

Proof of evidence in relation urban design matters

Dr. Stefan Kruckowski BA(Hons) DipTP RPUD FHEA

for Newark and Sherwood District Council

20/00873/FULM

Residential development of 103 dwellings an associated access and infrastructure.
Field Reference Number 7108, Eakring Road, Bilsthorpe, Nottinghamshire.

	Section	Page
1.0	Part One: Introduction	2
2.0	Part Two: The development proposals, site and design rationale	8
3.0	Part Three: Summary and conclusions	33
	Appendices	

1.0 Part One: Introduction

- 1.1 My name is Dr. Stefan Kruczkowski. I am a Recognised Practitioner in Urban Design with extensive experience in urban design in both the public and private sectors.

Recognised Practitioner status can be validated at the Urban Design Group's website¹. I was one of the first urban designers in the country to receive this professional recognition from the Urban Design Group.

I have been a Member of the Urban Design Group since 1998 and have served on its Executive Committee.

- 1.2 I hold undergraduate and post graduate qualifications in town planning and urban design. These qualifications include a doctorate in urban design. A doctorate is the highest qualification an individual can reach within their chosen field.

Graduate School, Nottingham Trent University
2018, Doctor of Philosophy (Urban Design).

Institute of Urban Planning, University of Nottingham
2001, Diploma in Town Planning (Urban Design).
2000, BA (Hons.) Urban Planning and Management (Urban Design).

My doctorate was completed whilst I was working full time. My doctorate was based upon my work as a practitioner and was therefore rooted in practice as opposed to an academic setting.

- 1.3 I have been owner and director of Urban Design Doctor Limited since establishing the company in 2017. My limited company grew from my original sole trader business (Stefan Kruczkowski Urban Design) that was formed in 2008.

I specialise in providing urban design support to local planning authorities and to Homes England (government agency). I also undertake selected commissions for private sector developers.

- 1.4 In 2008, I worked four days per week as Principal Urban Designer at North West Leicestershire District Council and spent one day per week undertaking freelance work following my appointment as an Enabler within the Urban Design and Homes Team at the Commission for Architecture and the Built Environment.

¹ <https://www.udg.org.uk/directory/recognised-practitioners/dr-stefan-kruczkowski>

My freelance work gradually increased and in 2017 I left paid employment and progressed from a sole trader to a limited company.

- 1.5 My career has been largely based in the public sector with over a decade of local government experience working within development management and planning policy teams as an urban design officer.

I have extensive experience of urban design matters on a wide range of applications in a broad variety of contexts (built/natural environment, social and economic).

- 1.6 I have worked for or offered urban design support to the following local planning authorities since 2007:

Blaby District Council, Buckinghamshire Council (former Chiltern and South Bucks Districts), Cheshire East Council, Cornwall Council, Derby City Council, East Lindsey District Council, Harborough District Council, Hart District Council, Mansfield District Council, Newark and Sherwood District Council, North East Derbyshire District Council, North Northamptonshire Joint Planning and Delivery Unit, North West Leicestershire District Council, Nottingham City Council, Poole Borough Council, Rushcliffe Borough Council, Rutland County Council, South Derbyshire District Council and Wigan Metropolitan Council.

- 1.7 I am co-author of Building for Life 12. Originally published in 2012, subsequent editions were published in 2014, 2015 and 2018 including a version for the Welsh Government in 2017: 'Adeliladu am Oes 12 Cymru: Arwydd o le da I fyw ynddo'.

I have used the Building for Life methodology for 12 years and have conducted pre-completion and post-completion Building for Life based assessments of residential developments across England in a wide variety of contexts.

- 1.8 In 2019/20, I co-authored the latest edition of the Building for Life methodology, Building for a Healthy Life. This edition was commissioned by NHS England.

Endorsed by Homes England, the Home Builders Federation, Design Network and the Urban Design Group, Building for a Healthy Life was written with the involvement of the Ministry of Housing, Communities and Local Government (MHCLG).

The methodology is a proven design tool for structuring discussions relating to the design quality of residential led developments, informing local authority decision making and securing design quality consistent with the requirements of the National Planning Policy Framework and the National Design Guide.

Building for Life 12 and my co-authorship of the tool is acknowledged in the NPPF (2019). Building for a Healthy Life and my co-authorship is also acknowledged in the proposed revised NPPF (2021).

- 1.9 I serve as a Chair of design review panels for Design Midlands, Design West.

I advise Homes England on the design quality of proposed developments (using the Building for Life methodology) on land owned by the agency or seeking financial support from the agency. I am well regarded by Homes England for providing objective and robust design advice and critiques.

- 1.10 I have served a fixed term as External Examiner at Anglia Ruskin University (MSc. Urban Design) having been appointed by its Senate on the basis of my academic credentials and practice experience.

I am visiting lecturer at the University of Nottingham's School of Architecture, Design and the Built Environment and previously worked as a Lecturer at Nottingham Trent University leading the PGCert Planning, Urban Design and Sustainable Development course that I created. The course was endorsed by the Urban Design Group.

- 1.11 I regularly deliver urban design training sessions, lectures and presentations. Recent talks have been offered to the Royal Town Planning Institute, East Midlands Councils, Urban Design Group, Urban Design London, BOB: MK, Design South West and urban design training to councillors of Hart District Council and North Northants Joint Planning Committee.

- 1.12 I am a Design Council Built Environment Expert. I served as a CABE Enabler from 2008 until the dissolution of CABE in 2011 following the government's Comprehensive Spending Review.

- 1.13 Within CABE I was responsible for offering urban design support and Building for Life advice to local authorities and developers across England.

I was heavily involved in the Building for Life programme. I trained Building for Life assessors, moderated assessments and offered advice to CABE on the

effectiveness of the programme as well as its future evolution. I was also part of a small expert team assessing the design quality of housing schemes seeking funding from the (then) Homes and Communities Agency's £1.06bn Kickstart fiscal stimulus programme following the global credit crisis in 2007.

Kickstart assessors were selected by CABI on the basis of their skills in robustly critiquing developments seeking grant funding using the Building for Life methodology. All Kickstart assessments were cross checked by a CABI staff member and all my assessments were considered accurate.

1.14 I contributed towards the delivery of CABI's Urban Design Summer Schools helping to train young urban designers and planners to better understand and apply urban design thinking and principles.

1.15 In 2018, I was awarded a PhD for my research into the effectiveness of Building for Life 12 as a regulatory mechanism in development management practice.

This was the first doctorate awarded based on Building for Life 12. My empirical research was based on the use of the Building for Life methodology on developments comprising of over 15,000 homes over a ten-year period.

A PhD recognises that an individual has made an original contribution to knowledge within their field of research.

1.16 In April 2021, Homes England will publish 'Streets for a Healthy Life', a companion guide to Building for a Healthy Life. I was part of the expert advisory panel that supported Homes England and their consultants in producing this urban design publication.

