM5"**  
and;

**"There are other design principles of the scheme which have not been explicitly referenced above but are noted and deemed to represent good design."**

1.11 Subsequently however Council members refused the application.

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- 1.12 In relation to the reason for refusal, I will therefore address urban design issues and how the proposals represent an appropriate transition to the built-up area.
- 1.13 My evidence will explain that the proposed quantum of development along the northern boundary is proportionate based on land area of the wider appeal site and suitable to its context.
- 1.14 I will review the local and national design related policies and how the proposals address them. I will show that the site can accommodate the proposed residential development and meet the Council's policy requirements.
- 1.15 I will explain the well-founded design approach and describe how attractive the scheme will be and, how there are a range of design components (not just density) that contribute to the design quality.
- 1.16 I note that these other design components are not stated to be in dispute within the reason for refusal but have since been brought into question through the Council's independent Building for Healthy Life 2020 (BHL 2020) as part of their Statement of Case (CD. 6.13). Such design components include:
- i. Urban Form and built use disposition;
  - ii. Building Detail and architectural appearance;
  - iii. Scale and proportion;
  - iv. Materials and enclosure details;
  - v. Streets and Parking; and
  - vi. Key spaces.
- 1.17 I shall review the additional Statement of Case (CD. 6.13) reasons for refusal and the associated alternative layout forms suggested against the policy requirements and site-specific characteristics.
- 1.18 Furthermore, I will show how the design approach, explained in the submitted DAS (CD. 1.14), proposes a design approach that is generally consistent with the Outline Planning Permission (resolution to grant 17/01139/OUTM).

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- 1.19 My evidence will also review concerns from third parties (summarised at my appendix D2) in relation to design matters and these are broadly reflective of the Council's statement of case (CD. 6.13) additional reasons of refusal.
- 1.20 It will be shown that the layout has taken proper account of the local context in terms of the built environment, creating attractive new streets and open spaces that enhance connectivity in the local area with new pedestrian routes through the development.
- 1.21 Finally, I will summarise my conclusions (my summary proof).
- 1.22 For the purpose of this appeal, I will refer to the supporting documents submitted with the application including the Design & Access Statement (CD. 1.14).

## 2. PLANNING POLICY BACKGROUND (IN RELATION TO DESIGN ISSUES)

### Design Related Planning Policy and Guidance

- 2.1 Relevant Government and local planning policy guidance are discussed within the planning evidence. From a design perspective, there are a number of policies and guidance documents (National and Local) that must be taken into account.

### National Planning Policies

- 2.2 The National Planning Policy Framework (CD. 5.1) establishes the emphasis to be placed on good design at Section 12: Achieving well-designed places. Paragraph 124, states:

**"The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities..."**

- 2.3 The NPPF (CD. 5.1) is clear at paragraph 127 that design planning policy and decision making should ensure that developments:

**"a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;**

**b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;**

**c) are sympathetic to the local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);**

**d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;**

**e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and**

**f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."**

2.4 At Section 11: Making effective use of land, the NPPF (CD. 5.1) is clear that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, stressing the importance of avoiding homes being built at low densities.

2.5 The National Planning Practice Guidance (PPG) states at paragraph 1:

**“Well-designed places can be achieved by taking a proactive and collaborative approach at all stages of the planning process, from policy and plan formulation through to the determination of planning applications and the post approval stage.”**

(para. 001, PPG, ID: 26-001-20191001, October 2019)

2.6 Published in October 2019, the National Design Guide (NDG) (CD. 7.4) further reinforces the way in which the design process can be used to ensure the delivery of quality places.

2.7 The NDG (CD. 7.4) sets out 10 characteristics of a well-designed place, these characteristics being:

- i. Context – enhances the surroundings;
- ii. Identity – attractive and distinctive;
- iii. Built form – a coherent pattern of development;
- iv. Movement – accessible and easy to move around;
- v. Nature – enhanced and optimised;
- vi. Public Spaces – safe, social and inclusive;
- vii. Uses – mixed and integrated;
- viii. Homes and buildings – functional, healthy and sustainable;
- ix. Resources – efficient and resilient; and
- x. Lifespan – made to last.

2.8 The NDG (CD. 7.4) states at paragraphs 58 and 64 respectively:

**“Where the scale or density of new development is very different to the existing place, it may be more appropriate to create a new identity rather than to scale up on the character**



**of an existing place in its context. New character may also arise from a response to how today's lifestyles could evolve in the future, or to the proposed methods of development and construction. Larger scale new developments, such as garden villages or urban extensions, may benefit from a variety of characters so that different areas of neighbourhoods each have their own identity..."**

(NDG, October 2019, Para 58)

**"Well designed new development makes efficient use of land within an amount and mix of development and open space that optimises density. It also relates well to and enhances the existing character and context."**

(NDG, October 2019, Para 64)

- 2.9 I have reviewed the design approach in relation to the NDG (CD. 7.4), and this is set out in a table at appendix D4.
- 2.10 Building for Life 12 (CD. 7.2) is also referred to at NPPF (CD. 5.1), para 129 as a framework when assessing design. The design proposals are assessed in accordance with BFL by Pegasus at appendix D8. I note that BFL 12 (CD. 7.2) was updated in 2020 to Building for a Healthy Life (BHL) (CD. 7.3), but that document is not the one the NPPF (CD. 5.1) refers to; nevertheless, I have also assessed the proposals against the BHL 2020 criteria (see my appendix D8).
- 2.11 In my assessment and in difference to the LPA's assessment, both the development achieves 10 'greens', the criteria states that achieving 9 or more 'greens' (and no reds) allows a BFL/BHL commendation.
- 2.12 I also note the very recent announcement by the government of a consultation on a new National Design Code and associated NPPF changes. At the time of writing these are still subject to consultation until the end of March 2021, but the proposals align with the broad intent.

### **Local Policy and Guidance**

- 2.13 Reference is made to the relevant policies and guidance contained within the applicable Development Management Plan. Design related policies/guidance relevant to this site include:
- i. Policy Bi/MU/1 (CD. 5.23) identifies the site as a wider strategic allocation area providing around 75 dwellings and retail development, noting that development on the site will be subject to three key points. Of note to design

is the requirement to address the site's gateway location and management of the transition to the main built-up area;

- ii. Core Policy 3 (CD. 5.12) sets the expectation of good quality housing design and a minimum average density of 30 dwellings per hectare (dph);
- iii. Core Policy 9 (CD. 5.13) requires proposals to demonstrate a high standard of sustainable design that protects and enhances the natural environment. Of particular note is the requirement to demonstrate an effective and efficient use of land that optimises site potential at a suitable level; and
- iv. Policy DM5 (CD. 5.20) and accompanying notes sets out 10no. criteria against which all new development proposals shall be assessed against to ensure accordance with Core Policy 9 (CD. 5.13). My considered assessment of the appeal proposals against the requirements of Policy DM5 (CD. 5.20) is shown at appendix D6.

#### **Supplementary Planning Guidance/Documents**

- 2.14 The Residential Cycle and Car Parking Standards and Design Guide (CD. 5.25) is currently in draft form and is yet to be formally adopted. As such it is considered within the context of the appeal proposal but carries limited weight.

#### **Relevant Planning History**

- 2.15 Outline planning permission (17/01139/OUTM) was decided to be approved at Planning Committee on 3 April 2018 for **"residential development up to 85 dwellings (Class C3), up to 3,000 sqft (280sqm) retail development (Class A1), and associated access works including details of a new access junction into the site from Eakring Road"**. A condition was imposed required the submission of reserved matters within three years of the date of the permission. As such the outline consent if drawn down remains extant until 1 June 2021.
- 2.16 In terms of the design considerations for the appeal scheme, the outline planning permission (OPP) provides some established design themes which are to be taken forward into detailed design stages. As such, the OPP carries some weight in my view as it expressed the indicative layout form that would be acceptable to the Council (my appendix D9). The proposed scheme in question contains the majority of design principles established by the OPP.

- 2.17 I note that in October 2020, a full planning application (ref: 20/01965/FUL) was submitted by Lincolnshire Co-operative Ltd for the construction of a **“single storey convenience store and associated hard and soft landscaping”**. Of further note is the increase in scale from the OPP of 280sqm of retail to the full planning application proposal of 390 sqm. This represents an approximate 40% uplift.
- 2.18 The appeal site proposals of an increase from the OPP 85 dwellings to 103 dwellings represents an approximate 21% uplift.

### **Site Analysis**

- 2.19 A full site description and relevant background information is contained in the Statement of Common Ground (CD. 6.12) and Statement of Case (CD. 6.4). In addition, I set out below my analysis in relation to the design issue to be addressed in this evidence. It should be noted that the application's Design and Access Statement (CD. 1.14) included an existing site and context analysis. It should also be noted that the Council has not made a specific objection to the DAS (CD. 1.14) neither has it objected to any of the design proposals contained within, with the exception of density and the transitional relationship of the proposals against the appeal sites northern boundary.
- 2.20 The appeal site, being broadly rectangular in shape extends to approximately 3.78ha. It is currently in agricultural use. It is located to the east of Eakring Road, within the defined village envelope of Bilsthorpe. Bilsthorpe itself is defined as a Principal Village with a good range of day-to-day facilities. The appeal site is also known as Site 1 under policy Bi/MU/1 (CD. 5.23) within the Allocations and Development Management DPD (July 2013) (CD. 5.16).
- 2.21 The appeal site is adjacent to the former Bilsthorpe Colliery. An old, dismantled railway line lies to the north, its route is informally used as a footpath/track. This links to the Bilsthorpe Leisure trail (part of National Cycle Route 645), this link also provides access to the woodlands on the eastern boundary, beyond which the land is open in nature. Land to the south of the site is currently in commercial use and land to the north is open in nature. The western extent of the site is defined by Eakring Road with residential development beyond.
- 2.22 Topographically, the site is predominately level save for some subtle localised undulations. Existing vegetation tends to be contained to field boundaries within the site. The dismantled railway runs within a cutting and land outside of the eastern boundary rises steeply so that the woodland is set on an embankment.

## **Context Analysis**

2.23 In terms of the existing form and character of the area, the DAS (CD. 1.14) contains an assessment of the area and explains the elements of built and natural character that can be found there. In my preparations for this proof of evidence, I have carried out my own contextual analysis of the locality. I refer to each of the following design components when assessing each area:

- i. Urban Form and built use disposition;
- ii. Building Detail and architectural appearance;
- iii. Scale and proportion;
- iv. Materials and enclosure details;
- v. Streets and Parking; and
- vi. Key spaces.

