

## Urban Design Proof of Evidence.

### CD14.1

**Michael Carr (BA HONS LA DIP UD RUDP).**

Land North of Rounds Garden, Rugby.

Redevelopment of the former football pitch and tennis courts associated with the adjacent employment use, including demolition of the existing pavilion and all other remaining structures and enclosures relating to the previous use of the site; and the erection of 115 dwellings, accesses, landscaping, parking and drainage features and associated works.

**On behalf of St Modwen Homes.**

Date: December 2025 | Pegasus Ref: P25-2478 |

Appeal Ref: W/25/3373251

LPA Ref: R24/O11

Author: Michael Carr

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## Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
02	17.12.2025	MC	MC	Comments r'cvd



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# 1. Introduction & Scope of Review

- 1.1. My name is Michael Carr; I am one of the founders of Pegasus Group and head of the Architecture and Urban Design team. 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 has in the past commended two developments I have been involved with, the redevelopment of the former airbase at Heyford Park and Spirit Quarters Coventry, in his speech to a Design Quality Conference.
- 1.5. This Urban Design PoE has been prepared on behalf St. Modwen Homes ('The Appellant') in relation to a planning appeal submitted concerning the proposed development at Land north of Rounds Gardens, Rugby ('Appeal Site').
- 1.6. The appeal follows the decision by Rugby Borough Council ('the LPA') to refuse an application for full planning permission (LPA ref: R24/O1111) for proposed development comprising:

***“Redevelopment of the former football pitch and tennis courts associated with the adjacent employment use, including demolition of the existing pavilion and all other remaining structures and enclosures relating to the previous use of the site; and the erection of 115 dwellings, accesses, landscaping, parking and drainage features and associated works.”***
- 1.7. The Reasons for Refusal (RfR) were confirmed in the Decision Notice (CD5.7) dated 9 February 2025. Six reasons for refusal are included with the design related RfR (RfR6) stating:

***“The proposed development does not provide a high-quality well-designed place. The development would not be visually attractive or provide a good architectural response to the site in relation to built form, layout and landscaping therefore having a detrimental adverse impact on the character of the area. The application is there contrary to Policies SDC1 and NE2 of the Local Plan (2019), Paragraph 130 and 135 of the National Planning Policy Framework (2024) and the National Design Guide.”***
- 1.8. I am instructed on behalf of St. Modwen Homes to present evidence to address the urban design issues relating to RfR6.



- 1.9. I am further instructed to present urban design evidence only in relation to RfR5, which is principally concerned with arboriculture matters. RfR5 cites T149-164 tree group as “**a prominent feature within the street scene which contributes positively...**” the removal of which would have negative effect on the local character.
- 1.10. I became involved with the site after the refusal of the application became clear. I was asked to review the validity of the Council’s design related concerns in relation to the application.
- 1.11. The site and its immediate context were visited in November 2025.
- 1.12. My evidence will deal with the following design issues contained within RfR5 and RfR6:
  - I. Do the proposals contribute positively to the street scene in respect of landscaping and townscape?
  - II. Do the proposals represent a high-quality well-designed place?
  - III. Do the proposals provide a good architectural response?
  - IV. Do the proposals have a detrimental impact on the character of the area?
  - V. Are the proposals compliant with nationally and locally adopted urban design policies and SPD?
- 1.13. My evidence will assess the site against the applicable built environment principles contained within Local Plan Policies SDC1 and NE2.
- 1.14. This Urban Design evidence does not seek to attribute weight, nor does it seek to address technical issues such as Housing Supply, Highways or Landscape & Visual Impact. I defer to those suitably qualified colleagues to address these matters. Any reference made to these issues is done so from an urban design perspective.
- 1.15. The evidence that I have prepared, and provide within this Urban Design evidence, is true and is given in accordance with the relevant guidance. I confirm that the opinions expressed are my true and professional opinions.

## 2. Design Related Planning Policy and Guidance

2.1. Relevant Government and local planning policy and guidance will be discussed within planning evidence. From a design perspective, there are a number of policies and guidance documents (National and Local) that I will consider. This section sets out those most relevant from which the review of the design proposals will be carried out in later sections.

### National Planning Policies

2.2. The NPPF (CD6.9) states at Paragraph 8 that the planning system has three interdependent key objectives, which when pursued in a mutually supportive way, can achieve sustainable development. The three key objectives are:

- I. An economic objective;
- II. A social objective; and
- III. An environmental objective.