1.17 I undertake a small number of private sector commissions and have worked on residential developments with a number of house builders. I therefore understand and appreciate the technical and financial considerations that differentiate an undeliverable concept plan from a deliverable concept plan.

I have worked on residential developments across the country and have demonstrated that it is possible to secure the design qualities established in Building for Life across a range of market areas (from low to high), site conditions (greenfield and brownfield) and single to mixed tenure schemes.

I have extensive knowledge and experience about technical (and plotting) considerations such as highway standards (including deviations from set standards

that can still satisfy adoption requirements), cycle and car parking design, integration of structural landscaping, back-to-back distances and the efficient use of land.

In my experience, where schemes do not demonstrate the design qualities established in Building for Life this is not due to technical constraints. Instead, it can be attributed to the absence of individuals with robust experience and knowledge of the methodology being involved at the inception of a development and throughout its design evolution.

- 1.17 In 2019 I was commissioned to provide urban design advice to Newark and Sherwood District Council, assisting with the formulation of local policy documents and training for Elected Members and officers.

Since then, my involvement with the Council has increased and I have been consulted on planning applications whilst also offering urban design training to Elected Members and officers. I have provided advice and support to the Council in the production of the Residential Cycle and Car Parking Standards and Design Guide SPD.

I was requested to support the Council in February 2021 following the appellant's appeal against the Council's decision to refuse the planning application.

Scope of the proof

- 1.18 I am instructed by Newark and Sherwood District Council to prepare evidence in support of the design-related reasons for refusal of 20/00873/FULM, Residential development of 103 dwellings and associated access and infrastructure, Field Reference Number 7108, Eakring Road, Bilsthorpe, Nottinghamshire.

This proof does not deal with other reasons for refusal, matters that are being dealt with by other representatives on behalf of the Council and questions relating to these matters should be directed to the relevant individuals.

The Council also commissioned the services of Mr. Garry Hall, Urban Designer (Urban Forward Limited) to explore whether the site could be developed to better comply with design policies and good practice. However, the focus of this proof is the design of the submitted proposals.

Declaration

- 1.19 The evidence presented in this proof is what I understand to be true and has been prepared having considered all the information available to me at the time of

writing whilst drawing upon my professional and specialist urban design skills, knowledge and experience.

The comments offered here are my professional opinion, informed by my understanding of the site, local and national design policies and good practice in the field of urban design.

The robustness of my Building for Life critique of the proposals is reinforced by my extensive experience in using the methodology, using my experience and knowledge to moderate and validate the 'amber' and 'red' traffic lights assigned to each of the 12 considerations.

Structure of statement

1.20 The remainder of this proof of evidence is structured as follows:

Part 2 describes the development proposals, the evidence presented by the appellant concerning the design rationale and the degree to which the proposals respond to national and local design policies and best practice with particular reference to CABI guidance and the Building for a Healthy Life methodology.

Part 3 offers a summary and conclusion.

Part Two: The development proposal, site and rationale

Description of proposed development

- 2.1 The Committee report provided a summary of the proposals.

“The proposal seeks full planning permission for the erection of 103 dwellings, 93 for the market sector and 10 as affordable provision. The development would be delivered through 11 different house types ranging from 2 to 4 beds and 2 to 2 1/2 storeys. It is proposed that there would be an area of public open space broadly centrally within the site and an attenuation pond would feature at the south western corner of the site.”

Design rationale

- 2.2 The appellant seeks full planning permission. The Design and Access Statement (Rev. D, September 2020) seeks to explain and justify the design thinking behind the proposals.

The Statement was written by Geoff Perry Associates for Keepmoat Homes.

- 2.3 Good practice guidance for Design and Access Statements² highlights their importance as part of planning applications in explaining and justifying the design thinking and the evolution of development proposals through four stages:

- Assessment.
- Involvement.
- Evaluation.
- Design.

These stages should clearly demonstrate, *“how the physical characteristics of the scheme have been informed by a rigorous process”* (CABE, 2006, p.7).

- 2.4 The following section of the report considers the robustness of the Design and Access Statement against these four stages. Further discussion can be found in Paragraphs 2.62 to 2.80.

Assessment

- 2.5 *“The applicant should be able to clearly demonstrate through the statement that they have addressed the context of the site and its surroundings... as well as any*

² (CABE (2006) Design and Access Statements: How to write, read and use them, London.

existing planning policies... planning policy context means what policies and guidance exist to affect the shape of the development of the site” (CABE, 2006, p.22).

- 2.6 I shall begin with the planning policy context (design) and other material planning considerations (design).

The Design and Access Statement identifies local policies that were in place at the time of submission of the planning application. References to other relevant design policies and best practice is limited.

Policies and best practice are in place that relate to the design qualities of well-designed developments.

My critique discusses to what extent the proposals are consistent with policies and best practice and where there are deficiencies in the development proposals.

- 2.7 Relevant policies within the NPPF are as follows:
- 2.8 *91a. promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through... street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods.*
- 2.9 *91c. are safe and accessible, so that crime and disorder, and the fear of crime do not undermine the quality of life... for example through the use of clear and legible pedestrian routes, and high-quality public space which encourage the active and continual uses of public areas.*
- 2.10 *91c. enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure.... and layouts that encourage walking and cycling.*
- 2.11 *92b. take into account and support the delivery of local strategies to improve health...*
- 2.12 *92c. guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.*

- 2.13 *98. decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks...*
- 2.14 *102 and 102c. Transport issues should be considered from the earliest stages of ... development proposals, so that ... opportunities to promote walking, cycling and public transport use are identified and pursued.*
- 2.15 *102e. patterns of movement... are integral to the design of schemes, and contribute to making high quality places.*
- 2.16 *110a. Give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas;*
- 2.17 *110b. address the needs of people with disabilities and reduced mobility...*
- 2.18 *110c. create places... which minimise the scope for conflicts between pedestrians, cyclists and vehicles.*
- 2.19 *124. The creation of high quality building and places is fundamental to what the planning and development process should achieve.*
- 2.20 *127. ... decisions should ensure that developments:*
- 2.21 *127a. 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;*
- 2.22 *127c. are sympathetic to local character and history, including the surrounding built environment and landscape setting...*
- 2.23 *127d. 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.*
- 2.24 *127f. create places that are safe, inclusive and accessible... where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion or resilience.*
- 2.25 *130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*

- 2.26 Other material considerations are the National Planning Practice Guidance, National Design Guide (2019), National Model Design Code and the associated Guidance Notes for Design Codes (2021) Building for a Healthy Life (2020). None of these documents are referenced within the appellant's Design and Access Statement.

National Planning Practice Guidance

- 2.27 Refers to a range of design tools available to local planning authorities and developers, *"to guide the design of developments to ensure that the final product is of good quality"*. These tools include the National Design Guide and assessment frameworks such as Building for Life (now updated and called Building for a Healthy Life).