2.24 The settlement pattern and growth of Bilsthorpe has been influenced by its coal mining history, with much of the village representing inter or post war development. I have identified a range of character areas within the sites immediate locality from which to draw my context analysis from. The character areas are illustrated at my appendix D2. These are:

- CA1 – Eakring Road;
  - i. Urban Form and built use disposition – predominately residential land uses, dwellings are generally semi-detached typologies. Along Eakring Road there is a mixed approach to frontage development, with some properties presenting their front elevation to Eakring Road and others presenting their rear gardens. The building line is fairly consistent with a deep set back from the edge of road/pavement, this frontage set back is generally utilised as front private amenity space;
  - ii. Building Detail and architectural appearance – use of gables and hipped roof forms to animate roofscape. Splayed bay windows animate front elevation and entrance detailing is minimal. Rhythm and repetition is created along the street scene through the inclusion of these punctuation architectural

features. The architectural appearance of these dwellings are typical of their era of construction;

- iii. Scale and proportion – generally two storey, pairs of semi-detached dwellings with wide frontages. Some examples of wide fronted single storey dwellings particularly to the northern end of Eakring Road;
  - iv. Materials and enclosure details - Examples of red brick, render and occasional stone effect as the main facing materials. Properties presenting their gardens to Eakring Road are defined by either close board timber fence or open post and wire. Properties presenting their front elevations utilise low level walls with either timber insets or metal railing or low level hedgerow planting;
  - v. Streets and Parking – along the sites western edge Eakring Road has a pedestrian foot way to its western edge, but not on the eastern side (the proposals include a new 2m footpath in this location) see site layout appendix D1. Parking is provided on plot generally to the side of its associated dwelling via long driveway and garages set behind the building line. Due to the set back building line, these driveways appear to be in excess of 15m. There are limited examples of residents converting the soft landscaped amenity space to the front of the dwelling to hard paving to provide additional parking spaces; and
  - vi. Key spaces – given the limited extent of this character area spaces are limited to the junctions formed between Eakring Road/Mickledale Lane and Eakring Road/Church Street. At these nodal points, dwellings have frontages to the public domain.
- CA2 – South of the dismantled railway;
    - i. Urban Form and built use disposition –residential land uses, dwellings are semi-detached typologies for the most part. Properties present their rear gardens to the dismantled railway. The building line is relatively consistent set back from the edge of road/pavement, this frontage set back is generally utilised as front private amenity space;
    - ii. Building Detail and architectural appearance – Roof structures are simple, dual pitch with occasional chimneys to punctuate the horizontal plane. Elevational treatments are also relatively simple and entrance detailing is

minimal. The architectural appearance of these dwellings are typical of their era of construction;

- iii. Scale and proportion – two storey, pairs of semi-detached dwellings giving the impression of wider frontages.
  - iv. Materials and enclosure details – predominately multi-stock red brick as the main facing materials with pantiles of either brown or red colour. Rear garden boundaries are defined by close board timber fence. Front boundaries utilise low level brick walls or hedges;
  - v. Streets and Parking – Parking is provided on plot generally to the side of its associated dwelling via long driveways. Some dwellings include a garage behind the building line. Due to the deep set back, these driveways appear to be in excess of 15m; and
  - vi. Key spaces – Given the limited extent of this character area there are no key spaces identified. It is however, noted that vistas are terminated by built form and that when turning corners, properties address the higher category thoroughfare.
- CA3 – Valley Road housing area;
    - i. Urban Form and built use disposition –residential land uses, dwellings are semi-detached typologies for the most part. Properties create a generally consistent set back which follows the route of the road;
    - ii. Building Detail and architectural appearance – Roof structures are simple, dual pitch with chimneys to punctuate the horizontal plane and some examples of hipped roofs, particularly towards Mickledale Road. Limited use of gable frontage detailing. Elevational treatments are also relatively simple and entrance detailing is minimal. The architectural appearance of these dwellings are typical of their era of construction;
    - iii. Scale and proportion – two storey, pairs of semi-detached dwellings;
    - iv. Materials and enclosure details – predominately red brick as the main facing materials with pantiles of either brown or red colour. Some use of natural coloured, rough cast render. Areas is defined by the perimeter block

development, thereby enclosing rear gardens. Front boundaries tend to utilise low level brick walls or hedges;

- v. Streets and Parking – Parking is provided on plot generally to the side of its associated dwelling via long driveways. Some dwellings include a garage behind the building line. Due to the deep set back, these driveways appear to be in excess of 15m; and
  - vi. Key spaces – Given the limited extent of this character area there are no key spaces identified. It is however, noted that vistas are terminated by built form and that when turning corner, properties address the higher category thoroughfare.
- CA4 – Mickledale Close;
    - i. Urban Form and built use disposition – residential land uses, dwellings are detached typologies for the most part. Properties present their rear gardens to the dismantled railway and west towards Rainworth water. The building line is varied, but typically set back from the edge of road/pavement, this frontage set back is generally utilised frontage parking;
    - ii. Building Detail and architectural appearance – Roof structures are simple, dual pitch with the occasional gable fronted unit to vary the roofscape. Elevational treatments incorporate varied material pallets to create interest along the street scene. The horizontal plane is punctuated by protruding garages, some of which incorporate first floor extensions. Entrance detailing is minimal and often hidden by the protruding garages. The architectural appearance of these dwellings is typical of their era of construction;
    - iii. Scale and proportion – two storey, narrow module detached dwellings;
    - iv. Materials and enclosure details – predominately multi-stock red brick as the main facing materials with pantiles of either brown or red colour. Rear garden boundaries are defined by close board timber fence. Front boundaries utilise low level brick walls or fences;
    - v. Streets and Parking – Parking is provided on plot to the front of its associated dwelling; and

- vi. Key spaces – Given the limited extent of this character area there are no key spaces identified. It is however, noted that vistas are terminated by built form and that when turning corner, properties address the higher category thoroughfare.
- CA5 – South of Mickledale Lane: Saville Road – Cross Street;
  - i. Urban Form and built use disposition – predominately residential land uses, dwellings are semi-detached and terrace building typologies. Development pattern based on the principle of perimeter blocks. The building line is consistent with frontage parking/front amenity space between the front of house and back edge of the public domain;
  - ii. Building Detail and architectural appearance – Predominately hipped roof structures along with some simple dual pitched. Occasional use of chimneys. Elevational treatments are also relatively simple and entrance detailing is minimal. The architectural appearance of these dwellings are typical of their era of construction;
  - iii. Scale and proportion – predominately two storeys, pairs of semi-detached or terrace dwellings giving the impression of wide frontages;
  - iv. Materials and enclosure details – predominately smooth or rough cast render in neutral colours as the main facing materials with pantiles of either brown or red colour. Some examples of red brick dwellings. Front boundaries are generally open to allow for frontage parking, or enclose front amenity space by low level hedgerows, timber fencing or brick walls;
  - v. Streets and Parking – Where parking provision is provided it is on plot generally to the front or side of its associated dwelling. Side parking is via long driveways. Some dwellings include a garage behind the building line.; and
  - vi. Key spaces – Vistas are terminated by built form and when turning corners, properties address the higher category thoroughfare. Some intersections include triangular pieces of land that on occasion incorporate public domain planting.



### **3. DESIGN PROPOSALS**

- 3.1 An explanation of the background to the application is set out in planning evidence and in the documents accompanying the application, in particular the DAS (CD. 1.14). Notwithstanding this, I feel it is important to recognise that the design approach was led by townscape, landscape and visual analysis and evolved via a logical well-considered process that was informed by the outline planning permission.
- 3.2 During the consideration of the application, a number of meetings were held with the Council Officers and as mentioned earlier, the proposals were recommended for approval by Officers.
- 3.3 In line with National and Local Government Guidance and Policy, considerable importance needs to be placed on achieving a high standard of design across the site. Successful urban design is dependent upon achieving an appropriate relationship between policy requirements, community needs, development form and a positive response to local conditions.

#### **Use & Amount**

- 3.4 Just to clarify the density, at the time of the refusal, the 31dph referred to is the density number based on the total site area minus the attenuation area and areas of open space.
- 3.5 Within the accompanying Statement of Case (CD. 6.4) a more detailed site density plan has been prepared by the Appellant, which is shown at my appendix D5. This demonstrates density ranges across the site (31.3dph along the northern and north western edge – 41.8dph around the attenuation area to the south).
- 3.6 Using the density plan developable area the average site density across the site is 34.7dph. The northern boundary, referred to as P1 – Rural Fringe on the appended Density Plan represents the lowest density proposed at 31.3dph.
- 3.7 The proposed net density, both in terms of site average and density range is in full accordance with Core Policy 3 (CD. 5.12) of the Core Strategy (CD. 5.5).
- 3.8 Overall, 103 dwellings are proposed. The retail element of the site's allocation is being dealt with by separate application. It is the Appellants intention to liaise and information share with the retail applicant where appropriate and clearly provision of the retail land is allowed for and not prejudiced by the residential design approach.

- 3.9 The additional 28/18 dwellings beyond the 75/85 dwellings in the allocation/outline planning permission reflects the greater understanding of the allocation site's constraints and opportunities than there was at both stages.
- 3.10 I will explain later why density is not on its own a determining factor in character generation. The increase is also reflective of the site's viability and local market conditions, as demonstrated within applicant's viability Proof of Evidence (CD. 6.32).
- 3.11 The amount of open space provided has been designed in order to cater for the recreational needs of the existing and new community on the Application Site and to meet the requirements of open space standards set within the Local Plan. In accordance with the outline planning application two large areas of open space are proposed, the central POS providing the principal area of recreational open space with the southern area of open space containing the attenuation feature. Landscaping areas are included to the Eakring Road and the northern boundary, along with private front and rear amenity spaces for individual dwellings. The landscape and open space strategy is full detailed within the applicants Landscape Poof of Evidence.

#### **Access, Movement & Parking**

- 3.12 A well-connected movement network, accessible by all users, is proposed which helps ensure that all areas of the development are easy to navigate, safe and secure.
- 3.13 The movement hierarchy clearly defines the main routes and helps achieve a permeable layout. The hierarchy recognises the need to combine the function of the street as a movement corridor alongside its place function.
- 3.14 The importance of each of the street types in terms of its movement and place function varies within the hierarchy. Streets are defined by the building layout, so that buildings rather than roads dominate.
- 3.15 The site will be accessed via a T-junction at Eakring Road. The access road is designed and to be constructed to adoptable standards. It will provide access to the appeal site and the separate retail proposals.
- 3.16 Pedestrian connections are proposed along the eastern boundary.
- 3.17 Additional highways works are proposed as part of the site proposals and are discussed further within the Highways Proof of Evidence (CD. 6.28).

- 3.18 Parking is designed to be integrated into the scheme and located close to dwellings which they serve. The majority of new dwellings will be served with on plot parking located to the side or front of the dwellings. Parking spaces and garages are sited so there is sufficient room for users to enter and exit the vehicle.
- 3.19 It is envisaged that many of the new dwellings will be served with on plot parking generally located to the side, front or rear of the dwelling.
- 3.20 Parking provision and sizing is designed in line with guidance contained within Manual for Streets and the guidance set out within the Council's 2006 Vehicle Parking Standards. Updated final draft parking standards are yet to be adopted.
- 3.21 The distance from the car parking space to the home is kept to a minimum and will be level or gently sloping.
- 3.22 Where appropriate, the aim is to allow for on street parking, where it is likely to occur in any event and this does not give me concerns as it would be a normal part of the area's street scene.