2.3. There is a presumption in favour of sustainable development, as set out at Paragraph 11.

2.4. The National Planning Policy Framework establishes the emphasis to be placed on good design at Section 12: Achieving well-designed places. Paragraph 131 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...”***

2.5. The NPPF is clear at paragraph 135 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.”***

2.6. I note paragraph 139:

***“139. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides”***

2.7. I also note that NPPF paragraph 136 states:

***“136. Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change.”***

2.8. The NPPF is accompanied by the on-line Government resource Planning Practice Guidance (PPG). The Design: Process and Tools PPG provides guidance on the methods and processes available to both applicants and local authorities to ensure the delivery of well-designed and high-quality, long lasting places with considered design solutions, under the following headings:

- I. Planning for well-designed places;
- II. Making decisions about design;
- III. Tools for assessing and improving design quality; and
- IV. Effective community engagement on design.

2.9. The National Planning Practice Guidance (PPG): Design: Process and Tools 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 2021)

2.10. Of further note within the same paragraph is that ***“...significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and b) outstanding or innovative design which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”***

2.11. Published in October 2021 by the Ministry of Housing, Communities and Local Government (MHCLG), the National Design Guide (NDG) (CD6.20) further reinforces the delivery of quality places.

2.12. When establishing components of character and identity for an area or new development the NDG states:

***“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...”***

2.13. The NDG states at paragraph 64:

***“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.”***

## **Local Policy and Guidance**

2.14. Reference is made to the relevant urban design related policies and guidance where appropriate. Those which are relevant to this site include:

### **Rugby Borough Council Local Plan (RLP) (June 2019)**

2.15. Cited policy SDC1: Sustainable Design (CD6.5) is the overarching design policy within the RLP. It is reflective of section 12 of the NPPF in seeking to ensure the delivery of high-quality, well designed and sustainable development. Seven main parts set out the criterion of high-quality design against which development will be considered:

#### ***“Policy SDC1: Sustainable Design***

***All development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. All developments should aim to add to the overall quality of the areas in which they are situated.***

***Factors including the massing, height, landscape, layout, materials and access should also be a key consideration in the determination of planning applications.***

***The Council will consider appropriate housing density on a site by site basis with decisions informed by local context of the area in terms of design considerations, historic or environmental integration, local character, identified local need and, where relevant, a Neighbourhood Development Plan.***

***Proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.***

***Proposals for housing and other potentially sensitive uses will not be permitted near to or adjacent sites where there is potential for conflict between the uses, for example, an existing waste management site. Such proposals must be accompanied by supporting information demonstrating that the existing and proposed uses would be compatible and that the proposal has addressed any potential effects of the existing use on the amenity of the occupiers of the proposed development.***

***Developers should provide adequate off-street storage space for wheeled bins, including storing recycling, to serve all new residential properties, including conversions. This requirement is particularly important in designated Conservation Areas where the visual importance of the street scene has been acknowledged and there is a duty for the area's character and appearance to be preserved or enhanced. Provision can be in the form of storage space integral to the design of the property, dedicated space externally, in a communal storage area, or in underground waste storage systems.***

***Proposals relating to the enhanced energy efficiency of existing buildings will be supported in accordance with the most up to date national regulations."***

- 2.16. Policy NE2: Strategic Green and Blue Infrastructure (CD6.4) is cited within RfR6 and is primarily a landscape related policy seeking to ensure new development positively contributes to landscape character. For the avoidance of doubt this site is not in or adjoining the countryside, this evidence deals with policy NE2 from an Urban Design and landscape perspective in terms of a built context. Policy NE2 states:

***"Policy NE2: Strategic Green and Blue Infrastructure***

***The Council will work with partners towards the creation of a comprehensive Borough wide Strategic Green and Blue Infrastructure Network which is inclusive of the Princethorpe Woodland Biodiversity Opportunity Areas (also known as the Princethorpe Woodlands Living Landscape), as shown on the Green and Blue Infrastructure Policies Map. This will be achieved through the following:***

- The protection, restoration and enhancement of existing and potential Green and Blue Infrastructure assets within the network as shown on the Policies Map; and***
- The introduction of appropriate multi-functional corridors between existing and potential Green and Blue infrastructure assets.***

***Where appropriate new developments must provide suitable Green and Blue Infrastructure corridors throughout the development and link into adjacent strategic and local Green and Blue Infrastructure networks or assets where present."***

- 2.17. The site has landscape features that are retained, with enhanced public access, but its location is not one where strategic links can be made to wider green or blue networks.

