

Land North of Gardenia Close and Garden Square, Rendlesham, Suffolk

Proof of evidence in relation to urban design matters

A phased development of 75 dwellings, car parking, public open space, hard and soft landscaping and associated infrastructure and access.

Planning Application Reference: DC/19/1499/FUL (submitted April 2019)

Appeal Reference: APP/X3540/W/19/3242636

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urban forward ltd

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Preamble

1.0.0 Introduction

1.0.1 My name is Garry Hall. I am a practising urban designer and hold a BSc (Hons) in Environmental Design and Environmental Policy from Oxford Brookes University and an MSc Spatial Planning with Urban Design specialization (with merit), also from Oxford Brookes University. I have been Executive Director of urban forward ltd since the company's launch in 2011, and prior to this have held positions relating to the design and management of the built environment since 2005.

1.0.2 Previous roles and activities relevant to this appeal include my time as part of Oxford City Council's Planning Policy Team, and my current positions as Chair of the Design Midlands Design Review Panel, member of the Design South East Design Review Panel, Chair of the Creating Excellence Design Review Panel, and member of the Berkshire, Oxfordshire, Buckinghamshire and Milton Keynes Design Review expert panel. I am Chief Executive of TransForm Places Ltd, a not-for-profit organization established by Government to offer impartial design advice and related services to ensure quality new housing. I am Urban Design advisor for the various Centres that make up the Design Network, a series of architecture charities across the country who help advance good design on behalf of Government.

1.0.3 I am involved in the development of national best practice for urban design and am part of the team that produces and manages Building for Life 12, the Government-endorsed standard for well-designed residential environments. This work is undertaken on behalf of the Build for Life Partnership comprised of Design for Homes, the Homebuilders Federation and Cabe at the Design Council. Previously, led on the dissemination of the now-superseded Building

for Life 20, and also ran the national training program for Manual for Streets 2. In 2016, I adapted BfL12 for use by the Welsh Assembly. I sit on the expert panel that assesses schemes wishing to attain the Built for Life quality assurance mark across the country, and also provide training on BfL12 for Local Planning Authorities, Homes England, and the house building industry.

1.0.4 Formerly, I lectured at Northampton University on their Integrated Urbanism MSc course, and taught on their urban design summer school in 2014 and 2015. I regularly speak at urban design events and deliver urban design training, and clients include Homes England, MHCLG, The RTPI, ATLAS, various Local Authorities, and home builders such as Barratt Homes, for whom I recently delivered a program of in-house events relating to design quality in new developments.

1.0.5 The majority of my previous projects relate to large-scale urban extensions, design codes, masterplans, townscape analysis, and Space Syntax urban structure analysis. Previous projects relevant to this appeal include:

- The production of the Suffolk Design Guide, the yet-to-be released document endorsed across Suffolk by all Local Planning Authorities and the various other organizations that make up the Suffolk Growth Program board, and which relates to the delivery and management of better design across the county.
- The redevelopment of the Manor Kingsway hospital site in Derby, for which I was part of the design team and offered impartial advice to the developer (Kier Partnership Homes) and the Homes and Communities Agency and for which the team won an urban design award.
- The production and monitoring of masterplans and design codes for large-scale urban extensions including the Cotgrave Colliery site in Nottinghamshire, the Kettering East Sustainable Urban Extension in

Northamptonshire, the Didcot North Sustainable Urban Extension in Oxfordshire, the Barton Sustainable Urban Extension in Oxfordshire, the Priors Hall new town in Northamptonshire, the Lawley Millenium Village in Telford, the former colliery site in Gedling, Nottinghamshire, the Southern Quadrant Urban Extension in Grantham, and the Lubbersthorpe Urban Extension in Leicestershire.

- The production of townscape character appraisals and Space Syntax movement analysis as evidence base for neighbourhood development plans including Horncastle in Lincolnshire, Tuxford in Nottinghamshire, and Fernwood in Nottinghamshire.
- The preparation of the masterplan for the former colliery site in Harworth, Nottinghamshire for approximately 1,500 new homes and related facilities and the redesign of the existing high street to allow for a better public realm.
- The preparation of the masterplan for the former Jacko's pub site in Grantham for 62 residential units, 1,200 square meters of open space, a community centre and 1,200 square meters of mixed-use commercial accommodation.
- The development of urban structures work and townscape quality to support the relocation of the University of Northampton including Space Syntax analysis on the existing town and an audit of the built environment adjacent to the development site.