### **Architecture and Materials**

- 3.23 The materials palette reflect the materials found within Bilsthorpe and contain a traditional mix of brickwork, render, stone and grey pantiles.
- 3.24 Material Palette Principles include:
- i. 3-4 finishes to be the maximum in a single elevational composition;
  - ii. Materials not to be included just for reasons of variety, but used to express the geometry of the building design; and
  - iii. Where buildings are intended as a focus or marker within the development proposals, their main architectural elements are emphasised to create a recognisable feature or landmark.
- 3.25 The materials and details will vary in different areas of the site and the DAS (CD. 1.14) includes reference to elements that will encourage design quality including:
- i. Building detail (window arrangement and proportions);
  - ii. Building materials for roof and main building fabric;

- iii. Scale and proportion of the buildings and their fenestration (for both urban form and detail); and
  - iv. Frontages should have elements of consistency to avoid a disparate unrelated assembly of buildings; linking elements could include common walling materials, gables and/or door colours.
- 3.26 The aim is that architectural elements within each building relate to the requirements of the overall street scene. In particular, all parts of buildings visible from the public realm are considered as complete architectural compositions, where they collectively form the street scene and impact on the public realm including:
- i. Create obvious main frontages - street frontages are designed to be active, and in residential areas activeness equates to movement at building entrances and visibility through fenestration;
  - ii. Avoiding blank gables - if for other design reasons a gable is unavoidable then the design approach aims to animate and add visual interest to end gables with the use of bay windows, chimneys or similar architectural treatments;
  - iii. Treat visible end elevations as part of the street scene - windows are provided to principal elevations and amended to suit an end/side condition as necessary;
  - iv. Building lines to reinforce changing character - street typologies create a more varied building line in some areas, elsewhere greater consistency in the building line is preferable; and
  - v. Building lines are designed to reinforce character and seek to mitigate what might otherwise be a road dominated layout in places using changes in frontage to create pinch points, deflections and/or changes help to bring existing and proposed trees into an integrated street scene.

### **Building Heights and Massing**

- 3.27 The height and massing of the proposed development varies across the site according to the nature of the public realm to be created. The scheme is predominately 2 storey in height, with occasional 2.5 storey (rooms within the roof) units at focal areas and vistas of the site.

- 
- 3.28 In terms of variety in massing of the residential buildings, this is achieved through the use of a range of house types and sizes ranging from smaller units to 3-4 bedroom detached houses.
- 3.29 The arrangement and orientation of dwellings has been carefully considered to limit the impact upon existing built form, protect the amenity of existing and new residents and promote positive frontages to appropriate public domains. Particular attention has been paid to the Eakring Road frontage and northern boundary whereby frontage development is set behind landscaping and private drives are proposed.
- 3.30 A variety of house types, tenures and sizes are provided which will assist in creating a balanced community as a variety of households can be accommodated thereby minimising the potential of social exclusion.
- 3.31 Overall, the design approach is well-founded and will in my view produce an attractive place to live, work and play.

#### **4. ANALYSIS OF REASONS FOR REFUSAL**

##### **Original reason for refusal**

- 4.1 The Council's reason for refusal (CD. 4.2) is based upon the view that the proposed average density has not been demonstrated as an appropriate transition to the open countryside.
- 4.2 The DAS (CD. 1.14) and associated planning application documents demonstrate and explain how the design approach will accommodate 103 dwellings in an attractive way, and the application details were deemed appropriate by the Council officers.
- 4.3 Density and character are not the same things, nor does one predetermine the other. For example, a 4 bed dwelling takes up broadly the same space as two small semi-detached dwellings, but the density is doubled even though the building footprint, scale and massing of the built form and associated space are comparable.
- 4.4 As mentioned earlier, the net density (see Density Plan at appendix D5) demonstrates an average 34.7dph with the northern boundary benefiting from a reduced density of 31.3dph. Densities then increase as the development moves away from the northern edge. The proposed densities, both the site average and the northern boundary area, are close to the lowest acceptable threshold but are in compliance with the minimum density 30dph requirement of Core Policy 3 (CD. 5.12) and demonstrate an efficient use of land.
- 4.5 The approach to density allows for a range of dwellings across the site with varying sizes and tenures in order to accommodate a variety of household type, which will provide a hierarchy of dwellings, from larger detached properties with larger plots through to smaller terraced forms, allowing for a variety in the proposed streetscape.
- 4.6 The NPPF (CD. 5.1) also encourages efficient use of land and to lower the density too much unnecessarily would not be the effective use of the land.
- 4.7 The design of the development proposals is broadly based on the principle of perimeter blocks that provide a strong frontage to the public realm, whilst protecting the amenity of residents. This continuity assists in defining the public realm, promotes an active street scene and helps to create a safe and attractive environment.
- 4.8 The density allows proposed buildings to frame a network of streets and spaces across the development. A well-connected movement network, accessible by all

users, is proposed, which helps ensure that all areas of the development are easy to navigate, safe and secure.

- 4.9 In any event to create an attractive appropriate design you cannot rely on density, instead you need a wider set of design components; as I have mentioned above, the development proposals encompass seven components.
- 4.10 The proposal will 'belong' to the area using comparable design elements found locally, including:
- i. predominantly 2 storey dwellings;
  - ii. houses fronting streets;
  - iii. traditional proportions;
  - iv. architectural articulation inspired by local detailing such as multi pane windows, porches to front doors;
  - v. an interplay between pitched roofs and gables; and
  - vi. similar materials to those of which development in the local area is composed.
- 4.11 Whilst taking design cues from the context, the proposals do not need to be a 'photocopy' to 'fit' in, as that would unnecessarily undermine the site's potential; for example, dwellings overlooking the central open space which will be an attractive new space and will, in my view be a positive addition to the existing character rather than limiting them to small triangular areas at junctions as suggested by the LPA's statement of case (CD. 6.13).
- 4.12 Overall, the proposals will create a new place, but not an alien new place in sharp juxtaposition to the existing character in the area.
- 4.13 The development's residential character is inspired by the context that has developed over time, subtly changing as you move through the scheme; the proposals have the charm of a similarly changing scene designed in.
- 4.14 The LPA provides its own assessment framework at Policy DM5 (CD. 5.20) to ensure development proposals meet the requirements of Core Policy 9 (CD. 5.13). My

assessment of this is shown in appendix D6. In my view, the proposals satisfy the policy requirements of DM5 (CD. 5.20) and represent a policy acceptable scheme.

- 4.15 The proposals will, in my view, create a new place that is a polite addition to the existing context.

**Statement of Case & Dr Kurczkowski's additional reasons for refusal**

- 4.16 Since the original reason for refusal (CD. 4.2) being issued and as part of their Statement of Case (CD. 6.13), Council officers have presented alternative layout options as part of their Building for a Healthy Life 2020 (BHL 2020) assessment (CD. 6.25).
- 4.17 This it seems to me has raised Urban Design related issues which were not previously contested or raised during the pre-application and application process, nor in the original reason for refusal (CD. 4.2).
- 4.18 The Council's Statement of Case (CD. 6.13) raises the following new reasons for refusal:
- i. Character and identity to be based on Garden City/Corporation Suburb Ideals;
  - ii. Response to existing usage patterns across the site, with particular reference made to the informal diagonal route made through the site and along the eastern boundary;
  - iii. The relationship of the proposals along the eastern boundary; and
  - iv. The proposed architecture of the house types with respect to their response to the local context, reference is also made to the building typology and building lines of Eakring Road.
- 4.19 In order to support their case, two alternative layout options have been proposed which I critique below. Particular attention is paid to the original reason for refusal (CD. 4.2) of density and the transitional relationship the proposed built form has to the sites open countryside boundaries.



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Concept Options

- 4.20 **Council's new concept option A** presents an indicative scheme of 85 dwellings based on a measured net development area (see appendix D7) of 4.09ha. This would equate to an approximate site wide average density of 20.78dph.
- 4.21 This is contrary to the minimum density requirement of Core Policy 3 (CD. 5.12) and does not represent an efficient use of land.
- 4.22 In order to meet the minimum density requirement this concept option would theoretically need to achieve 123 dwellings.<sup>1</sup>
- 4.23 **Council's new concept option B** presents an indicative scheme of 87 dwellings based on a measured net development area (see appendix D7) of 4.30ha. This would equate to an approximate site wide average density of 20.23dph.
- 4.24 This is again contrary to the minimum density requirement of Core Policy 3 (CD. 5.12) and does not represent an efficient use of land.
- 4.25 In order to meet the minimum density requirement this concept option would theoretically need to achieve 129 dwellings.<sup>1</sup>
- 4.26 Both schemes propose single sided adoptable highway directly adjacent to the northern boundary of the application site and indicate no or minimal additional landscaping treatments along this boundary.
- 4.27 By virtue of their required construction methods, that is being wider in nature and needing to be of tarmac, it is my opinion that adoptable highways implicitly proposed in the Council's options are a more urbanising factor than dwellings set behind private drives as proposed by the Appellant.
- 4.28 For both options, dwellings are orientated to front onto the eastern boundary and are set behind the highways network. A limited width landscape area separates the highway from the woodland, which itself is set upon a steep embankment. The topography in this area does not enable pedestrian connections. The area of green space adjacent to the boundary is of limited width, thereby minimising the opportunities for multifunctional recreation. It is considered that in this instance

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<sup>1</sup> Methodology to calculate policy requirement yield is based upon the measured net development area multiplied by 30dph i.e. Concept Option A: 4.09ha\*30dph=122.7, rounding up equates to 123 dwellings.

outward facing development towards the eastern boundary is not a necessary design solution.

- 4.29 Option A does not take the opportunity to create a strong residential frontage to the site entrance and instead users are presented with rear boundary treatments and elevations. A footpath is also indicated to the rear of development block, which brings into question security issues. I note the annotation on the plan that a more considered resolution is required in this area.
- 4.30 Both options appear to utilise predominately smaller semi-detached and detached footprints, which are noted to be taken from the Appellants building forms. This does not reflect the desire expressed by the Councils statement of case (CD. 6.13) for larger, higher value product. Although, I note Dr Kurczkowski has advised the LPA that different building typologies could be used.
- 4.31 The diagonal desire line which connects Eakring Road to the north-eastern corner of the appeal site is maintained in one option but not the other, suggesting that its rerouting (as also proposed by the Appellant) is acceptable.
- 4.32 The concept options present some design features which were not included within either of the OPP or the Appellants proposals, they have not been subject to public consultation (as advised by the NPPF (CD. 5.1)).
- 4.33 Both options do not appear to address the Council's original reason for refusal (CD. 4.2) and both present development immediately adjacent to the application sites northern boundary.
- 4.34 Both concept options propose net densities which do not meet policy requirements
- 4.35 Furthermore, I have assessed the appeal scheme against the current BfL 12 and BHL 2020 at appendix D8. In my assessment and in difference to the LPA's assessment, the development achieves 10 'greens', the criteria states that achieving 9 or more 'greens' (and no reds) allows a BFL/BHL commendation.
- 4.36 BFL/BHL commendations can only formally be granted post consent, and any commendation can only be given after the proper planning process has been concluded. I deduce this is so that the assessors do not typically get caught up in the planning process and can maintain a truly independent view.