## Rugby Borough Council Climate Changes & Sustainable Design and Construction SPD; February 2023 (CD6.19)

- 2.18. Produced to help tackle climate change and provide additional guidance to support the implementation of the Local Plan, this SPD contains advice that encourages developers to reduce the demand for energy, incorporate energy efficiency measures and renewable energy into new development.
- 2.19. Appendix B: Residential Design Guide provides various space, separation and waste storage standards alongside general layout and design advice. Of particular relevance to the appeal site are:
- I. New dwellings to provide an adequate amount of private amenity space that is in keeping with the area. A minimum area equivalent to the footprint of the dwelling proposed is suggested, with a minimum depth of 7m as well as 60sqm for a 2-bed dwelling and 80sqm for a 3-bed property. Apartments should also have useable outdoor space, either private or communal;
  - II. 21m back-to-back distances are required with 14m back-to-side (if the side elevation is blank);
  - III. New dwellings to accord with NDSS standards albeit strict accordance with the standards is not a local plan policy requirement; and
  - IV. Careful consideration to be given to bin collection arrangements and the provision of sufficient storage space for the various types of refuse and recycling bins used.
- 2.20. It is noted at paragraph 15.11 of the Officers report to Committee (CD5.2) that they consider these aspects of the SPD and mirroring part policy SDC1 to be satisfied, stating:

***“While there is a small proportion of the dwellings which do not comply with NDSS, garden sizes and separation distances across the site comply with the SPD. It is therefore considered that on balance the proposal complies with policy SDC1 of the Local Plan in regards to residential amenity.”***

### 3. Site Context

- 3.1. A summary of the site description is contained within the main Statement of Case (CD4.2). In addition, I set out below my brief summary of the existing site context to provide the background for the discussion of the design proposals.
- 3.2. The appeal site is located within the urban area of Rugby, to the northwest of the town centre and within walking distance of Caldecott Park, the train station and the town centre itself.
- 3.3. As set out with the submitted Townscape and Visual Impact Assessment (CD2.142-2.145), the site has been identified as being located within TCA1: Oliver Street Mixed Use of the Town Centre Regeneration Strategy. TCA1 sets out a number of features and characteristics which include:
  - I. Predominately residential use enclosing the western edge of the town centre;
  - II. Primary routes and secondary routes within the suburban area;
  - III. Regular urban grain with residential properties in plots of similar sizes arranged in similar blocks. Greater variety around the edges of the town centre;
  - IV. A prevailing height of two storeys with scattered three storey townhouses and apartments blocks. Former 11-storey residential buildings around Rounds Gardens are now demolished;
  - V. A mix of Edwardian/Victorian terraces and more modern 20<sup>th</sup> century residential developments with a mix of materials including brick, render and pebble-dash with slate roofs. The houses are often of similar form with two-storeys and bay window at ground floor;
  - VI. Gently, undulating topography allows for some framed views towards wooded horizons and stepped roofscapes along terraced streets;
  - VII. Scattered commercial and community uses particularly towards the A426; and
  - VIII. Mix of tightly packed terraced streets and medium rise apartment blocks set within communal green space. Limited provision of public realm.
- 3.4. The site comprises a former private recreation ground (with tennis courts and former sports pitch) for the use of employees of the industrial premises to the north of the site. The site contains a pavilion and disused car park. It is currently vacant and has been unused for approximately 20 years. It is overgrown and clearly underutilised, with some evidence of anti-social behaviour.
- 3.5. The site is bound by the remaining industrial facility to the north; by existing residential development arranged around Princes Street; land owned by Rugby Borough Council to the south (high and low-rise apartment blocks have been demolished from this site); and the Army Reserve Centre and Indian Community Centre to the west, along with further residential homes and a play area arranged off York Street.

- 3.6. The site contains a number of existing trees and vegetation particularly within the central portion of the site where the existing trees appear to have been formally arranged in a crescent and splits the site into its respective eastern and western portions. A strong tree belt is located to the rear of existing properties fronting Princes Street. Existing trees are viewed from the public realm in the background of views, either through framed views along streets or over the tops of existing rooflines.
- 3.7. Topographically, there is a significant depression within the site, with the crescent of trees enclosing the western end of this area. It is understood; this area was formally a sports pitch. Aside from the 'bowled' feature, the western portion of the site is broadly level. The eastern portion of the site is set below the level of Princes Street; it is understood that rear gardens of the existing Princes Street properties slope down to the 'bowl' feature. This sloped nature extends into the site at the shared boundary.
- 3.8. In respect of connectivity with the surrounding areas, the site benefits from being in close proximity to a number of vehicular routes, existing bus stops and existing pedestrian routes. Furthermore, the site is within walking distance of the Town Centre.
- 3.9. There is an existing pedestrian footpath located to the immediate south of the site providing access between York Street and Hill Street. The footpath has deteriorated, with signs of vandalism. There is little to no active surveillance over this footpath.
- 3.10. To reiterate the appeal site is clearly one that is underutilised and in a state of disrepair. In its current state it has a low value on the street scene and has a limited place-making role in the immediate context. This is set out within the submitted TVIA (CDX). To my knowledge, no issues or concerns have been raised by the LPA in relation to this document.
- 3.11. In respect of well-designed places, the National Design Guide (NDG) states at paragraph 42:
- “Well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation, including:***
- ***the landscape character and how places or developments sit within the landscape, to influence the siting of new development and how natural features are retained or incorporated into it;***
  - ***patterns of built form, including local precedents for routes and spaces and the built form around them, to inform the layout, form and scale – see Built form;***
  - ***the architecture prevalent in the area, including the local vernacular and other precedents that contribute to local character, to inform the form, scale, appearance, details and materials of new development – see Identity.”***
- 3.12. I also note the significance of new developments that ***“help raise the standard of design more generally in the area, so long as they fit in with the overall form and layout of their surroundings.”*** (para. 001, PPG, ID: 26-001-20191001, October 2021) indicated by the PPG.