National Design Guide (2019), National Model Design Code and the associated Guidance Notes for Design Codes (2021)

- 2.28 These government documents reflect the government's growing emphasis and concern about the design quality of new developments. The National Design Guide (NDG) identifies ten characteristics of successful places.
- 2.29 The first of these characteristics is context. The NDG states that, *"well-designed places are... integrated into their surroundings so they relate well to them"* (40).
- 2.30 It continues to state, *"well-designed new development is integrated into its surroundings, physically, socially and visually. It is carefully sited and designed..."* (43).
- 2.31 The importance of movement networks is recognised in Paragraph 75, ***"patterns of movement for people are integral to well-designed places... They contribute to making high quality places for people to enjoy"***. (Bold, my emphasis).

This is further reinforced in Paragraph 77 that reinforces the importance of well-designed movement networks in promoting *"activity and social interaction, contributing to health, well-being, accessibility and inclusion"*.

- 2.32 The importance of active travel and physical activity is cited in Paragraphs 78 and 79, *"a well-designed and connected network gives people the **maximum choice** in how to make their journeys... all modes... are positively designed into the built form... People move around in attractive streets and other public spaces"*. (Bold, my emphasis).

Paragraph 82 states that, “**priority is given to pedestrian and cycle movements...** *Prioritising pedestrian and cyclists mean[s] creating routes that are safe, direct, convenient and accessible for people of all abilities.*” (Bold, my emphasis).

- 2.33 The importance of the spaces between buildings and how they connect to one another is highlighted later in the Guide. Paragraph 101 states, “*well-designed public spaces, particularly streets, are designed to support an active life for everyone, and are **maintained for continual use.***” (Bold, my emphasis).

- 2.34 The importance of perimeter block structure in new developments where the facades of buildings (as opposed to rear garden spaces) face onto streets and public spaces is recognised in paragraphs 69, 100, 104, 105.

The importance of perimeter block structure is also highlighted in the National Model Design Code (see Built Form, p.31) and the associated Guidance Notes (see B2 Built Form, from page 33).

Building for a Healthy Life (2020)

- 2.35 Building for a Healthy Life is a design methodology created to support better designed residential developments.

The methodology is recognised by MHCLG as a method by which to consider the merits of the proposed development in terms of its design and place making qualities. Building for a Healthy Life is cited in the draft NPPF (see paragraph 2.37) and is referenced in the National Design Guide (2021, page 53).

On being instructed to support the Council in this appeal, I advised the Council that I would primarily use the Building for a Healthy Life methodology to offer a critique the urban design qualities of the appellant’s proposals.

- 2.36 Building for a Healthy Life updated the previous edition of the tool, called Building for Life 12.

I co-authored Building for Life 12 and have a high degree of expertise in what the tool requires and how it is used robustly. Building for Life 12 is recognised as a design tool in the current NPPF (2019) and the updated version is referenced in the draft NPPF (2021).

- 2.37 In January 2021, MHCLG published proposed revisions to the NPPF for consultation. The draft references Building for a Healthy Life.

Paragraph 132 states, *“Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life.”*

- 2.38 The Building for Life methodology has been extensively tested in high to low market value areas, across single tenure and mixed tenure developments.

Schemes across the country have demonstrated that the principles can be achieved in all contexts if the right decisions are made early in the design process. These decisions include movement networks, block structure, the location of open spaces and structural landscaping.

- 2.39 A case of note in the use of Building for Life is APP/E2340/A/13/2195745 (Knotts Drive, Colne, Lancashire). The Inspector’s decision to dismiss the appeal was supported by the Secretary of State.
- 2.40 Building for a Healthy Life is a tool to assist local planning authorities in differentiating between well-designed and poorly designed development proposals. It was also designed to help local planning authorities structure pre-application discussions relating to design matters.
- 2.41 A local reference case in a similar market value area is Mansfield District Council 2017/0523/FUL Crown Farm Way, Forest Town, Nottinghamshire.

Building for Life 12 assisted Mansfield District Council in considering this planning application. The Building for Life review identified that there were failures in the design response including the relationship between the proposed development and a bridleway along the site’s western boundary.

These concerns about the interface between the proposed development and the bridleway where back gardens would address the bridleway corridor were raised with the applicant by the Council. The proposed interface would create a relationship similar to the one shown in the photograph below where back garden fences address a well-used public route.

The original proposals for Crown Farm Way (Proposed site layout plan; portal date 11 August 2017) saw the development address the bridleway by backing (as opposed to fronting) onto it. Close boarded fences enclosing rear garden spaces defined the relationship between the development and the public realm creating a

poor interface whilst limiting natural surveillance opportunities of the bridleway (helping to guard against crime and anti-social behaviour). By exposing the rear garden boundaries of properties, perimeter block structure was fragmented exposing properties to the risk of burglary/theft.



Poor practice example:

Backing development onto open spaces and public routes limits natural surveillance opportunities and makes the rear of homes vulnerable to burglary and theft.

This type of relationship occurs when the basic structure of perimeter blocks is broken. Perimeter block structure requires buildings to present their principal facades (and front doors) to the public realm, securing rear gardens within the core (or middle) of the block.
Marlpool, Derbyshire.



Good practice example: Fronting (or facing) development onto open spaces and public routes allows natural surveillance opportunities and retains the secure and basic structure of perimeter blocks where back garden spaces are located within the centre of the block.
Long Close, Anstey, Leicestershire. Source: Google Maps.



Good practice example: Street View of Long Close, Anstey, Leicestershire.
Source: Google Maps.



Good practice example: Where site constraints prevent conventional perimeter blocks from being created, different building types where gardens are placed between and to the side of houses can overcome the issues associated with fragmented perimeter block structure. This is an example of what Building for a Healthy Life refers to as *“building typologies that are designed to straddle narrow depth blocks”* (p.53).

Whilst the applicant for the Crown Farm Way development raised concerns about viability, improved proposals were subsequently approved (Colour proposed site layout; portal date 16 December 2019) with 9 homes along the western boundary re-orientated to face towards the bridleway (with their front doors facing towards the west).

Whilst the majority of homes still back onto the bridleway, the case demonstrates that a good design response (and one that is consistent with policy and good practice) is one where homes are orientated to face onto open spaces and the public realm, rather than back onto them through the creation of perimeter blocks.

Building for a Healthy Life is explicit in this in respect, by stating under ‘What ‘green’ looks like’:

- *“Front doors that face streets and public spaces”* (page 53).
- *“Perimeter blocks”* (page 53).
- *“Building typologies that are designed to straddle narrow depth blocks”* (page 53).

Building for a Healthy Life is also explicit in expressing ‘What ‘red’ looks like’:

- ***“Broken or fragmented perimeter block structure”*** (page 55).
- ***“Buildings that turn away from open spaces”*** (page 79).