4.37 It should be further noted that Newark and Sherwood District Council have no policy requirement for design proposals to be accompanied by either a BFL12 (CD. 7.2) or BHL2020 (CD. 7.3) assessment.

4.38 I also note that the BHL2020 (CD 7.3) is not listed in the current NPPF (CD. 5.1), it is currently BFL12 (CD. 7.2) that is listed in the current NPPF (CD. 5.1).

4.39 I also note that NPPF (CD. 5.1) para 129 states:

**"...assessment frameworks such as Building for Life<sup>47</sup>. These are of most benefit if used as early as possible in the evolution of schemes..."** (my emphasis)

4.40 In this case the Council already have an assessment framework in the form of policy DM5 (CD. 5.20), so in many ways introducing BHL12 (CD. 7.2) or BHL2020 (CD. 7.3) is not in my view necessary, and furthermore they did not introduce the BHL2020 (CD. 7.3) criteria until the statement of case, which is not 'as early as possible', as the NPPF (CD 5.1) requires.

4.41 Given the presence of Policy DM5 (CD. 50) as the Council's own assessment framework, the BHL2020 (CD. 7.3) assessment provided by the Council from my design perspective, with respect, should have very little or no weight.

## **5. SUMMARY AND CONCLUSIONS (SUMMARY PROOF)**

- 5.1 The location of land uses, extent of the built form and street typologies have been tailored to respond to the area's constraints and opportunities.
- 5.2 The design team has worked with the Council to refine the design during consideration of the application to the point where there was a recommendation for approval.
- 5.3 I have explained the logic behind the design approach and highlighted the balance that needs to be drawn between different design principles. It is therefore important to recognise that individual aspects of a design approach, such as density preferences, cannot and should not be viewed in isolation.
- 5.4 The layout, takes cues from the locality, including urban form, scale and proportion, materials amongst other characteristics. Overall, the design process has resulted in a scheme that makes appropriate use of the site and appropriate reference has been made to the Council's design related policy and guidance and relevant elements of the NPPF (CD. 5.1).
- 5.5 In overview:
- i. Density is a simplistic method to judge design and should not be used in isolation to assess if a development provides the appropriate design response into the local surroundings;
  - ii. There are many other design components that establish a character 'fit', including:
    - Urban Form and built use disposition;
    - Building Detail and architectural appearance;
    - Scale and proportion;
    - Materials and enclosure details;
    - Streets and Parking; and
    - Key spaces.

- 5.6 All these are prominent by their absence from the reasons for refusal (CD. 4.2) which suggests the Council are happy with the vast majority of the design components.
- 5.7 In addition, density does not prescribe character, for example a 4 bed house can be the same size and shape as a 2 bed semi-detached house, but the semi-detached dwellings will be double the density.
- 5.8 In any event, average development density in the region of 34dph as an overall should not cause concern as it will not be the determining factor in the proposals fitting in. Furthermore, a density in the region of 31dph along the northern boundary is not overly dense. The average site density is one that delivers predominately 2 storey family housing, like the surroundings and is compliant with the Councils policy requirements.
- 5.9 There is logically slightly higher density in some areas and lower density in other areas (as density is rightly in my view not a monoculture across the site); the northern area is at an average of 31dph, for example, and some areas are designed to be slightly higher density in some areas to encourage character definition, as prompted by good design practice.
- 5.10 The NPPF (CD. 5.1) also promotes efficient use of land; lower average densities would be poor, inefficient use of land.
- 5.11 The density when viewed in combination with the other design approach components will, in my view, create a polite addition to the character of the adjoining area and will be seen as a logical and complimentary addition to the area without detrimentally affecting the character of the area. Simply speaking, the proposals will 'fit' in.
- 5.12 In fact, the proposals will create attractive new streets and places to enjoy, with open spaces and links through the development that will in many ways be a positive contribution to the area.
- 5.13 I do not consider that the appeal is sub-standard because of the density, I am confident the development can be satisfactorily and appropriately accommodated, it will constitute a design with a balanced design approach across a number of design objectives.
- 5.14 It is only within the Council's Statement of Case (CD. 6.13) that additional design components, outside of the original reason for refusal (CD. 4.2), were brought into question.

- 5.15 My evidence demonstrates that the design and layout of the proposed development has been formulated following a well-considered design. The design approach is founded on good urban design practice.
- 5.16 I am therefore content that proper consideration has been given to the design approach and that the design is appropriate to the context.
- 5.17 In line with paragraph 127 of the NPPF (CD. 5.1), in my view the proposals at appeal will:
- i. Function well and add to the quality of the area with creative new streets and open spaces;
  - ii. Be visually attractive with good architecture, layout and landscaping;
  - iii. Be sympathetic to local character, including surrounding built environment and landscape setting, with some changes to create new spaces and places;
  - iv. Establish and maintain a strong sense of place through the creation of streets and spaces and the use of buildings and materials;
  - v. Optimise the potential of the site with an appropriate amount and mix of development; and
  - vi. Create places that are safe, inclusive and accessible with a high standard of amenity.
- 5.18 The developer and design team have done as paragraph 128 of the NPPF (CD. 5.1) states and engaged proactively with the Council. The development addresses the intent to deliver beautiful, enduring and successful places set out in the National Design Guide (CD. 7.4), despite this guide arriving after the application was submitted.
- 5.19 The Appeal Scheme, in my view, will pass the Building for Life 12 (CD. 7.2) design assessment test as referred to at NPPF (CD. 5.1) paragraph 129. It will also, in my view, pass the more recent BHL 12 (CD. 7.3) criteria.
- 5.20 More importantly and more appropriately it will in my view pass the test of Policy DM5 (CD. 5.20).

5.21 In conclusion, there is, in my view, no reason in design terms to refuse planning permission for this appeal.

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## **APPENDIX D1**

### **Submitted Site Layout**





ACCOMODATION SCHEDULE

Eakring Road, Bilsthorpe				
Rev K				
HOUSE TYPE	NUMBER	BEDS	SQ. FOOTAGE	
Danbury	2	3B5P	832	1664
Caddington	19	3B5P	850	16150
Wentworth	8	3B5P	842	6736
Warwick	3	3B5P	858	2574
Windsor	6	3B5P	869	5214
Stratten	16	3B5P	1061	16976
Stavely	4	3B6P	1031	4124
Rothway	19	4B6P	1028	19532
Eaton	6	4B6P	1279	7674
Burton	10	4B7P	1297	12970
AFFORDABLE				
Halstead - Rented	4	2B4P	651	2604
Halstead - Shared Ownership	6	2B4P	651	3906
TOTALS:	103			100124
Area Gross:	36522	Sq.Metres		
Area Gross:	9.02	Acres		
Undevelopable Area:	6944.82	Sq.Metres		
Area Nett:	29577.18	Sq.Metres		
Area Nett:	7.31	Acres		
Density:	14.09	Units / Acre		
Sq. Footage:	13699.81	Sq Ft / Acre		
Comments:				
Issued for comment 01-02-19. Ew				
Rev A - Comments incorporated 06-02-19 Ew				
Rev B - Internal comments incorporated 08-02-19 Ew				
Rev C - Internal comments incorporated 26-02-19 Ew				
Rev D - Revised numbers to 97 15.03.19				
Rev E - Pump stations added, layout adjusted 25.09.19				
Rev F - Official Issue 03.10.19				
Rev H - Layout revised, numbers increase to internal comments				
Rev J - Buffer to northern boundary added 10.02.20				
Rev K - Pre app comment incorporated 18.02.20				
Rev L - Layout finished off by GPA 15.05.20				
Rev M - Site entrance amended (GPA) 29.07.20				
Rev N - Amended to clients comments (GPA) 31.07.20				
Rev O - Amended to clients comments (GPA) 03.09.20				
Rev P - Amended to clients comments (GPA) 11.09.20				
Signed:				

Legend.

- Application Boundary - to be verified by Land Registry / Client
- Indicates 1.8m high Close Boarded Fencing
- Indicates 1.8m Stone Screen Wall
- Indicates 0.75m Post and Rail Fence
- Pedestrian crossing points where footway ends - Charcoal block pavours
- All private drives to be Tarmac parking spaces to have block paved demarcation strip
- Private drives to adoptable standards - allow for fire attenuation turning
- Affordable dwellings
- Collapsible bollards
- Illustrative trees
- Illustrative planting

P Garages added to plots 25,26,37,38,41,42,85,86,87,88 (GPA) 11.09.20

O Amended in accordance with clients comments (GPA) 03.09.20

N Amended in accordance with clients comments (GPA) 31.07.20

M Site entrance amended (GPA) 29.07.20

L Layout finished off by GPA 15.05.20

K Pre-App comments incorporated 18.02.20

J Landscape buffer to Northern boundary 10.02.20

H Layout revised, numbers increased to internal comments 25.09.19

G Attenuation pond & pumpstation adjusted 10.02.20

F Official Issue 03.10.19

E Pump stations incorporated, layout adjusted 25.09.19

D Scheme increased to 97 units 15.03.19

C Internal comments incorporated 26.02.18

B Internal comments incorporated 08.02.19

A First Issue 06.02.19

Rev. Description Date

01/02/2019 Scale: 1:500 @ A1 Drawn: EW

P-01 Rev: P

**Keepmoat Homes**

Keepmoat Homes, Nottingham Business Park  
Nottingham NG8 6PX  
Tel: 0115 8587930 www.keepmoat.com