- 3.13. Given the importance placed on existing settlement pattern in National Guidance and Local policy it is important to review the Settlement Pattern of the surrounding context, alongside additional design context influences such as scale, massing and appearance.

#### Settlement Pattern and Existing Layout

- 3.14. Layout is defined in the National Design Guide: Planning Practice Guidance for beautiful, enduring and successful places (NDG) (updated in October 2021) by the Ministry of Housing, Communities & Local Government as follows:

***“A layout shows how routes and blocks of developments are arranged and related to one another to create streets, open spaces and buildings.”***

- 3.15. Historically, Rugby appears to have originally developed around a central core, where the modern day Town Centre is broadly located. Development appears to radiate outwards with strong radial and grid street patterns visible. This feature is particularly prevalent in the vicinity of the appeal site.

- 3.16. The grid street patterns, typically allow for perimeter block arrangements to be created, again this is a characteristic that is seen in close proximity to the site. However, there are also examples of single tier development whereby the rear of dwellings is exposed to the public realm. Examples of cul-de-sacs arrangements are also evident within Rugby. Dwellings tend to present their principal elevations to the highway with examples of side elevations also apparent. A variety of residential street typologies are visible. The resultant effect is a settlement which has developed over time.

#### Scale

- 3.17. As defined by the NDG, scale is the:

***“height, width and length of each building proposed within a development in relation to its surroundings. This relates both to the overall size and massing of individual dwellings and spaces in relation to their surroundings, and to the scale of their parts. It affects how a space can be used and how it is experienced”.***

- 3.18. The immediate context is predominately 2 storeys with limited examples of 2.5 storey development. Setback distances tend to be consistent with dwellings enclosing the highway with an established building frontage line. Steps in and out of the front facades are consistent and repetitively spaced as one would expect from traditional Victorian terrace development. Adoptable highways are relatively narrow with very limited or no street tree planting, on street parking is prevalent along both sides of the carriageway. Gaps between dwellings are limited and where they do exist are not easily appreciated due to the relatively narrow nature of the public realm. The prevailing sense is a public realm which is highly enclosed.

Focusing in on the immediate context at York Street and Princes Street, as a result of the local topography views of the crescent of trees and other glimpsed views of tree belts within the appeal site begin to be appreciated. This offers a welcome verdant contribution to the character of the area.

### Existing Massing

- 3.19. Massing can be described as how the bulk of individual or groups of buildings are shaped into a 3D form, where bulk is defined as the volume of the building and the form is the three-dimensional shape and modelling of the buildings and the space they define.
- 3.20. From plan view, dwellings within the immediate site context then to be rectangular footprints and those which create occasional L and T shapes. Common throughout is the inclusion of bay windows to vary the front building line.

### Existing Character & Appearance

- 3.21. The existing form and character of the area is assessed within the application's Design and Access Statement (DAS) (CD2.2-2.7) and explains the elements of character that can be found in the surrounding area through a series of context photographs, illustrations, mapping and explanatory text. To my knowledge the Council have not made any specific objection to, or raised any concerns relating to the DAS.
- 3.22. The character and appearance of the immediate site is terraced development, however more generally in the area there is a mixture of historic development alongside recent, residential development and materials is evident, as would be expected from a settlement which has clearly developed over time.

