

HDCB/Issue 9

**STATEMENT BY
HORSHAM DISTRICT AND
CRAWLEY BOROUGH COUNCILS**

ISSUE 9

Policies WB 3 and 4 – Neighbourhood Principle and Design

**HORSHAM DISTRICT AND CRAWLEY BOROUGH LOCAL
DEVELOPMENT FRAMEWORKS**

**WEST OF BEWBUSH JOINT AREA ACTION PLAN DEVELOPMENT
PLAN DOCUMENT**

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ISSUE 9: Policies WB 3 and 4 – Neighbourhood Principle and Design

1. Introduction

- 1.1 This Statement relates to Issue 9 and the justification for the Councils' decision to include these policies, reasoned justification and supporting chapters, both in terms of their objectives and the specific wording, within the submission West of Bewbush Joint Area Action Plan (JAAP).
- 1.2 A number of issues relating to these policies, reasoned justification and supporting chapters were raised in the original representations on the submission JAAP. Subsequently, the Inspector has identified main matters and questions for Examination.

2. Main Matters

- 2.1 There are several main matters and questions raised in the Inspector's Issues for Examination. Fundamentally, the Inspector asks **'Whether the JAAP provides sufficiently clear and comprehensive guidance to developers in order to promote a high quality, well designed and serviced neighbourhood'**. This section sets out the relevant questions and the Councils' responses.

Should the JAAP be more positive and proactive in design detailing, enabling a sense of place? Has too much been left to the planning application stages?

- 2.2 The Councils' statement seeks to address these questions by demonstrating that a high quality of design would be achieved in the new neighbourhood through the application of existing and emerging policy and guidance.
- 2.3 Planning Policy Statement 1: Delivering Sustainable Development (PPS1) and Planning Policy Statement 3: Housing (PPS3) identify high quality inclusive design as a key principle within national planning policy which contributes to the delivery of sustainable development. Both PPS1 and PPS3 stress that good design should deliver attractive, safe, usable, durable and adaptable places and should contribute positively to making places better for people and add to the overall character and quality of an area (paragraphs 33 to 39 and 12 to 19 respectively).
- 2.4 The Horsham District and Crawley Borough Core Strategies set out the importance placed by the respective Councils on achieving high quality design in new development and the broad design process and principles that should be followed. These principles include the need to create a development with a sense of place, based on a clear understanding of its context (Policies CP3 and EN5 respectively). The Joint Area Action Plan (JAAP) confirms that both Core Strategies would be material considerations in the determination of any planning applications (paragraph 1.2) and sets out more detailed level of guidance with respect to design and the neighbourhood principle, including the need for any future scheme to be safe, legible and distinctive (Policies

WB3, WB4 and paragraphs 4.1 to 4.5). The JAAP includes a Conceptual Masterplan which has been subject to community, stakeholder and local authority consultation. Details of these consultation events are set out in the Statement of Compliance (Section Q). Together, these Development Plan Documents contain a comprehensive set of neighbourhood and design principles which would act as the framework for making design-related decisions on all forthcoming planning applications.

- 2.5 Were the JAAP to be found sound, it is intended that the progress of the scheme after the examination would follow a clear route, incorporating a robust design process. Planning application would need to be submitted in accordance with DCLG Circular 01/2006 'Changes to the Development Control System'. In addition, both the Councils and the developer are of the view that the design process, from pre-application discussions to planning permissions, should be clearly set out as part of a Planning Performance Agreement (PPA). This statement will deal firstly with the guidance contained within Circular 01/2006 and secondly with the proposed content of the PPA.
- 2.6 Circular 01/2006 requires outline applications to demonstrate that the impact of the scheme has been evaluated and understood and to provide adequate information to enable a decision on the general principles of how the site would be developed and a formal agreement about the amount and nature of development prior to preparing detailed proposals (paragraphs 47 and 48). The minimum requirements for information to be submitted with an outline application are use, amount of development, indicative layout, scale parameters and indicative access points (paragraph 52).
- 2.7 Circular 01/2006 requires that most applications be accompanied by a design and access statement (DAS). Statements must be proportionate to the complexity of the application although a major part should be the explanation of how local context has influenced the design (paragraphs 60 to 67 and 97 to 99). A DAS accompanying an outline application has a particular role in linking general development principles to final detailed designs that would be considered as part of the reserved matters. The DAS should evolve throughout the design and development process and clearly explain and justify the design principles and concepts that have been applied to the amount, layout, scale, landscaping and appearance of the development, in accordance with the guidance set out in the Circular (paragraphs 82 to 95).
- 2.8 This statement has taken account of the Secretary of State's decision letter and the Inspector's Report relating to a proposed mixed-use development including 2,200 homes at Filton Airfield, near Bristol (CDOth6a and 6b). The decision letter and report have identified the appropriate approach and level of information necessary to demonstrate that a high quality design, which respects and enhances the local character and distinctiveness, would be achievable and to meeting the requirements of Circular 01/2006 (IR paragraph 10.36). The Appeal Inspector refers to the purpose of a DAS at the outline application stage being to establish the principles that will guide the development and to demonstrate, typically by reference to examples, how these principles will ensure good quality. The 'fix' required at the outline stage

is one of quality not detailed design, as other interpretations may prove equally acceptable if they meet the quality standard (IR paragraph 10.14). This statement sets out below the DAS requirements with respect to layout and scale, as examples of two of the aspects required to be addressed by Circular 01/2006, and the comments from the Appeal Inspector to illustrate the approach and level of information that would be sought in relation to the West of Bewbush new neighbourhood.