Government and design quality

- 2.42 The government is placing an increasing emphasis on design quality in the planning system. This has been evidenced in recent years by the work of the Building Better, Building Beautiful Commission³, the publication of the National Design Guide (2019), the current consultation on proposed modifications to the NPPF (2021) and the publication of the National Model Design Code and the associated Guidance Notes (2021).

The government has also announced proposals to establish an Office for Place. This represents a significant shift in the government’s focus on design quality. The establishment of the Office for Place will be the first time government has committed to funding a body with a remit for raising design quality since the abolition of the Commission for Architecture and the Built Environment in 2011.

Local design policies

- 2.43 **Amended Core Strategy (2019)**

Local policies related to design quality include:

- Policy *Spatial* Policy 7: Sustainable Transport
- Core Policy 3: Housing Mix, Type and Density
- Core Policy 9: Sustainable Design
- Core Policy 12: Biodiversity and Green Infrastructure
- Core Policy 13: Landscape Character

Of particular note to the issues raised within this proof are the following core policies: 9: Sustainable Design (reduce opportunities for crime, fear of crime, disorder and anti-social behaviour; promote safe living environments) and 13: Landscape Character (positively address relevant Landscape Policy Zones in which is site is located).

- 2.44 **Allocations and Development Management SPD**

³ Building Better, Building Beautiful Commission (2020) Living with Beauty, London.

The site is Bi/MU/1. The site is allocated for around 75 homes and retail development. The policy highlights the site's gateway location and manages the transition into the main built-up area.

2.45 Policy DM5 covers matters relating to design, reinforcing Core Policy 9. Requirements of this policy include:

- Safe and inclusive access.
- Local distinctiveness and character (with proposals considered against the Landscape Character Assessment Supplementary Planning Document).
- Integration and connectivity of green infrastructure to deliver multi-functional benefits.
- Use design to avoid creating or exacerbating issues related to crime, disorder or anti-social behaviour.

2.46 **Newark and Sherwood Landscape Character Assessment SPD (December 2013)**

The site is located within National Character Area 49: Sherwood, the Mid Nottinghamshire Farmlands (a regional landscape character area) and MNPZ 24 and MNPZ 27 Policy Zones. The relevant Landscape Action Zone is 'Create' that requires *"actions that create new features or areas"* (Paragraph 1.3). Interventions include: create new hedgerows and restore existing and enhancing tree cover.

2.47 **Newark and Sherwood Residential Parking Standards and Design Guide SPD (Final Draft January 2021)**

The SPD sets expectations for the provision and integration of cycle car parking with a particular focus on using design to guard against displaced/anti-social car parking and street environments that are dominated by parked cars.

2.48 **Nottinghamshire County Council Highways Design Guide (updated January 2021)**

This Guide promotes the user hierarchy established in Manual for Streets and subsequently reinforced by Gear Change and LTN 1/20 (all published by the Department for Transport). This requires design interventions at a variety of scales, from providing strategic connections that embed a development into the wider movement network of a place (avoiding the common and widespread tendency to only consider vehicle movements) through to the detailed design of individual streets and junctions.

Site and contextual understanding and analysis

2.49 A robust understanding and analysis of a site and its context is an essential part of a carefully considered design process and underpin contextually responsive design proposals.

- 2.50 The Design and Access Statement begins (after introductory sections) by offering a Site and Contextual Analysis (page 11 to page 28).

Images of the site are peripheral and limited to those that appear to be available via Google Street View.

Page 20 offers a constraints plan. A number of important constraints have been identified by the appellant. These are:

- Site contours (illustrative)
- Surface water flood risk areas.
- Existing trees.
- Public Right of Way.
- Bridleway.
- National Cycle Route 645.
- Noise.

These constraints are used to underpin the design approach and proposals. These would be a robust foundation for the development proposals if these constraints were comprehensive.

- 2.51 There are other important constraints that are critical to the creation of a responsive design for development on this site.

Site visit observations

- 2.52 I undertook a site visit on 13 February 2021.

The weather was dry and the ground conditions allowed me to walk around and through the site in addition to surrounding areas. The site visit enabled me to identify a number of additional constraints and opportunities that were not identified and responded to by the appellant. The visit also enabled me to develop an appreciation for the settlement and some of its more distinctive and positive features.

I made three key observations during my visit. These key observations are what differentiates this site from other places and are critical in underpinning a successful and locally responsive design approach. These observations are primarily about the site structure and how it fits into the wider village as well as places beyond Bilsthorpe.

Observation 1: Field path network

- 2.53 The number of trodden footpaths around the edges and the diagonal path across the site; and the number of people using these was particularly noticeable.

I observed a number of people using the field. Some of those I observed walked a single circuit around the field before leaving and walking back in the direction of existing homes in the village. Other people I observed entered the field and used paths to access other tracks and paths beyond the site. Those doing a single circuit would walk the peripheral paths around the edge of the field, whilst those I observed walking across the field and beyond used the diagonal field path.

The importance of the paths to wider connectivity, providing links to the wider open space network is a particularly noticeable site feature.

I saw each of these paths in use, these being: the path along the southern edge, western edge, eastern edge, northern edge; and the diagonal path.

Whilst I have observed informal, trodden paths on other sites I have been involved with, these appeared to me to be heavily used and valued by the local community. This is not surprising considering that this is the nearest piece of open space to a high number of homes within the village.

The paths are both a constraint and an opportunity. The appellant failed to identify and recognise the importance of these paths in their Design and Access Statement. This failure also explains why these paths (either in part or in full) have not been positively responded to in the design response.

- 2.54 The importance of these paths cannot be underestimated as they provide important clues as to how people use places. They allow us to understand movement patterns within and beyond settlements. In turn, they guide us as to how we can extend our settlements in a way that does not undermine these movement networks.

Historical maps of towns and cities remind us that trodden paths evolve to become either formal rights of way or evolve into streets. It is the human use of land and the paths they create and follow that underpins the structure of walkable and accessible street and movement networks.

If these signals and clues are ignored, we will interrupt these movement networks. Whilst we can slightly manipulate the routes to accommodate settlement growth it is critical not to block or otherwise break them.

Observation 2: Wooded ridge

- 2.55 The wooded ridge is a distinctive feature within the settlement and can be seen from Savile Road between the wide gaps between houses. The wooded ridge provides a sense of connection to the wider landscape character in this part of Nottinghamshire (National Character Area 49: Sherwood).

Observation 3: New Bilsthorpe

- 2.56 Bilsthorpe grew significantly following the opening and operation of the local mine. New housing saw the settlement grow with two distinctive parts. Residents informally refer to Old Bilsthorpe and New Bilsthorpe. The site is adjacent to New Bilsthorpe.

As with many settlements, there are a range of streets and buildings. Whilst some of these are generic and lack a distinctive identity, a large proportion comprises of homes and streets built along Garden Suburb/Corporation Suburb ideals.

