

Land at North of Rounds Gardens

**Proof of Evidence of Abigail Murphy (Design) on behalf of Rugby Borough Council
(CD5.10)**



Local Planning Authority Reference: R24/0111

The Planning Inspectorate Reference: APP/E3715/W/25/3373251

Contents:

1. Qualifications and experience..... 3

2. Summary 4

3. Introduction 5

4. Assessment of Design 5

5. Regulation 19 Local Plan..... 15

6. Summary and conclusion 16

1. Qualifications and experience

- 1.1 My name is Abigail Murphy. I have been a Senior Design Officer within the Development Strategy team at Rugby Borough Council since 2023 and am an Architect registered with the Architects Registration Board (ARB). I hold a BSc (Hons) in Architecture, MArch Master of Architecture and PGDip in Architecture: Professional Practice (RIBA/ARB Part 3).
- 1.2 I have worked in private architecture practice for over six years between the start of my studies in 2014 and starting at RBC in 2023. The majority of my time in practice has been spent on housing projects of varying scales and contexts, some of which have gone on to be nominated, shortlisted for, or win national or local design awards.
- 1.3 I was placed at Rugby Borough Council as a Senior Planning Officer (Urban Design), now Senior Design Officer, through the Public Practice programme. In my current role I provide design support for planning applications of all scales, contribute to planning policy, produce design-related policy and guidance and contribute my expertise to other departments including Communities and Homes.
- 1.4 I have further contributed to CPD sessions and written guidance for Urban Design Learning, as well as having held tutoring and reviewing roles in the architecture schools at both Cardiff University and the University of Bath across a range of year groups.
- 1.5 The evidence which I have prepared and provide for this appeal is true and has been prepared and is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true and professional opinions.

2. Summary

2.1 This Proof of Evidence addresses the Council's case in respect of defending its decision to refuse planning application reference R24/0111, for the development of land north of Rounds Gardens, Rugby.

2.2 Planning Committee resolved on 12/03/2025 to refuse planning permission. This proof addresses the sixth reason for refusal within the decision notice (CD5.7) dated 19/03/2025:

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 therefore 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 (2021).

2.3 The submitted application information does not demonstrate a meaningful understanding of the context or explain how this has been used to inform fundamental aspects of the design strategy. This is contrary to key policy and guidance within the National Planning Policy Framework (NPPF) (2024)(CD6.10), National Design Guide (NDG)(2021) (CD6.21) and Local Plan 2011-2031 (CD6.1).

2.4 It is considered, regardless of context, that the scheme does not provide a satisfactory level of coherence or legibility. The layout and built form arrangement, in combination with the street design, parking arrangements and landscaping, are largely inconsistent across the scheme. There are some specific arrangements which create particularly

poor spaces, which are disconnected from the surrounding development and dominated by parking and other hard surfacing.

- 2.5 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.

3. Introduction

- 3.1 The submitted planning application sought full permission for 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, drainage features and associated works.
- 3.2 Planning Committee resolved on 12/03/2025 to refuse planning permission. This proof addresses the sixth reason for refusal in relation to design within the decision notice dated 19/03/2025.

4. Assessment of Design

- 4.1 Paragraph 135 of the NPPF (CD6.10) states that:

“Planning policies and decisions should ensure that developments:

c) are sympathetic to 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)”

- 4.2 Item C1 of the National Design Guide (CD6.21) states that:

“Well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and improves negative ones. Some features are physical, including:

- The existing built development, including layout, form, scale, appearance, details, and materials...*
- Local heritage...and local character”*

and

“Well-designed new development is integrated into its wider surrounding physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation, including:

- Patterns of built form, including local precedents for routes and spaces and the built form around them, to inform the layout, grain, form and scale...”*

4.3. Policy SDC1 of the RBC Local Plan (CD6.5) states that:

“...New development will only be supported where 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.”

4.4. The Design and Access Statement (DAS)(CD2.48-2.53) contains limited information about the local built context. While it contains some observations (photographs and a colour coded map), there is little to no analysis of these and no demonstration that the context has had a meaningful influence on fundamental aspects of the design strategy, such as layout, built form arrangement or dwelling design. The DAS (CD2.48) references to the influence of the context are largely limited to material finishes of

buildings, which is not considered to demonstrate sufficient rigour. Other references, including in relation to the design of dwellings themselves, are considered vague and not sufficiently reflected in the proposal.