- 2.9 With respect to layout, the Circular requires that outline applications should provide information on the approximate location of buildings, routes and spaces proposed. In addition to explaining and justifying the underlying principles behind the choice of development zones and blocks, the DAS should explain how these principles will inform the detailed layout. The use of illustrative diagrams is encouraged by the Circular (paragraphs 84 to 87). The Circular requirements for an outline application with regard to scale are that the parameters for upper and lower limits of the height, width and length of each building proposed should be indicated to establish a three-dimensional building envelope within which the detailed design of buildings would be constructed. The DAS should explain and justify the principles underlying these parameters and to explain how these will inform the final scale of the buildings (paragraphs 88 and 89).
- 2.10 The Inspectors Report includes a number of comments regarding appropriate information to be provided in respect of layout. Firstly, to create distinctive character areas, appropriate principles should be set out on a detailed layout for the whole area, where feasible. The layout should provide a recognisable overall structure and, to aid legibility, street typologies and an access/movement strategy should be developed with consistency between them, the proposed character areas and the treatment of spaces (IR paragraphs 10.7 to 10.9, 10.12 and 10.14). Secondly, a sufficient number of typical block plans should be worked up in detail so as to demonstrate how principles set out in the text might be applied in practice and that a successful, high quality development would emerge. The examples should show details sufficient information to provide a clear understanding of matters such as proposed building heights, distribution between flats and houses, allocation of parking and garages and public and private spaces and relationships. The blocks should have a sense of coherence and of contributing to the overall structure of the scheme layout. The information should be presented in a graphic style that provides clarity and certainty (IR paragraphs 10.9 to 10.12). With regard to scale, the Appeal Inspector commented that a broad range of building heights for each street typology without reference to an illustrative plan was insufficient for this purpose and would not meet the requirements of the Circular.
- 2.11 The Councils consider that the requirements of Circular 01/2006 and best practice, in the form of the decision letter and Inspector's Report, would offer sufficient guidance to developers and controls to secure a high quality of design. Circular 01/2006 also advises the applicant and Local Planning Authority (LPA) to consider how they will ensure that the relevant parts and parameters of the statement are adhered to as part of the drawing up and

consideration of an application for approval of reserved matters or any other matter reserved by condition. The Councils will set out any requirements for additional information required at the reserved matters stage, building on the original DAS, through a condition on the outline planning condition (paragraphs 73 and 74). The Circular also reminds LPAs that they may direct an applicant to provide any necessary additional information necessary for them to determine an application and may also notify an applicant that they are unable to determine an application unless further details, which may be any or all of the reserved matters, are submitted (paragraphs 54 and 55).

- 2.12 The DCLG and ATLAS guidance note, 'Implementing Planning Performance Agreements', advises that the agreements are a collaborative approach to the management of the project which will improve the decision-making process and that the process of establishing an agreement is significantly beneficial in developing a common understanding of project issues and objectives and in building positive relationships (paragraph 2.3). The Planning Performance Agreement (PPA) for West of Bewbush will cover pre-application discussions to the submission stages and is being actively progressed by all parties for approval early in 2009. The design process would lead up to the submission of a hybrid or outline planning application in the summer of 2009.
- 2.13 PPS1 highlights the importance of pre-application discussions and community involvement (paragraphs 12 and 43). The PPA will identify a series of topic-based working groups comprising officers from HDC, CBC and WSCC and representatives from statutory and advisory bodies and the Developer. The Masterplanning Working Group would be supported by urban design, heritage, landscape and environmental specialist resources from HDC and CBC, supplemented by resources acting on behalf of the developer which may include masterplanning, urban design, landscape and environmental specialists. It is intended that the Working Group would consider sustainability, public realm, open space, landscape/visual impact and ecology, urban design principles and layout. The PPA would also identify public and stakeholder consultation events, comprising exhibitions and interactive workshops, to be undertaken during the second quarter of 2009. The purpose of these meetings and events would be to enable there to be engagement in the emerging masterplans and design principles for the scheme and to build consensus.
- 2.14 The PPA will also incorporate a requirement for design reviews at key stages in the development of the more detailed design framework up to the submission of the applications. To facilitate the involvement of an expert panel, the developer would have briefed either CABE or the Regional Design Panel at the Kent Architecture Centre on the scheme early in 2009. Circular 01/2006 urges LPAs to consult CABE at the earliest opportunity where they consider a proposal raises significant design quality issues (paragraph 76).
- 2.15 Whilst both Councils intend that the pre-application and application process will be guided by a PPA, they also acknowledge that the agreement would not be binding on any future owners or developers. As a consequence, a change to the JAAP is proposed at section 3 of this statement which encapsulates the

design and approval process set out in the Filton Airfield Inspector's Report as accepted by the Secretary of State (CDOth 6a & 6b, paragraphs 10.30 to 10.32 and 15 respectively).