Characterised by a limited range of housing typologies, homes are set into generous blocks and plots; along strong linear streets. Buildings follow the line of the streets and this creates places with a distinctive and strong pattern in streets, buildings and spaces.

Whilst this character has been eroded through the erosion of frontage boundary treatments and growing car ownership levels that results in cars dominating former front garden spaces and littering pavements, the underlying and distinctive character of the suburb remains. It offers a cue for development that has not been recognised in the Design and Access Statement.

Site photographs

- 2.57 A series of photographs capture these key and other observations. These are provided in Appendix A.

Eakring Road

- 2.58 Photographs 10, 11 and 12 (see Appendix A) convey the character of Eakring Road.
- 2.59 Eakring Road is a barrier between the existing settlement and proposed new homes. Whilst afforded a speed limit of 30mph during the course of the site visit, vehicles were observed travelling in excess of this speed limit. My observations do not

appear to be limited to the day and time of my site visit as some residents have erected their own 'slow down' signs to encourage drivers to observe the speed limit.

As with the field paths, this is both a constraint and an opportunity that was not fully recognised in the appellant's Design and Access Statement.

2.60 Other important constraints (and opportunities) that are omitted from the appellant's constraints plan are:

- The hedgerow that runs along the western boundary of the site alongside Eakring Road (see photograph 3 and 4).
- Views into and across the site when approaching the proposed development site from the north along Eakring Road. Views of the site unfold just before the peak of the bridge (see photograph 11).
- The wooded embankment that runs along the eastern edge of the site. The embankment sits c. 4m above the site at its highest point. This embankment affords prominent views down and into the site.
- The level change between the level of the site and Eakring Road in the site's north western corner as the road level rises to meet the bridge.
- The opportunity to use new development to reaffirm the 30mph speed by providing direct frontage access for new homes along the Eakring Road frontage where levels allow.
- Gateway and transition requirements (see Paragraph 2.44).

2.61 A summary of the appellant's analysis is offered on page 21 of the Design and Access Statement, however on the basis of the observations made in the preceding paragraphs there are important omissions in this summary that in turn undermine the robustness of the design approach.

Appellant's Character Evaluation

2.62 The Design and Access Statement progresses to a Character Evaluation (p.22). Five character areas are identified by the appellant that, *"has led to an eclectic mix of properties"*.

2.63 The rationale for the division between some of the character areas is unclear in places particularly when one considers the most distinctive parts of housing growth

in the settlement which are centred on and between Mickledale Lane, Eakring Road, Church Street and New Road.

This area of housing is more singular and cohesive rather than the appellant's suggestion that this is three different character areas. The appellant's character areas also run along the centre line of streets which is an unusual analysis when one considers the character of development along Mickledale Lane which is largely the same on both sides of the street.

This distinctive area also extends southwards from Church Street along Scarborough Road (except more recent development towards the southern tip), Cul-de-Sac, Crompton Road and Savile Road. This area also includes streets such as Cross Street and The Crescent. However, this area is omitted in the appellant's study. The rationale for this is not clear.

- 2.64 Each study area is afforded a *"character evaluation"*. Each evaluation seeks to identity elements of character but the evaluations lack depth - there is a lack of critical analysis. For instance, which areas of this newer part of Bilsthorpe afford the place a more distinctive and memorable sense of character?

What cues can be taken from these and translated into new development taking into account modern day considerations, particularly making more efficient use of land through higher densities and levels of coverage (square foot per acre)?

Which parts of the settlement have contributed towards a lack of distinctiveness and local identity?

- 2.65 This section of the Design and Access Statement concludes that, *"there are a wide array of architectural styles... leading to an eclectic mix of property... A range of units... will collate to form a built form suitable and appropriate for the area. A complimentary [sic] material palette has been chosen for the scheme... sympathetic and complimentary [sic] to the area"* (page 28).

- 2.66 Whilst the Statement identifies materials that are characteristic of the area, such as *"concrete and clay tiled"* roofs and, *"the use of gables and gabled features"*, these observations are limited in their scope. Materials and architectural details are important aspects of development quality, although the National Design Guide reminds us that there are other aspects of design that contribute towards creating buildings, streets and spaces with a distinctive and more memorable character.

This is recognised in the National Design Guide which states that, *“a place is more complex and multi-faceted than a building”* (Paragraph 5).

The National Design Guide also states that, *“a well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels”* (Paragraph 21).

The Guide specifies components, these being: layout, form, scale, appearance, landscape and materials (Paragraphs 23 to 30).

- 2.67 Within the character evaluation section of the Design and Access Statement eighteen photographs are presented. The reasoning for selecting and including these images in the Design and Access Statement is not entirely clear.

What is the appellant suggesting through their inclusion in the document? Are these sources of reference that exhibit qualities that should be replicated or avoided in any new development?

Without critical analysis it is not possible to understand how development can positively contribute towards reinforcing existing character (or what might be needed to create a place with a distinctive identity where there are no distinctive local cues that can be drawn upon). Without this critical analysis it is also not possible to robustly identify and understand, *“the opportunities available for improving the character and quality of an area and the way it functions”* (NPPF, Paragraph 130).

- 2.68 To further reinforce this point, in order to *“take the opportunities available for improving the character and quality of an area and the way it functions”* (NPPF, Paragraph 130), it follows that it is critical to identify and understand how parts of the urban fabric in a settlement contribute towards the distinctive character and quality of an area; and the way it functions. Streets, buildings and spaces will all contribute negatively, positively or indifferently to the quality of a place.

The true skill of an urban designer is demonstrate by their ability to identify and recognise these positive features which may not be as easy to identity in places such as Bilsthorpe as they might be in other locations.

That these features have not been identified and their impact on the quality of the local built environment is not fully appreciated by the appellant undermines the ability of the scheme’s designers to avoid the same pitfalls and offer a more appropriate and necessary urban design response.

- 2.69 The fact that the buildings, streets and spaces that make positive contributions to the quality of the settlement have not been robustly identified and understood by the appellant undermines their ability to create a responsive design and one that avoids common pitfalls.

It is the absence in the depth of critical design thinking combined with the failure to draw this thinking together with the basic principles of good urban design that prevented the appellant from offering a more contextually responsive design response.

- 2.70 To conclude, the assessment stage of the design process illustrates a number of fundamental weaknesses that undermine the robustness of the appellant's design response.

Involvement

- 2.71 Applicants are encouraged to, *"carry out professional consultations and community involvement at the earliest possible stage as this will help to avoid the potential pitfalls of not doing so until it is too late to change the scheme"* (CABE, 2006, p.12). This is reinforced in the NPPF Paragraph 128.
- 2.72 The Design and Access Statement details the pre-application discussions between the appellant and the local planning authority.
- 2.73 Whilst it is noted that the applicant did seek comments from the council and the council is reported to have advised the appellant that the revised scheme should *"follow principles of the Outline permission"* (p.30) this in itself does not provide a justification for the weaknesses in the design quality of the application.
- 2.74 It is important to recognise that the weaknesses in design quality relate to basic principles of urban design.