- 4.5. The Rounds Gardens North site sits within the Rugby urban area and is within walking distance to the town centre. The prevailing built context of the site is terraced streets. Key primary characteristics of this include a grid of connected streets and a fine grain of densely arranged built form, with a high level of overall consistency regarding layout, scale, building typology, building form, relationship of buildings to the street and repeated built form features.
- 4.6. While new development needs not replicate its context in entirety, it is expected to provide a positive and legible response to it, which in turn should embed it in the local area and contribute to a positive sense of place. It is considered that this scheme is out of place in its context and is more characteristic of a suburban setting, so does not achieve the above aims.
- 4.7. A particular example of this is the arrangement of dwellings either side of the central public open space (plots 48 and 30-33, 51 and 94-102). The houses to these plots are detached and semi-detached, with on-plot parking between dwellings and standalone garage structures to the rear. This is an arrangement characteristic of an edge condition within a scheme in a suburban or rural location outside the urban area.
- 4.8. It is described in the DAS (CD2.51) that:

“Within the more central areas and fronting the public open space of the site, the built form consists primarily of semi-detached and detached properties.

Towards the periphery of the site terraced and semi-detached properties are used. These help to create a transition in character areas within the scheme between urban form and open space.”

4.9. There is however no further explanation of the relationship of this transition to its context or what character it is intended to create in this location. Outlook onto open space does not immediately necessitate the arrangement presented. It is not reflective of the fine grain, densely arranged and consistent arrangement that would be expected on a site in this context. It is considered that there are solutions available which could accommodate larger house types with on-plot parking and achieve distinction in character if considered necessary, while also providing a more suitable contextual response and contributing to a more cohesive scheme overall.

4.10. Paragraph 135 of the NPPF (CD6.9) states that:

“Planning policies and decisions should ensure that developments:

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

4.11. Paragraph 51 of the National Design Guide (CD6.20) states that:

“Well-designed places, buildings and spaces:

- Have a positive and coherent identity that everyone can identify with, including residents and local communities, so contributing to health and well-being, inclusion and cohesion.”*

4.12. Item B2 of the National Design Guide (CD6.20) states that:

“Well-designed places use the right mix of building types, forms and scales of buildings and public spaces for the context and the proposed density, to create a coherent form of development that people enjoy. They also adopt strategies for parking and amenity that support the overall quality of the place.”

- 4.13. It is considered that the design strategies within the DAS (CD2.49-CD2.52) are often inconsistent and vague and that there is no clear, overarching strategy for the design of the site which would lead to a cohesive and coherent scheme. The DAS (CD2.49-CD2.52) states that:

‘Moving through the site, street frontages will vary in depth helping to create character areas and variation’

and

‘The network of streets and spaces together with the design of the built form and inclusion of varying street types, textures and materials provides a clear hierarchy between the primary route through the site and the move onto the secondary roads and private drives within.’

and

‘The vehicular and pedestrian movement strategies, together with the strategic landscaping, have set up the main framework skeleton for the proposed development. It is important that the built form responds to this framework.’

- 4.14. The above statements reference aims for both general variety and the need for the relationship between built form and the street framework to achieve a clear hierarchy, which would imply a level of consistency in the design of these spaces. It is not further explained how the hierarchy is achieved through particular design decisions, what relationship it has to the built form arrangement or how variation is meaningfully

implemented to contribute to the proposal. It is further noted that this is the second reference to character areas which are not further explained or demonstrated.

- 4.15. The latter statement is followed by a diagram highlighting locations for two different frontage types, with no indication of how they are realised in the scheme except that there is a general transition from a higher proportion of terraced and semi-detached dwellings to the edges of the site and a higher proportion of semi-detached and detached dwellings toward the centre. This is only one built form characteristic which could be utilised and is in itself inconsistently utilised.
- 4.16. The proposed scheme itself demonstrates a high level of variation in layout and built form throughout the site, with inconsistent relationships between built form arrangements, street design, landscaping and parking arrangements.
- 4.17. One example of this is the arrangement to the street which provides access to the site from Willans Place to the west (plots 36-48 and 9-33). This is described in the DAS as both a 'primary street' (CD2.49-page 35) and part of the 'roadside/street frontage' (CD2.51-page 53), from which it would be expected for there to be a certain level of consistency and formality. This street features; all dwelling typologies from FOG to large detached house; several arrangements of dwellings in relation to each other; several different parking arrangements, including some standalone garage structures; and varying relationships between buildings and the street. Not only do these factors cause the scheme to appear out of character with the context, but more generally cause the scheme to appear incohesive with a low level of legibility. There is further a low level of consistency and in some areas a distinct lack of landscaping to streets.