1.1.0 Scope of this proof

1.1.1 I am instructed by CC Developments Ltd to prepare evidence in support of their appeal against the design-related reasons for refusal for the application DC/19/1499/FUL for a phased development of 75 dwellings, car parking, public open space, hard and soft landscaping and associated infrastructure and access at Land North of Gardenia Close and Garden Square Rendlesham Suffolk.

1.1.2 The Proof has been prepared in absence of an agreed Statement of Common Ground and as such is necessarily constrained in terms of specificity. Should a Statement of Common Ground be agreed before the start of the Inquiry, then it is expected that a rebuttal proof may be needed in order to address any remaining points not covered here.

1.2.0 Declaration

1.2.1 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. The comments here are my professional opinion and are informed by my understanding of best practice in my field.

1.3.0 Evidence structure

1.1.4 This proof is structured in the following way:

1.1.5 **Part 1** discusses the role of Planning Policy in delivering good design, including the design policies and guidance at the national level, adopted design policy within the determining Local Planning Authority, the recently published National Design Guide, and Building for Life 12.

1.1.6 **Part 2** provides commentary on the design of the scheme as tabled, discussing how the proposal performs in relation to the planning policy and guidance context, and explores how the specifics of the design are likely to perform in terms of creating a high quality new residential environment.

1.1.7 An **appendix** is included and contains relevant supporting documents not available elsewhere in submission of evidence.

1.2.0 Summary proof of evidence

1.2.1 As required due to the length of this main proof, I have produced here a summary proof of evidence. This is comprised of key paragraphs extracted from the body of the main proof. The summary of the appeal against the design case made by the Local Planning Authority is:

- The proposal meets the tests of both national and local design policies (for the latter extant, superseded and emerging);
- The Local Planning Authority failed to use the Building for Life 12 toolkit appropriately, and this led them to reach a number of erroneous conclusions relating to the quality of the proposal;
- The proposal will be an extension of the existing development adjacent to the site, which provides ample evidence attesting to the high quality of the design and approach to the layout.

1.2.2 The National Planning Policy Framework (NPPF) is the basis on which all subsequent design policy and guidance is given weight in the planning system. Paragraphs 128 and 129 of the NPPF make clear that applicants and Local Planning Authorities should keep an open dialogue throughout the design process, and use appropriate tools at the appropriate time to help ensure the planning process delivers design that supports paragraph 127. Here, the NPPF introduces Building for Life 12 as one of the tools that might be appropriate for helping deliver design quality.

1.2.3 Later, in paragraph 131 the NPPF states that 'In determining applications, great weight should be given to 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.'. It is my view that this paragraph is of particular relevance to the proposal under question, given that it employs design solutions that, whilst unusual in the context of England, can be demonstrated

to deliver on the requirements of this paragraph due to the measurable success of the adjacent development designed to the same principles.

- 1.2.4 In October of 2019, Government released the National Design Guide (NDG). This document supports the NPPF, expanding on the themes and expected outcomes within section 12 and providing further explanations of what it is good design is expected to achieve. Part 2 of the NDG sets out the ten characteristics of well-designed places. In doing so, the NDG departs somewhat from previous national-level design guidance in that it focusses on outcomes rather than providing design solutions. The NDG recognizes that there may be a range of solutions, all of which may be acceptable, so long as the *outcomes* are those described in Part 2.
- 1.2.5 The design is contextually relevant (char.1) in that it extends a distinct district of Rendlesham which is already attractive and distinctive (char.2), and a main ingredient of its distinctiveness is its pattern of development (char.3). The layout is simple enough and the site small enough to ensure it is accessible (char.4), and the ample planting strategy and landscape approach help to enhance nature (char.5). The public spaces proposed, analogous to the ones already in existence on the adjacent site, are highly likely to be successful (char.6), and whilst the site is too small to reasonably be expected to deliver a mix of uses, it is close to those around it and in context is integrated into the village context (char.7). Particular attention has been paid to how the buildings deliver a healthy lifestyle (in fact this is the core design principle underpinning the whole approach, char.8), and part of this approach is the careful selection and use of sustainable materials and making the most of solar orientation (see appendix 3, which provides evidence as to the importance of daylight). Given the attention to detail clearly evident on the adjacent development, there is no reason to think that not only will the development be built to last (char.10), but that it will improve in quality as the landscape structure of the site matures in time.