## 4. Design Approach and Evolution

- 4.1. An explanation of the background to the application is set out in the planning evidence and in the documents accompanying the application, in particular the DAS (CD2.2-2.7).
- 4.2. 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, design components and a positive response to local conditions.
- 4.3. It is important to recognise that the design approach of the proposals has evolved via a logical, well-considered process, that was led by townscape and landscape analysis. The application's Design and Access statement included an existing site and context analysis, and again it is notable that the LPA has never objected to or questioned this analysis.
- 4.4. Furthermore, the Appellant has engaged with extensive consultation with the LPA during both application submission and pre-application such that a number of amendments were made to the proposals as a result of comment received. A summary of the changes is contained within the SoC but of particular note are:
  - I. A significant reduction in proposed dwellings numbers from 134 to 115;
  - II. Retention of a greater number of existing trees;
  - III. Amendments to the site layout as a result of comments received, including highways amendments;
  - IV. Amendments to the proposed off-site highways works;
  - V. Revised replacement tree planting scheme; and
  - VI. Updates to the AIA and subsequent recalculation of the BNG.
- 4.5. By way of summary to assist the Inspector, key design principles of the proposals under consideration are set out below:
  - I. The provision of 115 new homes to be a mix of sizes and typologies. Two distinct parcels of development are proposed with a central green space located between;
  - II. The central green space is located within the depression of the site, incorporating the characterful tree crescent and framing new attenuation features;
  - III. Retention of existing tree belt to the east of the site within a green corridor;
  - IV. Green corridor along the northern edge of development;
  - V. Two new site access points taken directly from the existing highways network and serving each parcel of development individually;



- VI. Pedestrian and cyclist connectivity is provided east-west across both parcels of development through the central green space and north-south connecting to existing pedestrian networks;
- VII. Internal vistas are terminated with appropriate built form and/or landscape or open space features. The provision of key buildings and nodal points adds to the legibility of the development, creating internal 'local' landmarks that will assist in wayfinding;
- VIII. A mixed approach to allocated parking provision is taken and where appropriate, broken with soft landscape features;
- IX. Dwellings present active principal and secondary elevations to the public realm; setbacks vary depending on the nature of public realm to be created;
- X. Proposed building heights are predominately 2 storeys with limited 2.5 storey dwellings at key locations;
- XI. A mix of building typologies are proposed, reflective of the varied mix of dwelling types;
- XII. Opportunities to incorporate soft landscaping and/or tree planting within the street scene are taken;
- XIII. The public open space incorporates new formal and informal pedestrian routes; SuDs features; new and existing landscape features and woodland planting; and
- XIV. Trees and soft landscaping are integrated within landscaped boundaries, front amenity areas and public open space to create verdant street scenes and soften the hard landscape. The cumulative effect being a layout which not only incorporates landscape within the street scene, but by virtue of direct views towards the mature landscape within, will also inherit the mature landscape setting into the street scene.

## 5. Urban Design Analysis of Reasons for Refusal

5.1. As set out previously I am instructed on behalf of St. Modwen Homes to present evidence to address the urban design issues relating to RfR6.

5.2. My evidence will deal with the following design issues contained within RfR5 and RfR6:

- I. Do the proposals contribute positively to the street scene in respect of landscaping and townscape?
- II. Do the proposals represent a high-quality well-designed place?
- III. Do the proposals provide a good architectural response?
- IV. Do the proposals have a detrimental impact on the character of the area?
- V. Are the proposals compliant with nationally and locally adopted urban design policies and SPD?

5.3. I address each in turn below.

### **Do the proposals contribute positively to the street scene in respect of landscaping and townscape**

5.4. As set out previously within this evidence, the site has been unused for a number of years. It is in private ownership, public access is not legally allowable and any public use is done so illegitimately. The site has been undermaintained and displays an overgrown and unmaintained character.

5.5. There is evidence of vandalism adjacent to the site (at the public footpath) and signs of anti-social behaviour within.

5.6. Whilst I do not disagree to that the landscape features of the site are positive benefits to the wider character of the area, particularly in the role they play within medium to long range views, in their current condition and the lack of legitimate public access to the site they are not able to be enjoyed or appreciated fully. In terms of urban design and in my opinion, the unwelcoming character of the site detracts from the wider character of the area.

5.7. I consider the proposals to be a positive contribution to the street scene in respect of townscape through its regeneration and through the provision of maintained, high-quality public open spaces that can be legitimately accessed by new and existing residents.

5.8. Furthermore, I am of the opinion that the opportunities for both active and passive surveillance from the introduction of new dwellings into an area that is tucked away and unused is also of huge benefit to the wider area.

### **High-Quality Well-Designed Place.**

5.9. It is well established that the delivery of high quality design is fundamental to new developments. This is underpinned by National and Local policy and guidance.



5.10. As set out previously, PPG Guidance in respect of Design at paragraph 001, states that ***“significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”***

5.11. A number of indicative 3D visualisations were prepared and included within the submitted DAS. These demonstrate how the proposals will work with the landscape and surrounding context. In order to assist the Inspector, these views have been separated out of the DAS and are included within Appendix UDO1 of this evidence. For the avoidance of doubt, no changes have been made to these views.