- 4.18. This is also considered to be the case to the streets facing the central public open space, plots 49-51, 94-102, 113-115 and 45-48, 30-33. These are both described in the DAS as 'secondary streets' (CD2.49-page 35) and 'informal/POS frontage' (CD2.51-page 53). As above in point 4.17, it would be expected for there to be consistency within these street and frontage types, with repeated, recognisable characteristics making the spaces cohesive and legible. These streets feature; several dwelling typologies with varying relationships to each other, from smaller terraced dwellings to larger detached dwellings; several parking arrangements from standalone garage structures to runs of on-street parking; and varying conditions in terms of relationships of buildings to streets. The street elevations (CD1.95) demonstrate a significant variation in the scale and form of the dwellings to plots 49-51, 94-102 and 113-115. The dwelling to plot 98 is noticeably diminutive particularly in comparison to the neighbouring three-storey semi-detached dwellings to plots 96-97 and 99-100. There is further variation in perceived scale between all housetypes to this edge due in particular to the inconsistent implementation and scale of gables to roof forms.
- 4.19. Throughout the site the material finishes are distributed in a 'pepper-potted' manner and appear unrelated to fundamental factors such as street type or built form.
- 4.20. It is considered that these examples are representative of both a lack of clear design strategy and inconsistent implementation of design principles which could contribute to the legibility and coherence of the proposals.
- 4.21. They are further characteristic of a more suburban scheme on a site outside the urban area and not the fine grain, densely arranged and consistent arrangement that would be expected on this site.
- 4.22. Paragraph 123 of the National Design Guide (CD6.20) states that:

Well-designed homes and buildings:

- *Provide good quality internal and external environments for their users, promoting health and wellbeing;*
- *Relate positively to the private, shared and public spaces around them, contributing to social interaction and inclusion...*

4.23. There are some particularly poor arrangements at the lower end of the 'street hierarchy', with compromised relationships with surrounding development and dominance of spaces by car parking. Examples of this include plot 64 which has very little relationship with the surrounding development, being the only dwelling within a parking area, facing onto parking and rear gardens and sharing no intervisibility or street activity with other dwellings in the scheme. Other areas such as that around plots 55-56, 82 and 109, also bear little relation to each other and the rest of the development, have views mostly dominated by parking or rear gardens and achieve very little sense of place or legibility as part of the wider development. The quality of place to plots 8-13 and 22-29 are compromised by inconsistency in built form and parking arrangements, domination of parking and hard surfacing, and lack of meaningful soft landscaping. As above these factors provide little sense of place. Dwellings in these areas appear to have been squeezed into undesirable locations and are compromised in their quality.

4.24. It is considered possible that a more appropriate approach in this context could achieve both satisfactory numbers and a better development.

4.25. Paragraph 117 of the NPPF (CD6.9) states that:

"...applications for development should:

- a) *Give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas...*
- c) *Create places that are safe, secure and attractive..."*

4.26. Paragraph 96 of the NPPF (CD6.9) states that:

"Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- b) *Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public spaces, which encourage the active and continual use of public areas..."*

4.27. Item M2 of the National Design Guide (CD6.20) states that:

"Priority is given to pedestrian and cycle movements... Prioritising pedestrians and cyclists mean creating routes that are safe, direct, convenient and accessible for people of all abilities. These are designed as part of attractive spaces with good sightlines..."

and

"...Safe and direct routes with visible destinations or clear signposting encourage people to walk and cycle."