Development

**EAKRING ROAD  
BILSTHORPE**

Drawing Title

**PLANNING LAYOUT**



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## APPENDIX D2

### Third Party Comments

### THIRD PARTY COMMENTS

Comment Ref.	Design Related Representations	Design Response
NSDC Local Development Framework Task Group	<ol style="list-style-type: none"> <li>1. Dwellings do not meet National Space Standards.</li> <li>2. Failure to comply with the emerging NSDC Parking Standards SPD in respect of tandem parking.</li> <li>3. Lack of provision for bin storage.</li> <li>4. The landscape gateway edge to the northern boundary.</li> </ol>	<ol style="list-style-type: none"> <li>1. There is no policy requirement for the proposed dwellings to meet National Space Standards.</li> <li>2. Current applicable Parking Standards SPD does not rule out the use of tandem parking. In fact, neither does the emerging SPD. The latter states a preference against it, but acknowledges the use of tandem parking may be required.</li> <li>3. Every dwelling is provided with private rear amenity space that is commensurate to the dwelling size. The amenity space provided is capable of providing ample bin storage. Each dwelling is provided with private direct access from the garden to the public domain to enable refuse collection.</li> <li>4. This point is addressed fully within the main body of the proof with respect to urban design matters. Landscape character and strategy matters further respond to this point within the Landscape proof of evidence.</li> </ol>
Cllr Rhona Holloway	<ol style="list-style-type: none"> <li>5. Integration and connections of the informal desire lines currently being utilised across the site. Particular reference is made to the north-south route along the eastern boundary and the connections with the dismantled railway.</li> <li>6. The provision of a pedestrian crossing across Eakring Road has not been provided.</li> </ol>	<ol style="list-style-type: none"> <li>5. As fully discussed within this proof of evidence the connections towards the dismantled railway and the directions of travel the informal routes facilitate are still possible within the proposals.</li> <li>6. This is a highways design matter and is responded to within the Highways proof of evidence.</li> </ol>
Nottinghamshire County Council as Lead Local Flood Authority	<ol style="list-style-type: none"> <li>7. No further comments made on the proposals and acknowledged the Appeal.</li> </ol>	<ol style="list-style-type: none"> <li>7. No response necessary.</li> </ol>

Health Improvement & Community Relations Manager, NSDC	8. No design related comments.	8. No response necessary.
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## **APPENDIX D3**

### **Existing Context Character Areas**





## LAND AT EAKRING ROAD, BILSTHORPE - CONTEXT CHARACTER AREAS



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## **APPENDIX D4**

### **National Design Guide (NDG) Assessment**

## NATIONAL DESIGN GUIDE (NDG) ASSESSMENT

NDG Characteristic	Design Response
<p><b>Context:</b> <i>"An understanding of the context, history and the cultural characteristics of a site, neighbourhood and region influences the location, siting and design of new developments. It means they are well grounded in their locality and more likely to be acceptable to existing communities. Creating a positive sense of place helps to foster a sense of belonging and contributes to well-being, inclusion and community cohesion."</i> (Para. 38, NDG 2019)</p>	<p>An assessment of the local context and the application site have been carried out and are fully detailed in the accompanying DAS. This assessment draws upon not just the architectural appearance of existing development, but also on building typologies; integration of parking; roofscape; materials palette and boundary treatments.</p> <p>This proof also draws out the key areas of context assessment that relate specifically to the reason for refusal.</p> <p>Assessments of the site have been informed by the relevant technical disciplines where appropriate.</p>
<p><b>Identity:</b> <i>"The identity or character of a place comes from the way that buildings, streets and spaces, landscape and infrastructure combine together and how people experience them. It is not just about the buildings or how a place looks, but how it engages with all of the senses."</i> (Para. 49, NDG 2019)</p>	<p>A variety of design principles to guide the development form are detailed within the accompanying DAS and key points drawn out by this proof. The design principles proposed are in general conformity with the outline planning permission that covers the appeal site.</p> <p>The application of these design principles is not to create a pastiche of what has been before, but to take locally common design themes into the development that will help assimilate it seamlessly into its surroundings. There is also the requirement to positively respond to the OPP.</p> <p>The identity of a place is defined by a number of factors working together. Those factors and principles proposed consider a variety of placemaking characteristics within the accompanying DAS.</p>
<p><b>Built Form:</b> <i>"Built form is the three-dimensional pattern or arrangement of development blocks, streets, buildings and open spaces. It is the interrelationship between all these elements that creates an attractive place to live, work and visit, rather than their individual characteristics. Together they create the built environment and contribute to its character and sense of place."</i> (NDG item 60)</p>	<p>The development proposals are based on the principle of back-to-back development parcels whereby, private amenity spaces are protected, and active frontages are created to the public realm.</p> <p>The development scheme will provide a variety of house types, tenures and sizes to cater for all life stages and the housing needs of the area.</p>



<p><b>Movement:</b> <i>"Patterns of movement for people are integral to well-designed places. They include walking and cycling, access to facilities, employment and servicing, parking and the convenience of public transport. They contribute to making high quality places for people to enjoy. They also form a crucial component of urban character. Their success is measured by how they contribute to the quality and character of the place, not only how well they function."</i> (Para. 74, NDG 2019)</p>	<p>The movement patterns for the proposals are provided to give users with not only direct and logical routes, but also a choice of routes and modes. The principle vehicular route through the scheme has been designed to connect to the existing road network and provide access to the retail element of the site allocation.</p> <p>Pedestrian/Cyclist permeability is also ingrained into the development proposals via both an on and off-street network of new foot/cycle path. Connections to the wider off site pedestrian routes are made available within the site proposals, particularly to the informal route along the northern boundary and Eakring Road.</p> <p>Parking provision, both allocated and unallocated are sensitively designed to be unobtrusive into the street scene, but also convenient to the user. Quantum is in line with local standards with a difference in opinion over the acceptability of triple tandem spaces. This is discussed within Mrs Mears' Transport proof.</p>
<p><b>Nature:</b> <i>"Nature contributes to the quality of a place, and to people's quality of life, and it is a critical component of well-designed places. Natural features are integrated into well-designed development. They include natural and designed landscapes, high quality public open spaces, street trees, and other trees, grass, planting and water."</i> (Para 90, NDG 2019)</p>	<p>The landscape strategy for the site has been developed to include both recreational and landscape/amenity green spaces to complement the edge of settlement location of the appeal site and to create an inclusive and interactive community.</p> <p>Open space is provided in line with standards set out in the local plan. A variety of typologies are provided for.</p>
<p><b>Public Spaces:</b> <i>"The quality of the spaces between buildings is as important as the buildings themselves. Public spaces are streets, squares, and other spaces that are open to all. They are the setting for most movement. The design of a public space encompasses its siting and integration into the wider network of routes as well as its various elements. These include areas allocated to different users – cars, cyclists and pedestrians – for different purposes such as movement or parking, hard and soft surfaces, street furniture, lighting, signage and public art."</i> (Para. 99, NDG 2019)</p>	<p>At the centre of the appeal site is a large area of public open space providing recreational opportunities and green focal point to the scheme. The area around the green space becomes a nodal point that overlooks the green space, creating an active area.</p> <p>The central POS connects with a second open area to the south of the site and the informal pedestrian running through dismantled railway to the north of the site via its principal north-south vehicular route. It is considered likely that visual connection to both these open areas will be possible from the central open space.</p>

	<p>Streets and spaces within the proposals have been designed to cater for both vehicular and pedestrians/cyclists. Particular attention is paid to the specification of hard surface materials that will ensure high-quality and durable public areas.</p> <p>Proposed dwellings will present active frontages to the public realm to ensure the public spaces feel safe and secure for users through high levels of passive and active surveillance.</p>
<p><b>Uses:</b> <i>“Well-designed neighbourhoods need to include an integrated mix of tenures and housing types that reflect local housing need and market demand. They are designed to be inclusive and to meet the changing needs of people of different ages and abilities. New development reinforces existing places by enhancing local transport, facilities and community services, and maximising their potential use.”</i> (Para. 109, NDG 2019)</p>	<p>The appeal site provides for the residential element of the sites mixed use allocation alongside open space uses. A separate retail application has been submitted. Both applicants are working collaboratively in order to ensure that the delivery of their separate applications can be done so in compliance with the phasing required by the DPD. The delivery of the appeal site will create a community that not only provides for the housing needs of the local community but is also supported by complimentary community facilities.</p> <p>A range of house types, sizes and tenures are proposed across the site that respond to the local housing need. Tenures are pepper potted across the site and designed to be tenure blind, thereby encouraging social inclusion and a diverse community.</p>
<p><b>Homes &amp; Buildings:</b> <i>“Well-designed homes and buildings are functional, accessible and sustainable. They provide internal environments and associated external spaces that support the health and well-being of their users and all who experience them.”</i> (Para. 120, NDG 2019)</p>	<p>The development proposals are based on the principles of perimeter block development, ensuring that strong and active frontages overlook the public realm, whilst protecting the amenity and privacy of both existing and proposed dwellings. This continuity across the development will assist in defining the public realms and promoting an active street scene, whilst aiding in the creation of safe and attractive environments. Where appropriate houses will benefit from enclosed, rear private gardens with clearly defined boundaries.</p>
<p><b>Resources:</b> <i>“Well-designed places and buildings conserve natural resources including land, water, energy and materials. Their design responds to the impacts of climate change.”</i> (Para. 135 NDG, 2019)</p>	<p>The proposed development demonstrates efficient use of land, accords with the latest building regulation requirements, that emphasises high levels of building fabric insulation and other materials and</p>