- 1.2.6 I have assessed the proposal against current design policies (DM21, 22, and 23), superseded design policy AP19, and emerging design policy SCLP11.1: Design Quality. It is my understanding that when in dialogue with the LPA, the appellant were told that although the adjacent site developed to the same principles was allowed, this was under a different policy era and as such is a product of its time. Differences between extant policies and policy AP19 are so minimal as to make them interchangeable. It cannot, in my view, credibly be claimed that the current proposal for the appeal site would be acceptable under superseded policy AP19 but not under current policies.
- 1.2.7 Emerging policy SCLP11.1 makes clear that Building for Life 12 is the toolkit by which to test design proposals against the requirements of the policy. This is dealt with in both appendix 1 and subsequently in this proof, so does not need to be repeated here.
- 1.2.8 My engagement with this project first started when I was asked to undertake an independent Building for Life 12 assessment of the design. I edited and desktop published the 2015 version of the BfL12 toolkit, and remain part of the editorial team for the Building for Life Partnership. Building for Life 12 is a useful tool for both developing a design proposal and examining it at a later stage. I have had a long involvement with the Building for Life system, first managing the national role-out of BfL20, the first iteration of Building for Life in 2009. Since then, Building for Life has been updated, the number of question reduced, and the approach refined. In particular, there has been a move away from using the toolkit as a post-design assessment framework and towards using it a design development tool.
- 1.2.9 In 2018, a new version of Building for Life 12 was published. As a team, we recognized that the best place to use BfL12 in the design and development timeline was as early in the process as possible, so that it might meaningfully shape the outcome. On page 10 of the 2018 edition, The BfL Partnership explain how and where Building for Life 12 is to be used when developing design proposals. Of particular note is the following:

‘BfL12 is primarily a discussion tool – a framework around which issues and ideas can be explored. BfL12 therefore works best if used at the start of the planning process. BfL12 is not designed to be used in isolation as an assessment tool once a planning application has been submitted. If BfL12 has not been used throughout the planning process we do not support its use as a justification for the refusal of a planning application.’ (my emphasis)

1.2.10 When reviewing this proposal, the LPA used the BfL12 toolkit in isolation, which blunts its usefulness and curtails its accuracy. This has, in my view, led to a number of errors in their assessment. Some of these are fundamental, and are suggestive of a poor understanding of how to use BfL12 and the principles that underpin it. It is for this kind of reason that conducting BfL12 assessments in isolation is discouraged; having a member of the design team present to answer any outstanding questions would have avoided many of the low scores recorded by the LPA.

1.2.11 In conclusion there is very little to suggest that there are sound Policy grounds for refusing this development for design reasons. Many of the objections cited by the LPA in determining this application are either not supported by the evidence or are countered by evidence that they had overlooked. In using BfL12 in the way they did, the LPA have reached a number of erroneous conclusions about how the design would perform in practice.

1.2.12 Perhaps the strongest argument in favour of the design approach for this proposal is the adjacent development built to the same principles. Not only is this area of appreciably higher quality than other recently built housing areas within the village, but it performs well in terms of low recorded instances of crime, the high levels of happiness and well-being of its community, and the way it functions day to day.

- 1.2.13 It my opinion that by simply assessing the scheme against established urban design principles without focusing on the outcomes these principles are aiming to achieve, the determining LPA have failed to approach their design analysis (such as it is) fairly or appropriately.
- 1.2.14 The same planning authority was happy to grant permission for a scheme designed on the same principles, and have access to a huge amount of data relating to its day to day performance. This alone should give pause for thought; if the existing neighbourhood is performing well as a place – and it is my contention that it is – then this should weigh heavily into the balance when considering how the new proposal will likely work in practice.
- 1.2.15 The existing development, designed on the same principles, is a high-quality place that is loved by its residents. By way of contrast, the housing on Tidy Road, developed by a volume house builder in a more typical fashion, exhibits very little by way of character and identity. In my opinion, in terms of the Councils own policy tests, this proposal is likely to perform very well indeed and should be welcomed.