The Council's Statement of Case (from Paragraph 4.12) details its concerns relating to matters relating to design quality. By using the Building for Life methodology and critiquing the design process it has become apparent that the causes and signals of poor design are more extensive.

It is critical to note that good urban design is based on well-established principles and practices. These principles and practices are not specific to this particular planning authority. They are established in current and former national planning

policy, good practice guidance as well as academic books and other publications that form the basis of a urban designer's education.

In considering the robustness of evidence, consideration should be afforded to the individual skill, experience, education and validation of an urban designer. Skill and experience is gained in practice, whilst education is by way of formal education with the highest level attainable being that of a doctorate. Validation is provided through the award of Recognised Practitioner Status (see

Evaluation

2.75 *"Once the site's context has been properly addressed... identifying options for development should be a fairly simple task... evaluate the information collected in the previous two stages and identify opportunities and constraints that will inform the scheme. Evaluation may involve resolving any conflicting issues..." (CABE, 2006, p.12)*

2.76 A number of constraints are identified in the Design and Access Statement.

However, as previously discussed the identification of these constraints (and the opportunities they offer) are not comprehensive. Therefore, the proposals are based upon a lack of recognition and appreciation for the opportunities and constraints offered by development in this location.

2.77 A comprehensive set of design principles (opportunities) needed to be identified by the designers (Geoff Perry Associates) to underpin the development proposals and allow options to be explored and tested.

A comprehensive series of design principles is offered below.

It is not apparent why these design principles were not identified and why these cannot be responded to on this development site.

There is no evidence of options testing within the Design and Access Statement.

The exploration and testing of options is a critical part of the design process and can also be useful in demonstrating why a proposed design solution is the most appropriate.

Building for a Healthy Life highlights the need to, *"explore conceptual ideas before settling on an agreed way forward and producing a site layout. For instance, if there*

are existing site features explore how these might be best integrated into a place” (p.38).

Design principles

- Respect and improve existing informal footpaths, integrating these into new streets and public spaces; setting these into generous landscaped corridors; as well as anticipating and responding to new desire lines.
- Provide two inclusive crossing points across Eakring Road to allow those with full and limited mobility and/or sight loss or limitations to cross the road easily, safely and confidently⁴. Inclusive crossing points are those that are signalised or marked (zebra, pelican or toucan crossings) and have wider benefits in encouraging people to walk and cycle for short, local trips; whilst also reaffirming the user hierarchy established in Manual for Streets.

A crossing is required adjacent to the National Cycle Route spur on the opposite side of Eakring Road (with this connecting into the development site).

A second crossing is required to provide access across Eakring Road and to Mickledale Lane (that in turn provides the most direct routes from the development site to Bilsthorpe Surgery and the Post Office).⁵

- Explore the opportunity to provide a limited number of new homes along Eakring Road (where levels permit) with direct frontage access as part of a wider strategy to calm vehicle speeds⁶.

⁴ It is noted that the Highway Authority do not consider a crossing point to be required based on expected levels of usage. This rationale is not consistent with Manual for Streets, LTN 1/20, Gear Change strategy and other policies and initiatives related to modal shift, reducing car usage for short trips, inclusive design and encouraging higher levels of physical activity in order to address increasing government concerns relating to obesity.

⁵ It is noted that the adjacent retail development (currently under determination by the Council) proposes crossing provision adjacent to Mickledale Lane. However this crossing offers very basic provision with a pair of dropped kerbs and tactile paving. This is an inclusive form of crossing provision and does not reflect the user hierarchy established in Manual for Streets (a further opportunity).

⁶ On plot turning provision would allow vehicles to leave and enter Eakring Road in forward gear. Such an approach has been employed on a road of similar traffic character in Leicester City's administrative area. See homes fronting Ashton Green Road and located between Deacon Road and Bevan Road.

- Offer strong visual connections across the site from Eakring Road to the wooded embankment.
- Provide a connected street and movement network.
- Integrate car parking into the street environment, anticipating and reducing the risk of displaced car parking.
- Create a place that reflects or reinterprets Garden Suburb/Corporation Suburb ideals.
- Ensure blocks of development positively address streets, spaces and edges; with homes facing onto (rather than facing away from) the eastern boundary.
- Restore, lay and/or replant the western hedgerow.
- Recognise the importance of views into the site when approaching the site from the north along Eakring Road.
- Respond positively to the “Landscape Actions – Create” in the Newark and Sherwood Landscape Character Assessment SPD (Mid-Nottinghamshire Farmlands; Policy Zones MN PZ 24 and MN PZ 27.
- Suggest how the retail scheme should relate to the residential development to ensure that the two developments will create a cohesive place.
- Respond to the gateway location and the policy aspirations to secure a transitional development (see Paragraph 2.44)

2.78 Finally, it is good practice to explore development options before progressing to detailed design. However, only a single option was presented in the Design and Access Statement; that being the submitted proposals.

2.79 In conclusion, the evaluation stage of the design process (as evidenced by the content of the Design and Access Statement) illustrates a number of fundamental weaknesses.

Design

2.80 The urban design qualities of the proposals have been critiqued against the 20 Building for a Healthy Life considerations. In using this methodology, it is apparent

that there are fundamental weaknesses in the proposed designs for the development.

Building for a Healthy Life

- 2.81 As previously discussed the Building for Life methodology is recognised as a design tool in the National Planning Policy Framework and the latest draft version of the updated National Planning Policy Framework (2021).
- 2.82 The review of the proposals against the 12 considerations signals significant concerns with both the design quality of the proposals and the design approach that was adopted by the appellant. This critique identifies numerous weaknesses in the proposals. Whilst there are concerns relating to the proposed architecture of new homes with respect to their response to the locality, the underlying causes of design failure can be primarily attributed to weaknesses in the design process and in turn the weakness of structural elements of the proposed development.

These include the (weak) movement network, front/back relationships and the response of the development to its immediate and wider context.

- 2.83 A detailed review of the proposals against the methodology is offered in the Appendix.
- 2.84 Under the methodology, there is no scoring regime, i.e. points are not available per consideration and as such there is no pass/fail mark. Instead, the methodology works on a simple traffic light system.

The Building for a Healthy Life publication explains the qualities of a 'red', 'amber' or 'green' light against each of the 12 considerations.

The more green lights a scheme secures, the better it will be.

One or more amber lights indicates there is scope for improvement.

Red lights are a warning that there are fundamental weaknesses in the design response.

In some instances, an amber light might be considered justified due to constraints beyond an applicant's control.

2.85 The scheme has been assessed as follows:

Red lights = “stop and rethink”	6
Amber lights = “try and turn to green”	6
Green lights = “go ahead”	0

To change ‘red’ and ‘amber’ lights to ‘green’ lights requires a number of fundamental changes to the layout of the proposed development.