Should there be a "hook" to enable further design guidance to be provided, perhaps in the form of Supplementary Design Guides for each phase?

- 2.16 The Horsham Core Strategy refers to the possibility of producing development or design guides for West of Crawley (paragraph 4.20). However, both Councils are of the opinion that there is a robust planning policy framework in place, which could be improved with the change proposed in Section 3 of this statement, and that the route and process set out above would be able to secure a high quality and well-designed new neighbourhood.

Should indicative densities be included in the JAAP (WB 10)?

- 2.17 The JAAP states that densities across the neighbourhood should vary with higher densities in the most sustainable locations, such as near transport nodes and the neighbourhood centre (Policy WB4). The JAAP also sets out the number of dwellings that should be accommodated within each core phase (Table 1) and requires each core phase to demonstrate how a mix of dwelling size and type would be delivered (Policy WB10). The Areas and Densities Core Document (October 2008) sets out the capacity of the core phases to accommodate dwellings at densities of 30, 40 and 50 dwellings per hectare.
- 2.18 The development of the new neighbourhood should be guided by the principles set out in the JAAP, including the need to create a distinctive character to distinguish it from adjacent neighbourhoods and clearly defined edges (Policies WB3 and WB4). Whilst the design and layout of the scheme should reflect the character of the town as a whole and that of the site and its surroundings, the density of adjacent development need not dictate that for the new neighbourhood. Density as a measure to guide design and character can be imprecise as the built volume of the proposal could be similar to adjoining development but be of a higher density or lower density. The agreed density for each core phase should be determined by the design principles set out in the DAS which seek to achieve objectives including legibility, an appropriate range of character areas and ensuring that full account is taken of the site's context.
- 2.19 For these reasons, the Councils do not consider that indicative densities should be included in the JAAP.

3 Proposed changes to the JAAP

- 3.1 The Councils therefore propose the following wording changes to the JAAP for the Inspector's consideration.
- 3.2 ~~4.4 ...To assist this process planning applications for phases of development should be accompanied by design appraisal.~~

3.3 4.6 To ensure that the design of the new neighbourhood is of high quality, there should be a good, well-reasoned, consistent and thorough Design and Access Statement (DAS) in place at the outline planning stage, to include a phasing strategy. Early sections of the DAS should deal with the context, constraints and character analysis supplemented, where necessary, by supporting statements. There should be an overall vision and basic design principles drawn from the contextual analysis to provide a solid foundation for the creation of a high quality development. The DAS must demonstrate with the necessary clarity and consistency, and in accordance with best practice, how the vision and principles would inform the detailed design and ensure a high quality development. This approach would establish the design principles and the commitment to quality and delivery at the appropriate stage. The DAS should be developed with the involvement of local communities, stakeholders and CABE or the Regional Design Panel and in partnerships with the District and Borough Councils.

4.7 The DAS should include a strategic, site-wide masterplan which shows the different land use elements and the broad urban form, including the block structure and street pattern, etc. This would form the basis for individual strategies and detailed sample layouts needed to demonstrate how the vision would work and how the desired level of quality would be achieved. The DAS should also include a high level Design Code which should be of high quality and provide clarity and the right balance between prescription and flexibility.

4.8 A detailed masterplan and design code for each phase, graphically illustrating the layout and built form and designed to accord with the principles in the DAS, is a necessary precursor to the submission of reserved matters applications in order to clearly establish the relationship of each development parcel to the scheme as a whole. The detailed master plans and design codes would build on the DAS and provide an appropriate level of detail for the submission of individual reserved matters applications. This approach will allow the masterplan to respond to changing circumstances as the site develops, while still being guided by the overarching principles set out in the DAS. Planning permission would include a condition requiring that the detailed masterplans, design codes and reserved matters applications should be in accordance with the DAS unless otherwise agreed in writing by the LPA.

4 Conclusion

4.1 The policy set out at WB3 and WB4 together with the reasoned justification in paragraphs 4.1 to 4.5, as amended, are clear, reasonable and flexible and are appropriate in all circumstances. It is considered that the responses to the Inspector's questions, coupled with the proposed changes, demonstrate that the JAAP provides sufficiently clear and comprehensive guidance to developers in order to promote a high quality, well designed and serviced neighbourhood and that the JAAP meets the relevant Tests of Soundness, particularly Tests 4,6,7 and 9.