Part 1: Policy and Guidance

2.0.0 Good Design: the national picture

2.0.1 The role of good design in delivering a wide array of national policy objectives cannot be overstated; almost every aspect in which Government is active requires designers to play their role in facilitating the delivery of policy objectives, be it improving public health, addressing the challenges of climate change, promoting social and economic development, or providing new homes. As such, the design agenda extends beyond simply how a place looks and into how it works. Therefore, the design agenda is necessarily focused on outcomes, some of which are easier to predict by sticking to established principles, some of which are amenable to innovation. The important thing is that good outcomes are achieved.

2.1.0 The National Planning Policy Framework

2.1.1 The National Planning Policy Framework (NPPF) is the basis on which all subsequent design policy and guidance is given weight in the planning system. In section 12 of the NPPF, titled 'Achieving well-designed places', Government sets out what it expects both in terms of how good design is to be delivered by the planning system, and what good design is in terms of how it performs. This second aspect is critical in framing the design *process* as a means to an end, which is a good *outcome*. In paragraph 127, the NPPF sets out the expected outcomes from planning decisions as related to design:

'127. Planning policies and decisions 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 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.'

2.1.2 Paragraphs 128 and 129 of the NPPF make clear that applicants and Local Planning Authorities should keep an open dialogue throughout the design process, and use appropriate tools *at the appropriate time* to help ensure the planning process delivers design that supports paragraph 127. Here, the NPPF introduces Building for Life 12 as one of the tools that might be appropriate for helping deliver design quality.

2.1.3 Later, in paragraph 131 the NPPF states that *'In determining applications, great weight should be given to 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.'* It is my view that this paragraph is of particular relevance to the proposal under question, given that it employs design solutions that, whilst unusual in the context of England, can be demonstrated to deliver on the requirements of this paragraph due to the measurable success of the adjacent development designed to the same principles.

2.2.0 The National Design Guide

2.2.1 In October of 2019, Government released the National Design Guide (NDG). This document supports the NPPF, expanding on the themes and expected outcomes within section 12 and providing further explanations of what it is good design is expected to achieve. Part 2 of the NDG sets out the ten characteristics of well-designed places. In doing so, the NDG departs somewhat from previous national-level design guidance in that it focusses on outcomes rather than providing design solutions. The NDG recognizes that there may be a range of solutions, all of which may be acceptable, so long as the *outcomes* are those described in Part 2. The ten characteristics set out in Part 2 are:

‘Context – enhances the surroundings.

Identity – attractive and distinctive.

Built form – a coherent pattern of development.

Movement – accessible and easy to move around.

Nature – enhanced and optimised.

Public spaces – safe, social and inclusive.

Uses – mixed and integrated.

Homes and buildings – functional, healthy and sustainable.

Resources – efficient and resilient.

Lifespan – made to last.’

2.2.2 The Local Planning Authority have introduced references to the NDG in their commentary relating to this proposal during discussions leading up to this Inquiry. Previously, Building for Life 12 was more commonly cited as the basis for the design decisions for refusing planning permission. It is my opinion that the National Design Guide is in its intention more supportive of developments such as this than BfL12. This is due to a shift in emphasis onto

outcomes rather than more the commonly used 'do's' and 'don'ts' that form the basis of most design guidance.

- 2.2.3 For this proposal to be successful in design terms, it would need to demonstrate the ten characteristics of a well-designed place (as set out above).
- 2.2.4 It is not my intention to rehash here every way in which the proposal will exhibit the ten characteristics, nor is it necessary. The adjacent development, built to the same principles as those proposed here, can clearly be seen to be performing well when compared against the ten characteristics.
- 2.2.5 The design is contextually relevant (char.1) in that it extends a distinct district of Rendlesham which is already attractive and distinctive (char.2), and a main ingredient of its distinctiveness is its pattern of development (char.3). The layout is simple enough and the site small enough to ensure it is accessible (char.4), and the ample planting strategy and landscape approach help to enhance nature (char.5). The public spaces proposed, analogous to the ones already in existence on the adjacent site, are highly likely to be successful (char.6), and whilst the site is too small to reasonably be expected to deliver a mix of uses, it is close to those around it and in context is integrated into the village context (char.7). Particular attention has been paid to how the buildings deliver a healthy lifestyle (in fact this is the core design principle underpinning the whole approach, char.8), and part of this approach is the careful selection and use of sustainable materials and making the most of solar orientation (see appendix 3, which provides evidence as to the importance of daylight). Given the attention to detail clearly evident on the adjacent development, there is no reason to think that not only will the development be built to last (char.10), but that it will improve in quality as the landscape structure of the site matures in time.