4.28. There are two key non-vehicular connections which are important to any development on this site. The first is from Princes Street to Essex Street, which provides the opportunity to increase non-vehicular connectivity between the area to the north of the site and the town centre or the west. A connection has been provided but is compromised in its quality. The position of the route is not direct, but is offset from Essex Street, meaning the destination coming from either way would not be visible,

affecting perceptions of safety. The space is narrow and the houses to plots 69-71 which overlook this space are placed in close proximity to the footpath. This prevents any wider potential overlooking of the area and intervisibility between these houses and others, as well as a sole front aspect from these houses onto the side elevation and boundary of 33 Essex Street. Finally, there has been no meaningful landscaping, hard or soft, incorporated into the space. Overall, this connection has not been designed as a positive space which would engender perceptions of safety or encourage use.

4.29. The other route is the existing footpath between York Street and Hill Street. This is currently bounded by vegetation and a fence to one or both sides, varying along its length. It is not currently an attractive route yet represents an important east-west link and development on this site should improve this experience. While the proposal does position the entrances to plots 112 and 113 two facing this route, it also presents a substantial length of garden wall. Further, plots 112 and 113 are positioned in very close proximity to the route, cutting off the potential for visibility of the route from further away, for example from properties at the eastern end of York Street. This also precludes the enhancement of the route with meaningful landscaping and provides plots 112 and 113 with minimal defensible space. These factors substantially limit the potential for both the route and the access to plots 112 and 113 being perceived as safe and welcoming.

4.30. The Design and Access Statement says:

“The masterplan for the development prioritises pedestrian and cycle modes of transport.”

and

“Nodal points are emphasised by specific surface treatments, thus giving priority to pedestrians and helping to create a sense of place.”

4.31. With regard to the internal site layout, it is not considered that the above statement is borne out. The location of this site within the urban area makes the prioritisation of active travel especially important. The proposed layout features footpaths alongside roads except in locations where this is set behind on-street parking with a small verge, crossings dictated by road layout rather than pedestrian or cycle desire lines and substantial lengths of driveway crossovers to pavements. There is no implementation of anything specific which demonstrates priority of pedestrian or cycle movement. Further, nodal points emphasised by specific surface treatments are not identified in proposal drawings. It is considered that this in combination with points 4.28 and 4.29 above demonstrates that pedestrian and cycle (and any other non-vehicular) modes of travel are not prioritised.

5. Regulation 19 Local Plan

- 5.1 The Council is currently reviewing its local plan and the regulation 19 consultation will be undertaken in January 2026 (CD7.4). The draft plan allocates the appeal site for residential development (circa 60 dwellings). The document to be consulted on has placemaking principles for allocated sites in the development site allocations annex (CD7.4 - page 157).
- 5.2 The placemaking parameters within the draft plan are high level however reflect key points made within the section 4 assessment.
- 5.3 It is acknowledged that these principles were not available at the time of the application however they reflect high level design principles within the National Design Guide and wider policy guidance. The principles are tailored to the constraints of the individual sites. It is noted that the appeal relates to a full application and therefore the detail

should build upon the high-level placemaking principles. The draft plan currently holds limited weight within the assessment.

6. Summary and conclusion

- 6.1 The submitted application information does not demonstrate a meaningful understanding of the context or explain how this has been used to inform fundamental aspects of the design strategy. This is contrary to key policy and guidance within the NPPF, NDG and Local Plan.
- 6.2 It is expected for there to be a positive response to context on any site. The built environment context of this site is strong, consistent and characteristic of a wider area. It is not considered that the proposed development provides a positive response to its context. It is considered out of place in this location, appearing characteristic of a suburban development in a location outside the urban area of Rugby.
- 6.3 It is considered, regardless of context, that the scheme does not provide a satisfactory level of coherence or legibility. The layout and built form arrangement, in combination with the street design, parking arrangements and landscaping, are largely inconsistent across the scheme. These factors do not work together to create or reinforce a hierarchy of streets or spaces. This results in an overall low level of legibility, clarity and sense of place.
- 6.4 Further there are some specific arrangements which create particularly poor spaces, which are disconnected from the surrounding development and dominated by parking and other hard surfacing. Some of these are squeezed into awkward spaces to the rear of other dwellings. They generally appear ill-considered, unintegrated and lack a sense of place.

6.5 There are key non-vehicular links which, while technically provided or maintained, do not provide positive spaces which would be perceived as safe or attractive to use. The proposal further does not prioritise non-vehicular movement in its internal layout or through use of features of material finishes. These two things are considered especially important for a site within the urban area that has the potential to provide key non-vehicular connections through and beyond.

6.6 Overall, 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.