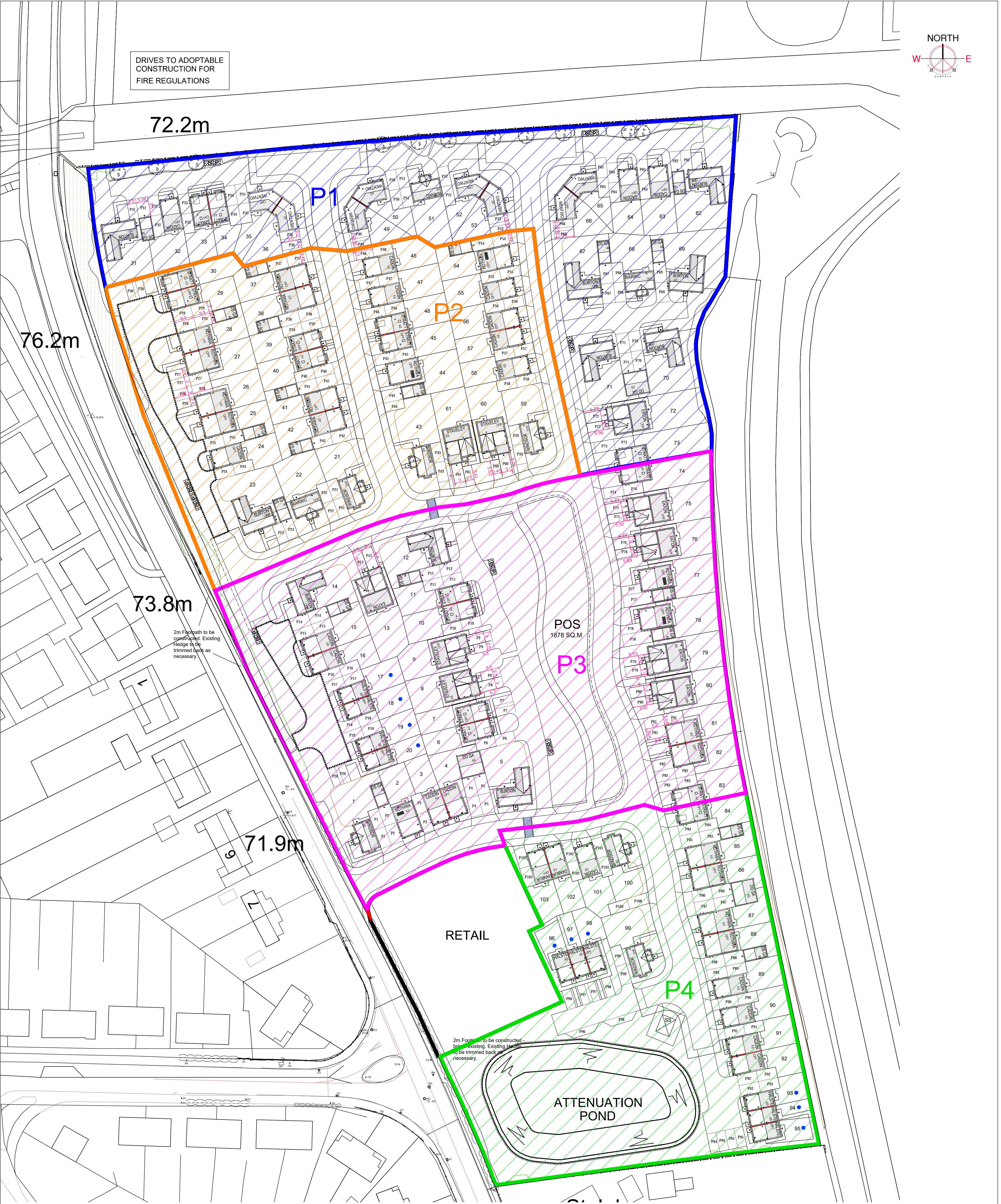
	methods to reduce energy and resource requirements.
<p><b>Lifespan:</b> <i>"Well-designed places sustain their beauty over the long term. They add to the quality of life of their users and as a result, people are more likely to care for them over their lifespan."</i> (Para. 150, NDG 2019)</p>	<p>The range of spaces and movement connections provided across the development and beyond provides opportunities for residents to live, socialise, learn and work in the community within which they reside. This promotes a long-lasting sense of ownership and community stewardship. All the dwellings, streets and spaces will have clearly assigned ownership and management responsibilities, such as adopted highways; affordable housing providers; open space management companies and private home ownership. The exact split of these responsibilities will be defined at the appropriate stages.</p>

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## **APPENDIX D5**

### **Density Plan (by Applicant from SoC appendix G)**





Phase	Total Area (Ha)	Undevopable area (Ha)	Developable area (Ha)	Number of plots	Policy 30 plots per acre	103 units - Total area plots per Ha	103 units - developable area plots per Ha
P1 - Rural Fringe	0.8064	0.0708	0.7356	23	24.2	28.5	31.3
P2 - Central	0.8915	0.0301	0.8614	30	26.7	33.7	34.8
P3 - Central POS	1.1918	0.2954	0.8964	30	35.8	25.2	33.5
P4 - South (pond)	0.7616	0.2835	0.4781	20	22.8	26.3	41.8

Rev.

Description

Date

Keepmoat Homes

Keepmoat Homes, Nottingham Business Park  
Nottingham NG8 6PX  
Tel: 0115 8587930 www.keepmoat.com

Development

Eaking Road  
Bilstrophe

Drawing Title

Density Plan  
Proposed Site Plan

Date

30.11.20

Scale

1:500

Drawn

EW

Desg. Ref.

ER-DP-01

Rev.

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## **APPENDIX D6**

### **Policy DM5 Assessment**

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## POLICY DM5 ASSESSMENT

### Design

In accordance with the requirements of Core Policy 9, all proposals for new development shall be assessed against the following criteria:

#### 1. Access

Provision should be made for safe and inclusive access to new development. Where practicable, this should make use of Green Infrastructure and as many alternative modes of transport as possible.

#### 2. Parking

Parking provision for vehicles and cycles should be based on the scale and specific location of the development. Development resulting in the loss of parking provision will require justification.

#### 3. Amenity

The layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy. Development proposals should have regard to their impact on the amenity or operation of surrounding land uses and where necessary mitigate for any detrimental impact. Proposals resulting in the loss of amenity space will require justification. The presence of existing development which has the potential for a detrimental impact on new development should also be taken into account and mitigated for in proposals. New development that cannot be afforded an adequate standard of amenity or creates an unacceptable standard of amenity will be resisted.

#### 4. Local Distinctiveness and Character

The rich local distinctiveness of the District's landscape and character of built form should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development. In accordance with Core Policy 13, all development proposals will be considered against the assessments contained in the Landscape Character Assessment Supplementary Planning Document. Proposals creating backland development will only be approved where they would be in-keeping with the general character and density of existing development in the area and would not set a precedent for similar forms of development, the cumulative effect of which would be to harm the established character and appearance of the area. Inappropriate backland and other uncharacteristic forms of development will be resisted. Where local distinctiveness derives from the presence of heritage assets, proposals will also need to satisfy Policy DM9.

#### 5. Trees, Woodlands, Biodiversity & Green Infrastructure

In accordance with Core Policy 12, natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. Wherever possible, this should be through integration and connectivity of the Green Infrastructure to deliver multi-functional benefits.

#### 6. Crime & Disorder

The potential for the creation or exacerbation of crime, disorder or antisocial behaviour should be taken into account in formulating development proposals. Appropriate mitigation through the layout and design of the proposal and/or off-site measures should be included as part of development proposals.

## 7. Ecology

Where it is apparent that a site may provide a habitat for protected species, development proposals should be supported by an up-to date ecological assessment, including a habitat survey and a survey for species listed in the Nottinghamshire Biodiversity Action Plan. Significantly harmful ecological impacts should be avoided through the design, layout and detailing of the development, with mitigation, and as a last resort, compensation (including off-site measures), provided where significant impacts cannot be avoided.

## 8. Unstable Land

Development proposals within the current and historic coal mining areas of the district should take account of ground conditions, land stability and mine gas, and where necessary include mitigation measures to ensure they can be safely implemented.

## 9. Flood Risk and Water Management

The Council will aim to steer new development away from areas at highest risk of flooding. Development proposals within Environment Agency Flood Zones 2 and 3 and areas with critical drainage problems will only be considered where it constitutes appropriate development and it can be demonstrated, by application of the Sequential Test, that there are no reasonably available sites in lower risk Flood Zones.

Where development is necessary within areas at risk of flooding it will also need to satisfy the Exception Test by demonstrating it would be safe for the intended users without increasing flood risk elsewhere. In accordance with the aims of Core Policy 9, development proposals should wherever possible include measures to pro-actively manage surface water including the use of appropriate surface treatments in highway design and Sustainable Drainage Systems.

## 10. Advertisements

Proposals requiring advertisement consent will be assessed in relation to their impact on public safety, the appearance of the building on which they are sited or the visual amenity of the surrounding area.

<b>Policy DM5 Site Assessment</b>	
<b>DM5 CRITERIA</b>	<b>PEGASUS DESIGN COMMENTS/ASSESSMENT</b>
1. Access	<p>Provision has been made for safe and inclusive access throughout the development with a single vehicular access point providing the principal means of access. Further pedestrian only access points are also proposed to facilitate ease of movement within and outside of the site.</p> <p>It is my opinion that the proposals demonstrate compliance with this requirement.</p>
2. Parking	<p>The policy sets out the requirement for parking standards to be based on the scale and specific location of the development.</p> <p>The current adopted Residential Parking Standards requires a minimum one space per 1-bedroom dwellings; 2 spaces per 2/3-bedroom dwelling and 3 spaces per 4+ bedroom dwellings. Garages may be counted towards parking provision so long as the meet the defined space criteria. In reference to tandem</p>



	<p>parking, the SPD requires driveway lengths to be extended to avoid cars overhanging the highway.</p> <p>The final draft parking standards, which at the time of writing remain unadopted, carry forward the minimum parking requirements and required dimensions. In respect of the issue of tandem parking it states that they can form part of the car parking strategy but will not be encouraged to be the predominant design solution, but it is acknowledged that in some circumstances (i.e. for smaller dwellings) tandem parking may be required.</p> <p>The principal concern raised by the original reason for refusal was the use of triple tandem spaces specifically. Of the 103 units proposed 20 number (19%) proposed triple tandem parking space and do not represent the predominant design solution for the site as a whole.</p> <p>Parking provision is located so that it is convenient for the resident to use it.</p> <p>It is my opinion that the parking strategy proposed is suitable for the scale and location of the development proposed and is in line with the current applicable residential parking standards.</p>
3. Amenity	<p>Protection of amenity in terms of overbearing impacts, loss of light and privacy are required.</p> <p>The majority of the site shares boundaries with open countryside. The proposals are based on the principle of perimeter blocks which ensure the appropriate front facing facades are presented to the appropriate public domain areas, whilst simultaneously protecting the residential amenity of residents.</p> <p>All properties are provided with appropriately sized private amenity spaces and where there are slight reductions from the recommended separation distances these are exceptions and are generally accepted.</p> <p>In my opinion, the proposals are in accordance with the requirements set out in respect of amenity.</p>
4. Local Distinctiveness and Character	<p>The policy requires local landscape and character of built form to be reflected by new developments in terms of scale, form, mass, layout, design, materials and detailing</p> <p>Following my own assessment of the local character and the proposal, it is my opinion that the proposals meet the requirements stated for reasons stated within the main body of this proof.</p>

	Furthermore, I note that the committee report states, <i>"Overall the visual appearance of the proposed house types are considered acceptable in the context of Policy DM5"</i> .
5. Trees, Woodlands, Biodiversity & Green Infrastructure	<p>The policy states that natural features of importance within or adjacent to the development should, where possible, be protected and enhanced.</p> <p>The application site is generally void of landscape features with the exception of the site boundaries. These are retained and wherever possible are enhanced within the landscape proposals accompanying the scheme.</p> <p>The proposals further benefit from increasing the vegetation stock within the site through the incorporation of open space and amenity planting as detailed within the accompanying landscape strategy and evidence.</p>
6. Crime & Disorder	<p>Natural surveillance in the form of doors and windows overlooking streets, pedestrian routes and public open spaces will create activity throughout the day and evening and will be an essential element in creating safe environments for all users, whilst discouraging criminal activity by increasing the risk of detection.</p> <p>Public lighting will be integrated to increase the opportunity for surveillance at night.</p> <p>Buildings are generally located back-to-back to ensure rear gardens are enclosed and protected.</p> <p>The ownerships and responsibilities for external spaces will be clearly identified and the proposals facilitate ease of maintenance and management at the appropriate conveyance stage.</p> <p>It is my opinion that the proposals satisfy the requirements of policy DM5 in respect of crime &amp; disorder.</p>
7. Ecology	The application was accompanied by an Ecological Appraisal and should be referred to for full detail. In essence, concerns over ecology have not been raised and subject to the imposition of certain conditions the proposals are acceptable in ecology terms.
8. Unstable Land	This is not applicable to the application site
9. Flood Risk & Water Management	The site is located in Flood Zone 1 and therefore at low risk of flooding from rivers. The application was accompanied with a Flood Risk and Drainage Assessment which confirms that the proposed drainage

	<p>strategy achieves the required surface water run-off rates.</p> <p>No objections have been raised in respect of the surface water drainage scheme.</p>
10. Advertisements	This is not applicable to the application site.