2.3.0 Local Planning Policy

- 2.3.1 Subsequent to issuing their decision, the Local Planning Authority have withdrawn three of their reasons for refusing permission (reasons 1, 4 and 7) and have indicated that they remain willing to withdraw another two (reasons 6 and 8). This leaves reasons 3 and 5. Both of these relate to the specifics of the layout of the scheme, and both are justified using Development Plan policies DM21, DM22, and DM23. Whilst the LPA refer to 'elements of policy SSP12' remaining in contention, a full response to neighbourhood plan objectives is provided in the Planning Statement and Statement of Case.
- 2.3.2 Policy DM21 relates to the overall appearance of a proposal, with a particular emphasis on establishing a sense of place. It includes a number of tests or sub-criteria, the most relevant of which are (a), (b), and (f). Part (a) requires that a proposal relates well to its surroundings. Given that scheme is designed to be a direct extension of the adjacent scheme, it meets this requirement fully.
- 2.3.3 Part (b) makes the case against using the poor-quality of the existing local built environment or lack of a cohesive character to justify bland or otherwise poor design. It goes further, requiring that 'the form, density and design of proposals should create a new composition and point of interest, which will provide a positive improvement in the standard of the built environment of the area generally'. Given that Rendlesham exhibits housing development that takes on the characteristics of various periods in housing growth, it is intrinsic to the character of the village that it has 'districts' or 'neighbourhoods' characterized by collections of similar housing types, laid out in distinctive patterns.

- 2.3.4 Part (f) requires special attention is paid to boundary treatments and areas where development forms the edge of a settlement. One area where this layout, as demonstrated by the development adjacent, performs particularly strongly is in how the spaces between buildings – including landscaping, boundary treatments, and site edges – are designed. These are, in my view, measurably better in terms of quality than those on (say) the new development along Tidy Road.
- 2.3.5 Policy DM22 relates to the functionality of design, covering aspects such as accessibility, parking, waste collection, and crime prevention. Particularly relevant are parts (b) relating to vehicle storage and (d) relating to crime prevention. In terms of part (b), vehicles are parked close to the dwellings they serve, and the landscape provision at the front of plots and within the private driveways is such that cars appear unobtrusive, and do not negatively impact on the overall appearance of the proposal. Most parking issues occur when the parking provision is remote from the homes it serves, causing people to not use the spaces provided and instead find their own solution. In this case, there is no reason to think this will be the case.
- 2.3.6 For part (b) of policy DM22, there is ample evidence that crime within the adjacent layout is actually lower than for other parts of Rendlesham. The close-knit community created through the specific way of living this type of design promotes appears to help foster communities that are more resilient to crime.
- 2.3.7 Policy DM23 sets out requirements in terms of residential amenity. Of specific relevance to this case are parts (a) privacy / overlooking, and (e) physical relationships with other properties. In support of their objections on part (a) of Policy DM23, the determining LPA have produced a diagram which appears to indicate unacceptable residential amenity for basically every dwelling on site. However, this diagram contains a number of errors due to inaccuracies both in assumed separation distances and in terms of how the spaces within adjacent buildings will be juxtaposed. A detailed, drawn-at-

scale study of the relationships between buildings, and thus the main objection from the LPA under Policy DM23, shows that when looked at closely, the adverse relationships sketched out by the LPA do not, in the main, exist (see appendix 2). Where problematic relationships do exist, these can easily be dealt with by condition requiring obscure glazing without any detriment to occupiers.