The assessment of the scheme shows six red lights. These are six explicit warnings to “*stop and rethink*” the design response (Building for a Healthy Life, 2020, p.8 and 9).

2.86 The Building for a Healthy Life considerations are cross referenced to policies within the NPPF and the National Design Guide (see Building for a Healthy Life, 2020, p.7).

The absence of a single ‘green’ light and the high number of ‘red’ lights signals that the scheme performs very poorly against design policies set out within the NPPF and the National Design Guide as well as good practice⁷. (Bold, my emphasis).

A development that was consistent with the NPPF and National Design Guide would secure largely ‘green’ lights with any ‘amber’ lights justified. One or more ‘red’ lights indicates a failure to comply with the NPPF and National Design Guide.

National Planning Policy Framework and the National Design Guide

2.87 ‘Red’ lights were assigned to the following Building for a Healthy Life considerations; which is further evidence of the failures in the design response when these ‘red’ lights are cross referenced to policies in the NPPF and the National Design Guide:

Natural connections: 91a; 102c and e; 104d; 127b; 127f; B3; M1; M2; N1; R3.

Walking, cycling and public transport: 20c; 91a; 91c; 127e; B1; B3; M1; R3.

⁷ See references in Building for a Healthy Life (2020), pages 88 and 89.

Homes for everyone: 60-62; B1; B2; U2; U3.

Making the most of what's there: 122d; 127c; 127d; 153b; 184; C1; C2; I1; B2; R3.

A memorable character: 122d; 127c; 127d; C2; I1; I2; I3; B3.

Green and blue infrastructure: 20d; 91b; 91c; 127f; 155; 170d; 174; C1; B3; M1; N1; N2; N3; P1; P3; H1; R3; L1.

2.88 **Newark and Sherwood Landscape Character Assessment SPD**

The SPD specifies the site as being within a landscape setting where there is opportunity to 'create' a more positive landscape character; with guidance provided as to how this might be achieved.

A passing reference is made to this SPD in the appellant's Design and Access Statement. The appellant comments that the SPD was, "*referred to wherever possible*" (p.10). However it is evident that no reference has been made to this document as there is nothing of substance in the design response that accords with this SPD.

A positive response to this would contribute towards a development on this site performing positively against the Building for Life considerations: 'Making the most of what's there' and 'A Memorable Character'. For instance, structural landscaping with the species mix recommended in the SPD could have been used to meet a number of design quality considerations

2.89 **Newark and Sherwood Residential Cycle and Car Parking Standards and Design Guide SPD Final Draft 2021**

There are weaknesses in the cycle and car parking strategy.

Cycle parking (as prescribed by Building for a Healthy Life) has not been considered as part of the proposals.

The proposed car parking involves a high degree of reliance (77% of homes) on tandem parking arrangements. The nature of tandem parking frequently results in high levels of displaced car parking that frequently exhibits itself in the form of half on-half off pavement parking⁸. There are also weaknesses in the visual integration

⁸ Pavement car parking has recently been the focus of a House of Commons Transport Committee (published in 2019). Kruczkowski, S. (2019) Written evidence to House of Commons Transport Committee (216: PPA 0410).

of car parking with parts of the development dominated by frontage car parking and little to no meaningful landscaping to soften the impact of parked cars.

2.90 **Nottinghamshire County Council Highway Design Guide (updated January 2021)**

The design of the scheme prevents and frustrates pedestrian and cycle movement by the failure to identify existing and future desire lines; and then respond to these in the design response. As such, the proposals cannot be considered to comply with the policy basis of the Design Guide, this being a street user hierarchy based on Manual for Streets where pedestrians and cyclists are considered first and before cars and other vehicles.

2.91 It is therefore reasonable and justified in my professional opinion to conclude the design proposals for the development exhibit a number of design weaknesses and are deficient in terms of the qualities of well-designed places established in national policy and guidance; and local policies.

These **weaknesses are embedded into the basic movement and block structure of the proposed development** and therefore cannot be remedied by way of one or more planning conditions.

3.0 **Part Three: Summary and conclusions**

- 3.1 It is my professional opinion that the proposed design response is not reflective of good urban design practice; and is not consistent with national and local policies relating to urban design quality specifically those relating to local character, response to context, encouraging active lifestyles and providing connections between people and places.

This has been demonstrated by identifying a series of site specific design principles (please refer back to Paragraph 2.77) and considering the design quality of the proposals against these and the Building for a Healthy Life methodology. A critique of the design process has also been offered (please refer back to Paragraph 2.3).

- 3.2 The NPPF states that, *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”* (Paragraph 130).

The proposals will remove the opportunity for the site to continue an important function within the settlement by offering recreational opportunities and providing connections into, across and beyond the site to other places within the settlement and further afield. A further important opportunity is for the development proposals to reflect basic principles of good urban design.

The proposals offer no contribution to the enhancement of the landscape character zone and the creation of new features that respond to the relevant policies, specifically ‘Create’.

- 3.3 Good design is dependent on good design processes, taking the time and effort to understand a place, identify areas of weakness and strength, in turn informing the design response, i.e. what good looks like in a specific context. As part of this the exploration and testing of options is critical.

- 3.4 The critique of the Design and Access Statement and the design process highlights key weaknesses in three of the four key design stages:

- Assessment.
- Evaluation.
- Design.

- 3.5 The assessment stage is akin to the foundations of a building. If these foundations are not robust, weaknesses will appear elsewhere.

It is my professional opinion that the failure of the appellant to complete a robust assessment of the site and its context; combining this assessment with urban design policies and good practice to identify a series of site specific design principles (please refer back to Paragraph 2.77) is the root cause of design failure. These failures were further compounded by the absence of evidence to demonstrate the exploration and testing of options.

3.6 No less than twelve of thirteen opportunities (site specific design principles/indicators of design quality) have been overlooked in the creation of the development proposals:

- **Respect and improve existing informal footpaths, integrating these into new streets and spaces; setting these into generous landscaped corridors; as well as anticipating and responding to new desire lines.**

The failure of the scheme to positively respond to this opportunity is not consistent with the requirements of the NPPF, National Design Guide and Building for a Healthy Life⁹. Building for a Healthy Life states,

“draw points of connection into and through your site - creating a strong and direct street, path and open space network” (p.14); with ‘What ‘green’ looks like’ being explicit in requiring schemes to “respond to pedestrian and cycle desire lines” (p.17).

- **Provide two inclusive crossing points across Eakring Road Provide crossing points across Eakring Road.**

The failure of the scheme to positively respond to these opportunities is not consistent with the requirements of the NPPF, National Design Guide and Building for a Healthy Life. Building for a Healthy Life states,

“ensure access for all” (p.20) and “streets that are easy to cross... think about how people with visual, mobility or other limitations will be able to use the street confidently and easily” (p.62); with ‘What ‘green’ looks like’ being explicit in requiring schemes to provide “zebra... and signalised crossing” (p.23). ‘What red looks like’ specifically states that this is merited

⁹ See table in Building for a Healthy Life (page 7) that shows the relationship between the 12 considerations, NPPF and the National Design Guide.

where a development fails to, “respond to existing (or anticipate future) pedestrian desire lines” (p.19).