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## **APPENDIX D7**

### **Assessment of Council's SoC Option Plan Areas**





## KEY



MEASURED NET DEVELOPMENT AREA (4.09HA)

# LAND AT EAKRING ROAD, BILSTHORPE - COUNCIL CONCEPT OPTION A: NET DEVELOPMENT AREA





## KEY



MEASURED NET DEVELOPMENT AREA (4.30HA)

# LAND AT EAKRING ROAD, BILSTHORPE - COUNCIL CONCEPT OPTION B: NET DEVELOPMENT AREA



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## **APPENDIX D8**

### **BFL/BHL Assessment**

## BFL/BHL ASSESSMENT

Building for Life 12 (2018 Edition)	Evaluation by Pegasus Urban Design March 2021	Comments	Rating
INTEGRATING INTO THE NEIGHBOURHOOD			
1) Connections	<p>A single vehicular (with associated pedestrian footpaths) is proposed to serve the proposed development directly from Eakring Road. This point of access is designed and to be constructed to adoptable standards. It will also provide access to the separate retail application that makes up the remainder of the allocation site.</p> <p>The principal access route will initially traverse in a broadly east-west direction before terminating at the eastern most point. This vista is terminated by a positive public facing façade i.e. the principal elevation of a dwelling. From here users have the choice to go north or south to the remainder of the residential dwellings. These two axis are terminated by landscape features (either open space or planting). From the principal routes, minor category roads are served allowing access to the 'quieter' areas of development.</p> <p>There are no formal Public Rights of Way crossing or directly adjacent to the site. That said it is noted that there are desire lines both on site and off site. Principally, the off-site route running along the dismantled railway and the diagonal route crossing the site from Eakring Road to the north eastern corner of the appeal site. There is also a desire line that runs along the eastern boundary in a broadly north-south route. It is acknowledged that these informal routes are not retained in their current form, however the journeys and directions of travel which they serve are still possible within the proposed scheme. These routes also now benefit from being positively addressed and overlooked by the proposed dwellings and can</p>	I believe that the scheme integrates into its context by reinforcing existing connections, albeit via amended routes and creating new pedestrian and cycle routes.	Rated Green



	<p>make use of the varying types of open space opportunities along the way, for example the central POS area.</p> <p>Connections northwards towards the dismantled railway are made. As are pedestrian connections along the western boundary to Eakring Road.</p>		
2) Facilities and services	<p>The site is located within the defined village envelope of Bilsthorpe within its north eastern extent. Bilsthorpe is defined as a Principal Village with a good range of day-to-day facilities, many of which are within 1km or less of the site.</p> <p>A separate application has recently been submitted for the development of a retail store within the remainder of the allocation area.</p>	I believe that the scheme has good access to a good range of existing community facilities which are accessible by foot, bicycle or public transport.	Rated Green
3) Public transport	<p>The centre of the site is located within approximately 200m of the nearest bust stop on Eakring Road. Additional stops are located on Mickledale Lane. The stops enable travel to Mansfield, New Ollerton, Worksop and Nottingham.</p> <p>The closest railway station is located in Mansfield, approximately 12.8km from the centre of the site. From here travel to Worksop, Mansfield Woodhouse, Kirby and Nottingham are made possible.</p>	The site is within close proximity to modes of public transport that make travel to existing facilities and travel further afield possible.	Rated Green
4) Meeting local housing requirements	The mix proposed consists of 3b and 4b open market dwellings alongside 2b affordable dwellings.	As demonstrated by the mix of housing types and tenures suit local housing requirements and the local housing market. In addition, all these homes have access to both private and public green space. However, it is acknowledged that there are no 2b private sale properties. As such this criteria has been rated amber.	Rated Amber

CREATING A PLACE			
5) Character	<p>The proposals will deliver a high-quality range of housing that reflects the positive design features of Bilsthorpe and the surrounding area without creating a pastiche of what has been before.</p> <p>Proposed materials and architectural detailing reflect the existing and provides familiarity that ensures the proposals are positively assimilated into the existing built form fabric.</p>	I believe that the scheme creates a place with a locally inspired character and a range of attractive landscape spaces.	Rated Green
6) Working the site and its context	<p>Existing vegetation is limited and generally contained to the site boundaries. However, these have been retained and enhanced throughout. Proposed dwellings form appropriate relationships with vegetation to ensure it does not come under pressure for future removal. It is acknowledged, that the proposals present rear gardens to the wooded area along the eastern boundary. This principle was established and accepted with the OPP. As such, this principle is carried forward.</p> <p>The topography of the site has been carefully considered.</p>	<p>I believe that the proposal has taken the time to understand and respond to the existing environment and surrounding area, whilst balancing the need to develop land efficiently.</p> <p>However, it is acknowledged that dwellings back on to the woodland along the eastern boundary. This is not considered to be a fatal design compromise, but this criteria has been rated amber.</p>	Rated Amber
7) Creating well defined streets and spaces	<p>The site layout demonstrates how the streets and spaces have been well enclosed and are predominately fronted by built form. Frontage to the public open space creates a sense of enclosure offering natural surveillance and increasing the quality of the public realm.</p> <p>The layout has been designed to create a legible movement pattern with a clear street hierarchy.</p> <p>Some units have been designed to turn corners which ensure that natural surveillance is provided to the street and public realm.</p>	I believe buildings are designed and positioned with landscaping to define and enhance streets and spaces.	Rated Green

8) Easy to find your way around	A number of features have been included within the scheme to enhance its legibility, including changes in surface materials to demonstrate different pedestrian/vehicular priorities; open space and landscaping to act as focal points for the development and clear direct routes through. Vistas are terminated positively and corner turning units ensure both public facing facades are active.	I believe the development is designed to make it easy to find your way around.	Rated Green
<b>STREET AND HOME</b>			
9) Streets for all	The avoidance of an engineer approach to the highway design, achieved through varying street hierarchies ensures the highway does not dominate the new development. The enclosure of the streets and the proposed buildings fronting areas of the public realm will assist in creating activity and natural surveillance to the public realm, rather than a building layout being dictated by the highway.	I believe streets are designed in a way that encourage low vehicle speeds and allow them to function as social spaces.	Rated Green
10) Car parking	<p>The majority of allocated parking is provided on plot either to the side or front of the dwelling it serves. Parking bays and/or garages are provided at a quantum in line with local standards.</p> <p>Concerns over the use of triple tandem parking has been raised by the Council and Dr Kurczkowski's assessment. However, it is to be made clear that current applicable parking standards to not rule out the use of tandem parking. Nor do the final draft parking standards.</p>	I believe residential and visitor parking is sufficient and well-integrated so that it does not dominate the street.	Rated Green
11) Public and private spaces	<p>A strong building line and front garden landscaping treatments contribute towards clearly defining the public from private realm.</p> <p>Varying boundary treatments will include brick walls, close board fencing and hedging where appropriate.</p> <p>Variation in surface materials will also help define the public and</p>	I believe the public and private spaces are clearly defined and designed to have appropriate access to be able to be well managed and safe in use.	Rated Green

	private areas, whilst buildings are designed and orientated so that residents will be able to see the streets and spaces from within their homes.		
12) External storage and amenity space	<p>Dwellings will be provided with suitable cycle storage and rear gardens are of sufficient size to accommodate refuse storage.</p> <p>All dwellings are provided with direct access from their rear gardens to the street to enable ease of refuse/recycling collection.</p>	I believe all dwellings to be provided with adequate external storage space for bins, recycling and cycles.	Rated Green

Building for Healthy Life 2020	Evaluation by Pegasus Urban Design March 2021	Comments	Rating
<b>INTEGRATED NEIGHBOURHOODS</b>			
1) Natural Connections	<p>A single vehicular (with associated pedestrian footpaths) is proposed to serve the proposed development directly from Eakring Road. This point of access is designed and to be constructed to adoptable standards. It will also provide access to the separate retail application that makes up the remainder of the allocation site.</p> <p>The principal access route will initially traverse in a broadly east-west direction before terminating at the eastern most point. This vista is terminated by a positive public facing façade i.e. the principal elevation of a dwelling. From here users have the choice to go north or south to the remainder of the residential dwellings. These two axis are terminated by landscape features (either open space or planting). From the principal routes, minor category roads are served allowing access to the 'quieter' areas of development.</p> <p>There are no formal Public Rights of Way crossing or directly adjacent to the site. That said it is noted that there are desire lines both on site and off site. Principally, the off-site route running along the dismantled</p>	<p>I believe that the scheme integrates into its context by reinforcing existing connections, albeit via amended routes and creating new pedestrian and cycle routes.</p> <p>It is noted that the Councils assessment is of the view that a pedestrian crossing point should also be provided across Eakring Road to facilitate movements towards Bilsthorpe centre and towards the retail element of the allocation. However, comments from the Highway Authority accept that the development will not generate sufficient movements to justify a formal crossing at this location.</p> <p>It is noted that one of the council's own concept options differs</p>	Rated Green