2.3.8 In addition to current planning policy, it is worth examining both superseded design policy AP19 and emerging design policy SCLP11.1: Design Quality. It is my understanding that when in dialogue with the LPA, the appellant were told that although the adjacent site developed to the same principles was allowed, this was under a different policy era and as such is a product of its time. Differences between extant policies and policy AP19 are so minimal as to make them interchangeable. It cannot, in my view, credibly be claimed that the current proposal for the appeal site would be acceptable under superseded policy AP19 but not under current policies.

2.3.9 Emerging policy SCLP11.1 makes clear that Building for Life 12 is the toolkit by which to test design proposals against the requirements of the policy. This is dealt with in both appendix 1 and subsequently in this proof, so does not need to be repeated here.

2.4.0 Building for Life 12

2.4.1 My engagement with this project first started when I was asked to undertake an independent Building for Life 12 assessment of the design. I edited and desktop published the 2015 version of the BfL12 toolkit, and remain part of the editorial team for the Building for Life Partnership. Building for Life 12 is a useful tool for both developing a design proposal and examining it at a later stage. I have had a long involvement with the Building for Life system, first managing the national roll-out of BfL20, the first iteration of Building for Life in 2009. Since then, Building for Life has been updated, the number of

question reduced, and the approach refined. In particular, there has been a move away from using the toolkit as a post-design assessment framework and towards using it a design development tool.

- 2.4.2 In 2018, a new version of Building for Life 12 was published. As a team, we recognized that the best place to use BfL12 in the design and development timeline was as early in the process as possible, so that it might meaningfully shape the outcome. On page 10 of the 2018 edition, The BfL Partnership explain how and where Building for Life 12 is to be used when developing design proposals. Of particular note is the following:

*'BfL12 is **primarily a discussion tool** – a framework around which issues and ideas can be explored. BfL12 therefore works best if used **at the start** of the planning process. **BfL12 is not designed to be used in isolation as an assessment tool once a planning application has been submitted.** If BfL12 has not be used throughout the planning process **we do not support its use as a justification for the refusal of a planning application.**'* (my emphasis)

- 2.4.3 When reviewing this proposal, the LPA used the BfL12 toolkit in isolation, which blunts its usefulness and curtails its accuracy. The Building for Life 12 Assessment that I undertook is appended (appendix 1) to this proof of evidence, and was prepared in discussion with the design team. As such, a dialogue was established when addressing the BfL12 questions that simply wasn't possible with the LPA when undertaking their assessment. This has, in my view, led to a number of errors in their assessment. Some of these are fundamental, and are suggestive of a poor understanding of how to use BfL12 and the principles that underpin it. An example of this is the commentary provided by the LPA under Question 6: Working with the Site and its Context, where they discuss the play area, which is much better dealt with under Questions 7 and 11. For other questions, it appears that they have been answered without full access to the supporting information (see for

example Question 11 and the misunderstanding over the maintenance plan). It is for this kind of reason that conducting BfL12 assessments in isolation is discouraged; having a member of the design team present to answer any outstanding questions would have avoided many of the low scores recorded by the LPA.

2.5.0 Part 1: Conclusions

2.5.1 There is very little to suggest that there are sound *Policy* grounds for refusing this development for design reasons. Many of the objections cited by the LPA in determining this application are either not supported by the evidence or are countered by evidence that they had overlooked. In using BfL12 in the way they did, the LPA have reached a number of erroneous conclusions about how the design would perform in practice. Perhaps the strongest argument in favour of the design approach for this proposal is the adjacent development built to the same principles. Not only is this area of appreciably higher quality than other recently built housing areas within the village, but it performs well in terms of low recorded instances of crime, the high levels of happiness and well-being of its community, and the way it functions day to day.

Part 2: The quality of the proposal

3.0.0 Principles vs Outcomes

3.0.1 It is not the intention of this Proof to provide a detailed commentary on the determining LPA's Building for Life 12 Assessment, as these are best dealt with by reading the independent Building for Life 12 assessment I undertook. This document also contains useful diagrams and commentary that explain where I think the LPA have reached the wrong conclusions about the merits of the design in their reasons for refusal 3 and 5. Instead, this section deals with accepted urban design principles and explores how and when deviations from these principles might be acceptable.

3.0.2 There is a tendency within the design community to fall back on principles in a way that assumes the outcome *will* be good if the principles are adhered to. Whilst in most cases this approach is sound, within it is an inherent danger, namely the assumption that if one slavishly sticks to rigid principles then the outcome will, *de facto*, be good. There are instances where this is not the case, and where the desired outcome can be achieved in a different way.