- **Explore the opportunity to provide a limited number of new homes along Eakring Road with direct access as part of a wider strategy to calm vehicle speeds.**

The failure of the scheme to positively respond to this opportunity is not consistent with the requirements of the NPPF, National Design Guide and Building for a Healthy Life. Building for a Healthy Life states,

“low-speed streets... the right balance between movement and place functions...[the need to] avoid streets that are just designed as routes for motor vehicles to pass through” (p.62). ‘What ‘red’ looks like’ is explicit in highlighting the need to avoid “restricted frontage access” (p.55).

- **Offer strong visual connections across the site from Eakring Road to the wooded embankment.**

The failure of the scheme to positively respond to this opportunity is not consistent with the requirements of the NPPF, National Design Guide and Building for a Healthy Life. Building for a Healthy Life requires designers to,

“identify any visual connections into, out, through and beyond the site... identify opportunities to integrate and reuse existing features of value... on or beyond the site” (p.38).

‘What ‘red’ looks like’ is explicit in highlighting the need to avoid “building orientations and designs that fail to capitalise on features” (p.43).

- **Provide a connected street and movement network.**

The failure of the scheme to positively respond to this opportunity is not consistent with the requirements of the NPPF, National Design Guide and Building for a Healthy Life. Building for a Healthy Life highlights the importance of,

“look[ing] beyond the red line that marks the extent of your site... stitch a new development into a place... identify the places... you need to connect to... draw points of connections into and through your site – creating a strong and direct street, path and open space network” (p.14). It continues

in ‘*what green looks like*’ to highlight the need for “*edge to edge connectivity*” (p.17) and the need to “*respond to pedestrian... desire lines... safeguarding existing.... Movement corridors*” (p.17).

Under ‘*What red looks like*’ Building for a Healthy Life is clear and unambiguous in stating that a ‘red’ light is merited where a development fails to, “*respond to existing (or anticipate future) pedestrian desire lines... internal streets and paths that are not well connected or are indirect*” (p.19). A ‘red’ light is a prompt to “*stop and think*” (p.19).

- **Integrate car parking into the street environment, anticipating and reducing the risk of displaced car parking.**

The failure of the scheme to positively respond to this opportunity is not consistent with the requirements of the NPPF, National Design Guide and Building for a Healthy Life. Building for a Healthy Life highlights the importance of,

“integration of car parking into the street environment... guarding against displaced and anti-social parking” (p.68) with ‘*what red looks like*’ stating, “*over-reliance on tandem parking arrangements... failing to anticipate and respond to displaced and other anti-social parking*” (p.73).

- **Create a place that reflects or reinterprets Garden Suburb/Corporation Suburb ideals.**

The failure of the scheme to positively respond to this opportunity is not consistent with the requirements of the NPPF, National Design Guide and Building for a Healthy Life. Building for a Healthy Life highlights the need to,

“create a place with a locally inspired or otherwise distinctive identity” and requires that designers, “*delve deeper than architectural style and details... understand where positive local character comes from*” (p.44) with ‘*what green looks like*’ stating the importance of “*structural landscaping as a way to create places with a memorable character*” (p.47).

- **Ensure blocks of development positively address streets, spaces and edges; with homes facing onto the eastern boundary.**

The failure of the scheme to positively respond to this opportunity is not consistent with the requirements of the NPPF, National Design Guide and Building for a Healthy Life. Building for a Healthy Life highlights the need for,

“perimeter blocks... active frontages” (p.50) with “front doors that face...public spaces” and “building typologies that are designed to straddle narrow depth blocks” (p.53). With ‘what red looks like’ being explicit that indicators are “broken or fragmented perimeter block structure” (p.55).

- **Restore, lay and/or replant the western hedgerow.**

This could be achieved by way of a condition.

- **Recognise the importance of views into the site when approaching the site from the north along Eakring Road.**

And:

- **Respond to the “Landscape Actions – Create” in the Newark and Sherwood Landscape Character Assessment SPD (Mid-Nottinghamshire Farmlands; Policy Zones MN PZ 24 MN PZ 27 (p.204 & 218).**

And:

- **Respond to the gateway location and the policy aspirations to secure a transitional development (see Paragraph 2.44)**

The failure of the scheme to positively respond to these opportunities is not consistent with the requirements of the NPPF, National Design Guide and Building for a Healthy Life.

Taking into account the Newark and Sherwood Landscape Character Assessment SPD (see Paragraph 2.46) and the need to ‘Create’, a clear opportunity exists to use new tree planting both along the site’s northern boundary and within the rest of the development site to increase tree cover. Over time this would result in view and a roofline punctuated by tree canopies rather than one of only tiled roofs to houses.

Building for a Healthy Life highlights the importance of, *“structural landscaping as a way to create places with a memorable character” (p.47)* and the need to *“identify any visual connections into, out, through and beyond the site” (p.38).*

Suggest how the retail scheme should relate to the residential development.

The failure of the scheme to positively respond to these opportunities is not consistent with the requirements of the NPPF, National Design Guide and Building for a Healthy Life.

Building for a Healthy Life requires designers to, *“look beyond the red line that marks the extent of your site...[to] stitch a new development into a place... identify the places, facilities and services you need to connect to”* which in turn will *“avoid creating isolated and disconnected places that are not easy places to move through and around”* (p.14).

A good design response (as opposed to a poor design response) would respond positively to most if not all of these opportunities.

The Building for a Healthy Life assessment demonstrates significant and major design shortcomings with six ‘red’ warning lights.

- 3.7 Whilst a stronger design approach would have informed housing typologies, designs and numbers, it is considered that even if these standard house types are accepted as fixed elements, homes can be arranged in a different way that offer a higher standard of design, resolving many of the design issues raised in this Proof of Evidence.

A stronger and more contextually appropriate design response could be achieved by using building typologies and forms that offer some relationship to the adjacent suburb; although this in itself does not preclude a better standard of design from being achieved.

- 3.8 The alternative design propositions prepared by Mr. Garry Hall of Urban Forward Limited demonstrate that there are ways to respond better to site and contextual features and basic urban design principles, such as perimeter block structure.

- 3.9 This proof of evidence has identified multiple failures in the design process and weaknesses in the design quality of the development proposals.

On the basis that the development fails to take the opportunities available (NPPF, Paragraph 130) and fails to respond positively to urban design policies and good practice (as demonstrated by considering the design process against guidance produced by CABI (please refer back to Paragraph 2.3) and the Building for a

Healthy Life methodology) it has been clearly demonstrated that the proposals submitted by the appellant are not compliant with national and local policies (and good practice) relating to urban design quality.