	<p>railway and the diagonal route crossing the site from Eakring Road to the north eastern corner of the appeal site. There is also a desire line that runs along the eastern boundary in a broadly north-south route. It is acknowledged that these informal routes are not retained in their current form, however the journeys and directions of travel which they serve are still possible within the proposed scheme. These routes also now benefit from being positively addressed and overlooked by the proposed dwellings and can make use of the varying types of open space opportunities along the way, for example the central POS area.</p> <p>Connections northwards towards the dismantled railway are made. As are pedestrian connections along the western boundary to Eakring Road.</p> <p>It is further noted that, whilst there is not a continuous adoptable highway around the edges of the development, as shown within the Councils concept options, pedestrian permeability is still possible.</p>	<p>the diagonal route in the much the same way as the Appellants proposals and does not make reference to crossing points over Eakring Road.</p> <p>Given the connections made and retained, albeit via differing routes, it is my opinion that the red rating given by the Council is unjustified and should be awarded a green rating.</p>	
2) Walking, cycling and public transport	<p>The centre of the site is located within approximately 200m of the nearest bust stop on Eakring Road. Additional stops are located on Mickledale Lane. The stops enable travel to Mansfield, New Ollerton, Worksop and Nottingham.</p> <p>The closest railway station is located in Mansfield, approximately 12.8km from the centre of the site. From here travel to Worksop, Mansfield Woodhouse, Kirby and Nottingham are made possible.</p> <p>As mentioned above opportunities are taken to maximise pedestrian movements across the site.</p>	<p>The site is within close proximity to modes of public transport that make travel to existing facilities and travel further afield possible.</p> <p>Pedestrian movements are also enhanced the vehicular movement network has been designed to encourage low speeds, making pedestrian modes of transport attractive.</p> <p>It is my opinion that the Councils red rating is unjustified given the sites close proximity to public transport</p>	Rated Green

		options and the proposed pedestrian connections made.	
3) Facilities and services	<p>The site is located within the defined village envelope of Bilsthorpe within its north eastern extent. Bilsthorpe is defined as a Principal Village with a good range of day-to-day facilities, many of which are within 1km or less of the site.</p> <p>A separate application has recently been submitted for the development of a retail store within the remainder of the allocation area.</p> <p>The site also benefits from the inclusion of two large areas of open space, one centrally and one to the south of the scheme providing formal and informal recreational opportunities along with amenity open space.</p>	<p>I believe that the scheme has good access to a good range of existing community facilities which are accessible by foot, bicycle or public transport.</p> <p>It is noted that the Councils own concept options reduce the amount of open space proposed on site and whilst it locates the open space against the eastern boundary, its width limits the integration of formal recreation opportunities.</p> <p>It is my opinion that the Councils red rating is unjustified, particularly as this is an allocated site that has already been assessed as wholly suitable in terms of its proximity to existing facilities and services. Not to mention the delivery of an onsite retail facility to assist in the delivery of day-to-day needs.</p>	Rated Green
4) Homes for everyone	The mix proposed consists of 3b and 4b open market dwellings alongside 2b affordable dwellings.	<p>As demonstrated by the mix of housing types and tenures suit local housing requirements and the local housing market. In addition, all these homes have access to both private and public green space.</p> <p>However, it is acknowledged that there are no 2b private</p>	Rated Amber

		<p>sale properties. It is also acknowledged that the dwellings proposed do not meet National Space Standard, which it should be noted is not a policy requirement. The provision of single storey dwellings has also not previously been raised until this point.</p> <p>In light of there being no 2b private sale properties, this criterion is rated amber.</p>	
<b>DISTINCTIVE PLACES</b>			
5) Making the most of what's there	<p>The Council's own assessment of the Appellants proposals makes reference to a number of site characteristics that it feels should be responded to. These are taken and responded to in turn:</p> <ul style="list-style-type: none"> <li>• <i>"existing hedgerow along Eakring Road replanted/laid and enhanced"</i> – the hedgerow in question is to be retained in situ and trimmed back to facilitate the construction of a footway along Eakring Road and pedestrian connection points;</li> <li>• <i>"Integrate peripheral and cross site routes that are evident in the form of well trodden and well used paths"</i> – the connection points and direction of travel these routes facilitate are available within in the scheme albeit some have been diverted as detailed above. It should be further noted that these are desire lines and not formal prowl. Of further note is that one of the Council's own concept options also relocated the diagonal desire line in much the same way as the Appellants scheme;</li> <li>• <i>"Points of connection into and beyond the site (five in total) are evident along the southern boundary of the stie, Eakring</i></li> </ul>	<p>I believe that the proposal has taken the time to understand and respond to the existing environment and surrounding area, whilst balancing the need to develop land efficiently.</p>	Rated Green

	<p><i>Road field gate, north western corner and north eastern corner.</i> – as mentioned previously these connections are made possible with the exception of the connection at the south west corner;</p> <ul style="list-style-type: none"> <li>• <i>“Views across the site from Mickledale Lane to the wooded embankment”</i> – the nature of the topography beyond the eastern boundary is such that the woodland in question will be visible above the proposed roofscape;</li> <li>• <i>“A strong visual and pedestrian connection form the proposed site access to the wooded ridge”</i> – the wooded ridge will be visible from above the proposed roofscape. Outside of the sites boundary the embankment is steeply sloping meaning it would be an unattractive pedestrian connection option. Pedestrian crossing points in this area are not deliverable past the site boundary as the land is outside of the applicant’s control;</li> <li>• <i>“The wider Forest setting of the site and Bilsthorpe”</i> – the accompanying Landscape proof of evidence details the landscape strategy and its acceptability; and</li> <li>• <i>“The adjacent suburb that was development on Garden City/Corporation Suburb ideals”</i> – the DAS details a character assessment of the surrounding area based on a number of design principle and demonstrates how the proposals are an acceptable addition to the area, rather than creating a pastiche of what has been before or a development of entirely alien design forms.</li> </ul>		
6) A memorable character	The proposals will deliver a high-quality range of housing that reflects the positive design features of Bilsthorpe and the surrounding area without creating a pastiche of what has been before.	Given my own assessment of the locality it is my opinion that the red rating awarded is unjustified. Yet, it is acknowledged	Rated Amber



	<p>Proposed materials and architectural detailing reflect the existing and provides familiarity that ensures the proposals are positively assimilated into the existing built form fabric.</p> <p>Opportunities for landscaping to the private realm (generally within private curtilage) have been taken. And a large area of central open space provides a green focal point for the proposals.</p>	<p>that the proposed are national developer standards, built to a cost that ensures the scheme delivers the policy requirements of the allocation in a manner which is commercially viable.</p> <p>I believe that the scheme creates a place with a locally inspired character and a range of attractive landscape spaces that will represent a polite addition to the locality.</p>	
7) Well defined streets and spaces	<p>The site layout demonstrates how the streets and spaces have been well enclosed and are predominately fronted by built form. Frontage to the public open space creates a sense of enclosure offering natural surveillance and increasing the quality of the public realm.</p> <p>The layout has been designed to create a legible movement pattern with a clear street hierarchy.</p> <p>Some units have been designed to turn corners which ensure that natural surveillance is provided to the street and public realm.</p> <p>It is noted that the preference by the Council's assessment would be to front dwellings onto the eastern boundary, but the principal of setting dwellings with their rear gardens against the boundary has been established by OPP and been deemed acceptable. Further technical justification has also been given on why this has been carried forward into detailed design.</p> <p>The Council's assessment also notes that not all vistas are terminated by built form. There is one instance of a vista terminated by a stone boundary treatment (plot 12) and</p>	<p>I believe buildings are designed and positioned with landscaping to define and enhance streets and spaces.</p>	Rated Green

	further instance of the vista terminated by parking spaces, with boundary vegetation beyond. These are not considered fatal to the design proposals.		
8) Easy to find your way around	A number of features have been included within the scheme to enhance its legibility, including changes in surface materials to demonstrate different pedestrian/vehicular priorities; open space and landscaping to act as focal points for the development and clear direct routes through. Vistas are terminated positively and corner turning units ensure both public facing facades are active.	I believe the development is designed to make it easy to find your way around.	Rated Green
<b>STREETS FOR ALL</b>			
9) Healthy Streets	<p>The avoidance of an engineer approach to the highway design, achieved through varying street hierarchies ensures the highway does not dominate the new development. The enclosure of the streets and the proposed buildings fronting areas of the public realm will assist in creating activity and natural surveillance to the public realm, rather than a building layout being dictated by the highway.</p> <p>Footways are provided to ensure pedestrian permeability and the highways are designed to be both wide enough and of low enough speeds for vehicles and cyclists to share the carriageway.</p> <p>A further element is the repetitive pattern of built form punctuated by driveways/parking provision, these breaks will encourage user perception to self-regulate speeds i.e. the potential that a resident could leave their property either by car, foot or cycle will keep users of the carriageway more alert.</p>	I believe streets are designed in a way that encourage low vehicle speeds and allow them to function as social spaces.	Rated Green
10) Cycle and Car Parking	The majority of allocated parking is provided on plot either to the side or front of the dwelling it serves. Parking bays and/or garages are	I believe residential and visitor parking is sufficient and well-integrated so that it	Rated Green

	<p>provided at a quantum in line with local standards.</p> <p>Concerns over the use of triple tandem parking has been raised by the Council and Mr Krawkoski's assessment. However, it is to be made clear that current applicable parking standards to not rule out the use of tandem parking. Nor do the final draft parking standards.</p>	does not dominate the street.	
11) Green and blue infrastructure	<p>The drainage strategy proposed is based upon a technical study of the site and the most efficient method of dealing with surface water run-off.</p> <p>Landscape proposals are dealt with in more detail with the accompanying Landscape proof of evidence but demonstrate the acceptability of the proposals.</p>	I believe the green and blue infrastructure to be specific to the site and its known constraints.	Rated Green
12) Back of pavement, front of home	<p>Ownership and/or maintenance responsibilities are to be clearly defined at the appropriate conveyance stages.</p> <p>The accompanying landscaping drawing details the proposed planting methods to the front of dwellings.</p> <p>Each dwelling is provided with private rear amenity spaces that are of more the sufficient size to accommodate the refuse storage and all dwellings are provided with direct rear access.</p> <p>Of the 103 dwellings proposed, there are two mid-terrace units, both of which are provided with individual rear access paths of sufficient width to accommodate the movement of bins.</p>	<p>I believe all dwellings to be provided with adequate external storage space for bins, and recycling.</p> <p>Ownership and/or maintenance responsibilities will be clearly defined at the appropriate stage.</p>	Rated Green

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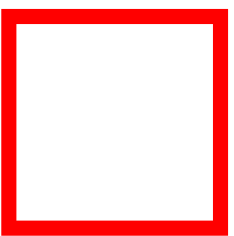
## **APPENDIX D9**

### **OPP Illustrative Layout**

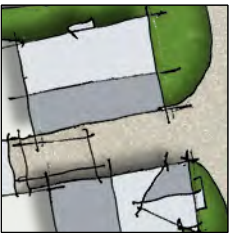




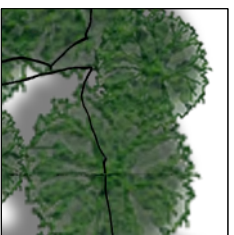
Key



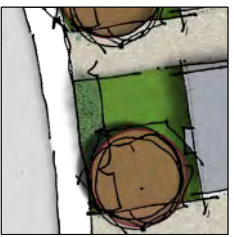
Site Boundary  
3.86Ha



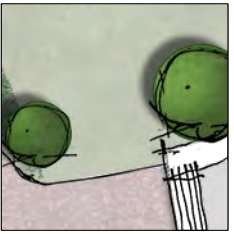
Developable Area  
Upto 85 Dwellings



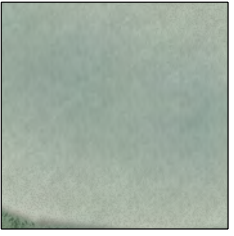
Existing Vegetation



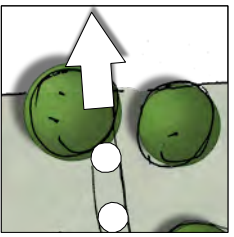
Proposed Feature Trees



Proposed Public Trees



Proposed Attenuation Area



Potential Pedestrian Links