3.1.0 The design approach

3.1.1 It is true that the layout employed in this proposal is unusual in the context of England. It is also true that it deviates from some of the accepted urban design principles due to the relationship all buildings have with solar gain and natural light. All buildings face east, and as such the fronts of new homes face onto the rear boundaries of adjacent homes. Usually, exposing the rear boundary of a property presents a safety risk, in that it makes the plot vulnerable to unwanted access from the back. However, this can be mitigated in two ways; one, through ensuring that the space adjacent to the rear of a property is well-overlooked, and two, through ensuring that the quality of the rear boundary is such that accessing the back garden is very difficult. The detailed design of the proposal does this well, and the impact on design quality due to this unusual arrangement is likely to be minimal. This is certainly true on the adjacent development which uses the same kind of approach.

3.1.2 Another consequence of the building orientation is that the main street through the development has little by way of direct active frontage on it. Active frontages provide a number of benefits to streets and other public routes which make them feel safe and inviting. The principle is fairly simple; arrange buildings to face the street to generate active frontages. It would therefore be easy to assume that buildings facing the street is the outcome required, and this is simply not the case.

3.1.3 What the principle is trying to achieve is eyes and ears on the street – known as surveillance – and it is possible to place building entrances onto a street whilst failing to provide active frontages. An example of this would be that the internal arrangement of the building places seldom-used spaces or private spaces such as bedrooms and bathrooms along the frontage on which one wants surveillance. The result is often that these rooms are not used

throughout the day and the windows may be obscured or curtained to provide privacy when in use for privacy reasons, the consequence of which is that the building fails to provide the activity that the principle would imply.

3.1.4 In this design, windows on side elevations and oblique views along the main street (at ground and first floor level) mitigate the lack of direct frontage access, providing surveillance. It is certainly true that other layouts could provide more active edges to the main street, but this would have to be traded off against the approach to natural light and solar gain. Given the relatively small size of the development and the levels of overlooking achieved through the detailed design of the building layout and views along the street, it is likely that very little, if anything, would be gained from a more conventional approach, anyway.

3.2.0 Part 2: Conclusions

3.2.1 It is my opinion that by simply assessing the scheme against established urban design principles without focusing on the outcomes these principles are aiming to achieve, the determining LPA have failed to approach their design analysis (such as it is) fairly or appropriately.

3.2.2 The same planning authority was happy to grant permission for a scheme designed on the same principles, and have access to a huge amount of data relating to its day to day performance. This alone should give pause for thought; if the existing neighbourhood is performing well as a place – and it is my contention that it is – then this should weigh heavily into the balance when considering how the new proposal will likely work in practice.

3.2.3 The existing development, designed on the same principles, is a high-quality place that is loved by its residents. By way of contrast, the housing on Tidy Road, developed by a volume house builder in a more typical fashion,

exhibits very little by way of character and identity. In my opinion, in terms of the Councils own policy tests, this proposal is likely to perform very well indeed and should be welcomed.

Appendix 1

Independent Building for Life 12 Assessment

Appendix 2

Overlooking and adjacencies diagrams

Appendix 3

Excerpts from research into the importance of daylight within properties on health and residential amenity.

Appendix 4

Credentials for David Birkbeck

David Birkbeck has been Design for Homes' CEO since 2000.

He wrote the Building for Life matrix in 2002 which became the country's tool for assessing new-build applications. David took the idea further with a process for preapplication negotiation adopted by Ireland in 2008. He is leading the rewrite of Building for Life to support the National Planning Policy Framework.

David is both a judge and the 'rapporteur' for the government's Housing Design Awards and a member of the Homes and Communities Agency board advising on design and sustainability standards.

He is an NHBC councillor, an Honorary Fellow of the RIBA, a member of the Cambridge area design review panel and a member of the planning and climate change review panel for Yorkshire and Humber.

Publications include 'Prefabulous Homes', 'Car Parking: What Works Where', 'Managing Superdensity' and 'Beyond Ecotowns'.

David is campaigning for an MPH for new homes, such as kWh/sqm/year and wants to see homes advertised by size.