5.12. Turning to the component parts set out within the NDG, which combine to create well-considered, polite developments. I offer the following observations:

#### Proposed Layout

5.13. The proposed site layout establishes a recognisably residential grain of development which assimilates well with its residential neighbours adjacent. Strong building lines are created throughout, these are either consistent or varied depending on the nature of public realm being created i.e. formal, consistent building lines to principal routes and more relaxed, varied lines towards open space. Terraced forms of development are purposefully located adjacent to the existing context to either continue the established building forms and lines or to create new frontage relationships between the proposed and the existing.

5.14. Views of the retained trees will be a prominent feature of the site providing a significant mature verdant character.

5.15. Private areas are distinct from public, including those semi-private areas that serve as courtyards. This distinction enables residents to take a sense of ownership and pride over their spaces.

5.16. The built elements of the layout are permeated throughout by landscape features balancing the built the natural environment. Wherever one stands in this layout, views to landscape will be gained, which in my opinion, is an incredibly positive attribute and one which does not tend to occur in the immediate existing context.

5.17. All technical, detailed design elements such as separation distances, parking standards, and highways design accord with local adopted policy standards.

5.18. I consider the proposed site layout to represent high quality design envisaged by the NDG.

#### Proposed Scale

5.19. The proposals are for predominately 2 storey residential dwellings varying in size to cater for a mix of dwelling typologies. Smaller terraced typologies are included immediately adjacent to the existing context where this building form is prevalent.

- 5.20. A limited number of 2.5 storey dwellings are located on the eastern parcel, adjacent to the central open space, and provide vista terminations across, this can be seen in view 1, view 3 and view 5 of Appendix UD01.
- 5.21. The increased height dwellings are separated from the dwellings opposite by wide, landscaped, central green space. The resultant effect of the wide public realm versus the higher height-built form will be of a proportional street scape set within green landscape.
- 5.22. I consider the proposed scale to be reflective of the existing appeal site context through the provision of similarly scaled buildings.

#### Proposed Massing

- 5.23. The proposals generally create regularly shaped dwellings which occasionally incorporate rear projections which in plan view appear as L and T shaped footprints. At ground level, the frontages will incorporate subtle steps in the elevations through the incorporation of projecting architectural details which will avoid the flat repetitive frontages. Vertical interest is designed in through the inclusion of vertical architectural detailing. Furthermore, the natural topography of the site introduces steps along the street scene again adding to the interest, animation and shadow depth.
- 5.24. On can see from plan view that the existing residential context are regularly shaped dwellings arranged into long terrace runs with some front and rear projections. What cannot be ascertained from the plan view is whether these projections are original or later additions. Nevertheless, the subtle steps in building line, when experienced at ground level, creates pattern, rhythm and shadow depth layers.
- 5.25. I consider the massing of the proposals to assimilate well with the existing context and to be representative of high-quality design envisaged by the NDG.

#### Proposed Character & Appearance

- 5.26. As set out previously, two distinct parcels of development have been proposed which respond positively to their edges. For example, both incorporate a higher proportion of the terraced and semi-detached typologies adjacent to the existing context, on moving into the site a more suburban family-led housing character is introduced in response to increased landscape character.
- 5.27. The proposals achieve approximately 35dph (as stated within paragraph 12.19 of the Officers Report to Committee) which is reflective of family-led housing development. Whilst the proposals do not meet the higher densities achieved in the existing context, in my opinion, the proposals strike an appropriate balance between the terraces immediately adjacent and the landscape core within the centre of the site.
- 5.28. It should also be noted that density is a blunt tool when assessing design quality. For example, a pair semi-detached dwelling may have the same footprint as a detached dwelling and provide similar street relationships and user experience but the former will be double the density of the later.
- 5.29. This point is also considered by the PPF within Efficient use of Land at Paragraph 005 which states:

***“Dwellings per hectare, used in isolation, can encourage particular building forms over others, in ways that may not fully address the range of local housing needs. For example, an apartment building containing one person studios could deliver significantly more dwellings per hectare, but significantly fewer bedspaces per hectare, than a terrace of family-sized townhouses on a similarly sized site. It is therefore important to consider how housing needs, local character and appropriate building forms relate to the density measures being used”*** (Paragraph 005 ID: 66-005-20190722)

- 5.30. In light of the above, these are proposals which, in my opinion, represent precisely the type of effective use of land encouraged by national policy and guidance from a design perspective that takes account of housing needs and site specific features.
- 5.31. Furthermore, and in my opinion, this is not an anywhere development, but one which has been crafted to the specific site character, location and individual site constraints and opportunities and represents the type of high-quality design encouraged by national and local policy and guidance from an Urban Design perspective.

## **Architectural Response**

- 5.32. Architecture is one of many design components that create design quality. As discussed above, there are many more urban design principles such as layout, scale and massing that also contribute to high-quality design.
- 5.33. With respect to the architectural response proposed, the application submission has demonstrated the assessment of the local context within the supporting application documents and in particularly the DAS. To my knowledge no concerns have been raised with this document.
- 5.34. The Appellant proposes contemporary styled dwellings which have taken design cues from the existing context with an architectural palette of details that will tie the new to what has gone before.
- 5.35. The intention is not to create carbon copies of the Victorian terraces, but to create a polite neighbour that sits alongside and adds to the character of the area.
- 5.36. Furthermore, I can see a palette of materials has been proposed that is in keeping with the local context, including a variety brick and tile options.
- 5.37. An architectural comparison has been carried out in the preparation of this evidence and is contained at appendix UD02.
- 5.38. Through this I can see a number of vernacular details which have been drawn from the locality to create site specific new dwellings. These include:
- I. Strong repetition and symmetry across the elevations and streetscene.
  - II. Vertical fenestration details, particularly incorporating natural coloured stone details.
  - III. Smaller dwellings tend to have narrow elevation widths but combine to create the impression of wide plan depth.

- IV. Corners are active.
- V. Gable fronts to larger dwellings.
- VI. Space between dwellings tend to be regular and consistent where they occur;
- VII. Mix of materials evident across streetscene.

5.39. I consider the appeal proposals to provide an appropriate architectural response that takes cues from the local vernacular. I consider the proposals to strike a balance between creating a new character of development with incorporating local vernacular details and materials so that the proposals will not be alien to the context.

### **Do the proposals have a detrimental impact on the area.**

5.40. The site in its current form, in urban design terms, has a detrimental impact on the area particularly the susceptibility to anti-social behaviour.

5.41. It is well established within this evidence that these proposals regenerate a rundown site and bring about legitimate public uses onto the site, which in my opinion offer a significant positive effect on the character of the area.

5.42. I accept the landscape features of the site provide a positive contribution; they are unique features to the site and the framed views of them from the wider context introduce an element of landscaping to streets which are generally devoid of any street tree planting. However, they are not able to be fully enjoyed by the public and they are currently under-maintained. The proposals enable the landscaping to be enjoyed from both the wider context and within the site and will benefit from the maintenance regime that will be associated with the public open space.

5.43. I consider the loss of some of the existing trees that enables the development to be balanced against those that are to be retained within public open space in urban design terms. Furthermore, a number of new landscape features will be introduced to the site as part of the proposals.

### **Local Design Policy**

5.44. From an Urban Design perspective, the citation of policy SDC1 requires analysis of the policies aims and requirements and the proposals assessment against them.

5.45. The design proposals have plainly followed and demonstrated through the application submission DAS, a sound, well thought through and logical assessment of the site and its surrounding that has evolved through discussions with Officers at all stages of the application process.

5.46. Important in their absence are any issues with this assessment or the DAS in its entirety.

5.47. Within Policy SDC1 a series of general principles are contained within the policy wording, including:



### **Demonstrate high-quality design**

- 5.48. In keeping with the NPPF and NDG high-quality design is required to be demonstrated. This PoE discusses how the elements of high-quality design, as set out by the NDG have been incorporated.
- 5.49. I consider the proposals to be in accordance with the aims of this part of the policy SDC1.

### **Responding to Local Context**

- 5.50. As mentioned previously, the application is supported by a DAS, and subsequent Design Statement alongside a number of technical assessments. All of which have led to a thorough understanding of the site, its constraints and opportunities and have influenced the proposals before the Inspector.
- 5.51. I consider the proposals to satisfy this part of policy SDC1.

### **Placemaking**

- 5.52. The proposals offer residential and open space uses, with an appropriate mix of housing typologies to cater for all stages of life. The green spaces are multi-functional and a variety of routes are incorporated within the proposals. The proposals incorporate street hierarchies and character areas ensuring a series of well-designed spaces that relate to their immediate location within the site whilst delivering a coherent development area.
- 5.53. The appeal site is located in close proximity to other uses, in particular the Town Centre.
- 5.54. The proposals accord with this part of the SDC1 policy in placemaking terms.

### **Movement and legibility**

- 5.55. The policy notes place importance on the creation of a hierarchy of streets and movement corridors to create a network of well-connected streets and spaces which meet the needs of pedestrians and vehicular users.
- 5.56. The proposals include a principal road from the two access points, the eastern parcel from a loop road and the western is a cul-de-sac as previously set out. Along the routes vistas are terminated appropriately with either built form or landscape/open space features.
- 5.57. Private drives tend to occur adjacent to open space offering appropriate transitional spaces between built form and open space.
- 5.58. A variety of pedestrian routes are provided within the proposals both adjacent to the highway and within open space offering users a choice in routes and distances. The routes offer leisure opportunities within the site as a circular route is made possible.
- 5.59. A number of vista terminating/wayfinding landmarks are also contained within the development proposals, thereby assisting wayfinding and legibility.
- 5.60. The proposals comply with the latest adopted parking standards.
- 5.61. The proposals accord with this part of the policy SDC1 in Urban Design terms.

## **Density**

- 5.62. I note that policy SDC1 considers the use of higher densities on a site by site basis, with the comment being put forward by Officers for the use of above average densities on this site. I have therefore considered whether or not the policy imperative in paragraph 103(c) of NPPF is addressed that development which does not make effective use of land should be refused. This is within the section of NPPF that discusses “Achieving Appropriate Densities”. My view is that the proposed development does indeed provide an appropriate density for the site; and that whilst providing fewer homes than anticipated by Officers, it achieves a successful integration of the suburban Victorian terrace character outside the site and the mature landscape within.
- 5.63. Whilst I can see an argument for a higher indicative density, my view is that an appropriate balance has been struck with the proposals, with significant reduction in numbers during the design process.
- 5.64. In my opinion, the proposals accord with this part of the SDC1 policy in density terms.

## **Living Conditions**

- 5.65. With regards to ensuring existing and future resident amenity and living conditions are safeguarded the appeal proposals conform with all required separation distances and garden size requirements, with the exception of the maisonette units. These dwellings are not provided with private amenity space but benefit from being closely located to large areas of public open space.
- 5.66. The Officer in their report to Committee considered this to be acceptable on balance and I have no reason to disagree.
- 5.67. I consider this part of policy SDC1 to be satisfied.

## **Refuse Storage**

- 5.68. All dwellings are provided with appropriate levels of off-street refuse storage as required, this part of the policy SDC1 is satisfied.

## 6. Conclusions and Summary

- 6.1. Having reviewed the proposals against the urban design related policy cited by Reason for Refusal 6, alongside national and local design policy and guidance I can see a design that delivers high-quality, sustainable development. Furthermore, and in direct response to policy SNC1, I can see a design that:
- I. Regenerates an increasingly run-down derelict site;
  - II. Opens up access to attractive landscaped green spaces, new streets and spaces, of benefit to new and existing residents;
  - III. Demonstrates a high-quality design response that is inclusive and sustainable in terms of its location and design;
  - IV. Proposes development that has directly responded to the local context in terms of scale, density and character and that will positively contribute to the wider contextual character;
  - V. Considers and positively responds to design matters such as massing, height, landscape, layout, materials and access in the local context and in response to the sites unique features;
  - VI. Proposes a density that is appropriate to the type of development proposed and offers the opportunity to provide a design response that offers appropriate transition from suburban Victorian terrace character to a more open, landscaped aspect at the centre of the site;
  - VII. Proposes mutually appropriate land uses adjacent to existing land uses i.e. residential adjacent to existing residential; and
  - VIII. Allows the retention and long-term management of existing mature tree groups used as focal points in the development, as well as welcome verdant backdrops to many of the existing street and spaces.
- 6.2. In light of the above, I consider the relevant parts of Policy SDC1 to be satisfied.
- 6.3. The proposals will relate well to the existing settlement and seeks the delivery of housing, significant green spaces and landscaping on a previously developed site, that is currently under-utilised and in a state of disrepair. Furthermore, the sites vacant nature attracts anti-social behaviour.
- 6.4. At ground level, the proposals create a series of attractive new streets and places for existing and new residents to enjoy, with open spaces and landscape features that will in many ways be a positive contribution to the area, delivering development in line with the established policy for the planned development of the area.
- 6.5. It is my opinion, that they satisfy national policy and guidance in respect of the delivery of high-quality design and I consider the proposals to be in accordance with policy SDC1 from an Urban Design perspective.



- 6.6. I believe the site will positively contribute to the local context and that the loss of a limited number of existing trees is balanced against the retention of the majority within public open space that will benefit from a maintenance regime and additional new landscape features. The proposals also enable the landscape features to be legitimately enjoyed from within the site.
- 6.7. I believe the proposals to be represent high quality design and be contextually appropriate. In conclusion, there is, in my view, no reason in design terms to refuse planning permission for this appeal.

Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

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